

The Corporation of the City of Kawartha Lakes

Agenda

Committee of Adjustment Meeting

COA2021-004

Thursday, April 15, 2021

1:00 P.M.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Councillor Emmett Yeo

Betty Archer

David Marsh

Andre O'Bumsawin

Sandra Richardson

Lloyd Robertson

Stephen Strangway

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|--------|---|---------|
| 1. | Call to Order | |
| 2. | Administrative Business | |
| 2.1. | Adoption of Agenda | |
| 2.1.1. | COA2021-004.2.1.1 April 15, 2021 Committee of Adjustment Agenda | |
| 2.2. | Declaration of Pecuniary Interest | |
| 2.3. | Adoption of Minutes | |
| 2.3.1. | COA2021-003.2.3.1 March 18, 2021 Committee of Adjustment Minutes | 5 - 35 |
| 3. | Deferred Applications | |
| 3.1. | Minor Variances | |
| 3.2. | Consents | |
| 3.2.1. | COA2021-022 David Harding, Planner II, RPP, MCIP File Number: D03-2020-006 Location: 114 Queen Street Part Lot 35, Lot 36, NS Queen Street, Plan 15P Former Town of Lindsay Owners: Jeffery and Michael Farquhar Applicant: Jeffery Farquhar | 36 - 60 |
| 4. | New Applications | |
| 4.1. | Minor Variances | |

| | | |
|--------|--|----------|
| 4.1.1. | COA2021-023 | 61 - 76 |
| | <p>Kent Stainton, Planner II File Number: D20-2021-001 Location: 37 Adelaide Street North Block 15, Plan 57M-782 Former Town of Lindsay Owner: Lindsay Seniors GP Limited/Lindsay Seniors LP c/o MTCO Holdings Inc. Applicant: Carolyn Molinari - CM Planning Inc.</p> | |
| 4.1.2. | D20-2021-006 Memorandum | 77 - 77 |
| | <p>Kent Stainton, Planner II File Number: D20-2021-006 Location: 2 Huntingdon Court Part Lot 12, Concession 9 Geographic Township of Fenelon Owners: Peter and Karen Marren Applicant: Garry Newhook</p> | |
| 4.1.3. | COA2021-025 | 78 - 88 |
| | <p>Kent Stainton, Planner II File Number: D20-2021-015 Location: Vacant Land on Cross Creek Road Part Lot 10, Concession 4 Geographic Township of Ops Owners: Jane and Paul McCabe Applicant: Roberta Perdue</p> | |
| 4.1.4. | COA2021-026 | 89 - 101 |
| | <p>Kent Stainton, Planner II File Number: D20-2021-016 Location: 308 Cross Creek Road Part Northerly One Half Lot 10, Concession 4 Geographic Township of Ops Owners: Jane and Paul McCabe Applicant: Roberta Perdue</p> | |

- 4.1.5. COA2021-027 102 - 111
- David Harding, Planner II, RPP, MCIP
File Number: D20-2021-019
Location: 17 Denfield Road
Lot 18, Plan 57M-772
Former Town of Lindsay
Owner: Grimesway Construction Limited, c/o Owen Grimes
Applicant: Grimesway Construction Limited, c/o Owen Grimes
- 4.1.6. COA2021-028 112 - 122
- David Harding, Planner II, RPP, MCIP
File Number: D20-2021-021
Location: 26 and 28 Sanderling Court
Part of Lots 1 and 2, Plan 400
Geographic Township of Fenelon
Owners: Kevin Brasier and Theresa Henry
Applicants: Kevin Brasier and Theresa Henry
- 4.2. Consents
5. **Other Business**
- Mr. Holy, Acting-Director of Development Services to provide a brief overview of the new Additional Residential Units policy and Zoning and Sourcewater Protection for Committee members.
6. **Correspondence**
7. **Next Meeting**
- The next meeting will be Thursday, May 20, 2021 at 1:00pm in Council Chambers, City Hall.
8. **Adjournment**

The Corporation of the City of Kawartha Lakes

Minutes

Committee of Adjustment Meeting

COA2021-003
Thursday, March 18, 2021
1:00 P.M.
Council Chambers
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

Members:
Councillor Emmett Yeo
Betty Archer
David Marsh
Sandra Richardson
Lloyd Robertson
Stephen Strangway

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1. **Call to Order**

Chair Robertson called the meeting to order at 1:02pm. Councillor Yeo and Members D. Marsh, S. Richardson, B. Archer and S. Strangway were in attendance.

M. LaHay - Acting Secretary - Treasurer

C. Crockford - Recording Secretary

Staff attending remotely - Mr. Holy, Manager of Planning, Mr. Harding, Planner II, Mr. Stainton, Planner II, Ms. Murchison, Chief Building Official and Ms. Turner, Economic Development Officer - Heritage Planning.

2. **Administrative Business**

2.1 Adoption of Agenda

2.1.1 COA2021-003.2.1.1

March 18, 2021

Committee of Adjustment Agenda

CA2021-016

Moved By B. Archer

Seconded By S. Richardson

That the agenda for March 18, 2021 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 COA2021-002.2.3.1

February 18, 2021

Committee of Adjustment Minutes

CA2021-017**Moved By** D. Marsh**Seconded By** S. Strangway

That the minutes of the previous meeting held February 18, 2021 be adopted as printed.

Carried**3. New Applications****3.1 Consents****3.1.1 COA2021-012**

David Harding, Planner II, RPP, MCIP

File Number D03-2020-034

Location: 170 William Street North

Block J, Part Lot 1 and 2, Plan 1

Former Town of Lindsay

Owners: Patricia Jarvie and Roger Beamish

Applicant: Roger Beamish

Mr. Harding summarized Report COA2021-012, the application proposes to sever off the yard between the dwelling addressed as 170 William Street North and 174 William Street North to create an additional lot.

Mr. Harding noted that due to the nature of the application he will be combining the analysis of both Consent and Minor Variance applications, even though the Committee will be dealing with them separately.

Mr. Harding noted that the Heritage Officer did comment on the application which is included in the report and the officer has no concerns to the proposal which has been presented today. In light of Cameron Clark and Grant Walcot comments, which was received as a result of the circulation of the consent application. The comments were forwarded to the Municipal Heritage Committee. The Committee did review this proposal and voted to receive the proposal for information and provide no further comment. By providing no further comment, the Heritage Committee is letting the Heritage Officer's comments stand. Mr. Harding has invited the Heritage Officer to the meeting to comment on additional aspects should there be questions.

Since the writing of this report additional comments were received from the owners of 155 William Street North which is included in the amended agenda package. Staff would like to reiterate that the Municipal Heritage Committee and Heritage Officer have considered the matter and there is no objection to the proposal.

In the submissions there are questions referring to the apparent frontage of the smaller lots in the neighbourhood and how they compare with what is being proposed now. Mr. Harding reiterated that the submissions note the built form spans the width of some of the lots, and what is being proposed will also span the width of the lot. This is possible as site parking will be on a pad at the front.

Mr. Harding noted that he had additional conversations with the owners, and they were agreeable to adding a condition to the variance to better tie the proposed built form to the property. He stated that the amendment to the recommendation will be presented when Committee deals with the variance application.

The submissions of the owners of 155 William Street North also contained concern over Enbridge's presence at the site. Mr. Harding stated he had a conversation with the owners of 170 William Street North and they clarified that Enbridge were upgrading the HVAC system for the existing dwelling.

Staff respectfully recommended that the application be granted approval subject to the conditions identified in Appendix G of the report.

The Committee stated that normally they do not take into consideration the width of the lots in the neighbourhood when dealing with consents. Staff replied that it is very rare for Committee to have a consent application brought before them. Whilst the Committee has not seen it before, it is commonly analyzed for many residential infill applications that are not dealt with by the Committee.

The Committee noted the plan submitted to build on that lot and suggested that it be a condition to guarantee that it would be built. Staff suggested the best guarantee is to not attach a condition to the consent but to attach a condition to the minor variance should the consent be granted.

The Committee asked staff if the Heritage Officer normally reviews severances and variances. Staff responded by saying that they are circulated when in close proximity to a heritage resource.

The Committee referred to Condition 1. The Committee sought clarification whether the mutual side lot line would need to jog to the south if the City decides to take a road widening for William Street North. Staff replied the owner has been

proactive and has had a surveyor look at the road allowance and determine the road width is insufficient, so a widening is needed. Therefore, the property will in fact have a jog. The exact depth of land to be dedicated is something the owner will have to work with Development Engineering.

The Committee asked if the Heritage Officer would make comment on the application. Ms. Turner spoke to the Committee and explained the process when applications for variance are received that directly impact a designated heritage property or adjacent to a designated property. This property is adjacent to a designated property. She reviewed the application when it came to the City's Pre-consultation Committee. She mentioned to the owners that the design would have to conform in general to the heritage and character of the area, for example the porch on the front, the single detached built form, and two storey general massing. Ms. Turner provided comments to planning staff which were generally in support of the application. Ms. Turner stated that infill housing in mature neighbourhood is usually supported from a heritage perspective as a good way of increasing density and generally keeps with the character of the existing neighbourhood and maintains our heritage properties. In terms of the heritage property across the road, there is little to no impact on the heritage attributes of that property. She explained that the application was also taken to the Heritage Committee under the cover of a staff report with elevations and site plans. The Heritage Committee discussed the application at its meeting and decided not to provide comment on it as in general they are supportive of this infill application.

The Committee noted on the north east side of William Street North and Elgin Street (16 Regent Street) is a new bungalow, and asked when that was built. Staff replied they recalled a consent process for that parcel was granted around 6 years ago.

The owners, Patricia Jarvie and Lee Beamish, were present and requested that Mr. Carroll, their Planning Consultant, speak on their behalf. Mr. Carroll spoke to the application. He agreed with Mr. Harding's analysis of the Growth Plan, Lindsay Official Plan and heritage conservation.

The owners, Wylita Clark and Cameron Clark of 155 William Street North, also known as the Carew House, were present and spoke in opposition to the application. Before addressing the Committee with submissions Ms. Clark stated that the procedural process was not followed and that she was not provided with the addendum by the planner in advance of the meeting. She received the initial report and based her submissions on that and that from the presentation today.

She stated that there was more information in the report than was provided to her. Staff replied there was no additional information provided to Committee and that the only additional comments were from the Clarks, which was in the amended agenda packages provided to members.

Ms. Clark stated she was referring to the photos presented in the PowerPoint presentation. One photo in particular was inaccurate and did not match with the photos she has filed. She stated that if they were submitted to her in advance she could have corrected it in advance. Ms. Clark asked for confirmation from the Committee if they have a copy of the seven page comments she had submitted. Committee confirmed they did. Ms. Clark said she disputed the statement staff made that there were no comments from the Heritage Committee. She cited an email from Councillor Ashmore, March 15, 2021 quoting "the matter was discussed briefly at the February meeting". He was under the understanding that it had gone back to Planning and said he is not on that Committee and not sure when it will be returning for further consideration. Ms. Clark stated there is some misunderstanding on staff's behalf that no comments were received from the Heritage Committee. The Heritage Committee member said they made no decision at that meeting. The process was not followed.

The Chair asked Ms. Turner, Heritage Officer, if the circulation to the Heritage Committee was still in process. Ms. Turner responded by saying the application is not in process. She stated that she was not sure what Councillor Ashmore's understanding of the matter was. The Heritage Committee received the application and reviewed it at the February 4th meeting. After review, they decided not to make comments and that was communicated back to the planners.

Ms. Clark confirmed that she had read the minutes of that meeting and noted another proposal was put forward on a different property that was voted on by the Committee and voted to approve it. She stated that there is a difference between an approval and receiving for information, and that the application must be still in process because the Heritage Committee had not made a decision. Ms. Clark went on to say that it's not up to Ms. Turner to make the decision. There is a Heritage Committee with specific mandates and they have not been permitted to follow the mandate. She stated that the Committee has confirmed her receipt of her submissions, which are evidence and she will give that evidence now. She reiterated again that she was under the belief that this matter would be returning to the Heritage Committee. The statement that there were no comments from the Heritage Committee is inaccurate and misleading and that it is not appropriate to

proceed without their input. Ms. Clark continued by saying she was not notified that the application was being circulated to the Heritage Committee thus denying her the opportunity to make submissions. Not only did the Heritage Committee not get to do their job, she did not get the opportunity to present her position to the Heritage Committee. Ms. Clark continued by saying she would give evidence that she heard from the Heritage Committee and that her position would have been considered, and they were very interested in the extensive submission she had on historical relevance of the property and the block.

The Chair asked Ms. Turner if she would like to further comment. Ms. Turner addressed the Committee and made them aware that the Heritage Committee when it comments on planning applications essentially comments as a third party commenting agency. When there are objections to a planning matter those objections come forward to the Committee of Adjustment. The Municipal Heritage Committee does not address third party objections, they simply provide comments on the review of the application as well as the heritage policy framework at the City. Ms. Turner wished to follow up on Ms. Clark's comments on approval versus providing comments. The other application that was reviewed at the February 4th meeting was actually a heritage permit application, which is why the Heritage Committee made a decision on that file. It was not related to a planning application, it was related to an alteration application to a heritage property.

The Chair requested that Ms. Clark move on from the heritage position.

Ms. Clark continued to point out the procedural fairness and natural justice should be the primary concern of the Committee of Adjustment. Ms. Clark also noted that she was unaware that the applicant has their own planning consultant, Mr. Carroll and that Mr. Harding had written the report in the perspective of the applicant and had not provided an unbiased opinion or protected heritage, as is his personal responsibility to the municipality.

The Chair noted that the Committee does not get into personal attacks or the operations of the Heritage Committee and requested Ms. Clark move on with other points she may have and afforded her five more minutes.

Ms. Clark replied she is not criticizing Mr. Harding personally and that she is just pointing out the legal duty that exists. Ms. Clark questioned the planner's use of comparable properties and that they are as far away as can be from the subject property. Ms. Clark noted that the photos she has provided are showing dwellings in the immediate area in excess of 100 years old with red brick from

local Fox Brick works in Lindsay. The proposed dwelling is not in keeping with the neighbourhood, either lot size and design. It is of a modern construction with vinyl siding, in spite of the porch in front it doesn't meet the historical character of this section of William Street North. There should be red brick on the building. The owners are not residents of this property and will not be impacted by the development. The owners' desire for financial gain and not on any personal need they may have.

Mr. Walcot, of 174 William Street north spoke in opposition to the application. He stated that he purchased the property 2 years ago and was under impression that 170 William Street North could not be severed, which was a feature for him and his wife. Mr. Walcot stated that if a dwelling is built it would enclose his side garden, and would literally be able to touch the neighbour's wall. He was looking for space on either side of his house.

The Committee asked staff what radius was the application circulated. Staff replied 60 metres is required by the Planning Act.

The Chair asked Mr. Carroll, Planning Consultant, for the owners of 170 William Street, if he had further comment with respect to the comments made by the previous deputant. Mr. Carroll indicated that he agreed with the evaluation provided by Ms. Turner, Heritage Officer and the action taken by the Heritage Committee both appropriate and comply with the policies and procedures put in place by Council. It is appropriate to identify and make the distinction as Ms. Turner identified, with the Heritage Committee decision-making process. The Heritage Committee was dealing with two types of applications under the Heritage Act under their role and responsibility assigned by Council. There is no indication that discharge of that duty has been flagrant or inaccurate. He noted that the Committee attempts to not give weight to comments about where persons live, as this is not relevant to a planning matter. Whether someone presumes a motive for an application is for financial or otherwise is also not appropriate or relevant to the planning evaluation. Finally, the proposed side yard setback, noted on the survey sketch abutting the residential lot to the north is 1.25 metres, which complies with the side yard setback in the established Lindsay zoning By-Law.

The Committee commended the Clarks for preserving their property. However, there was nothing brought forward that applies to this consent application. The Committee stated they are here to look at the facts and the facts are they can sever and build a dwelling.

The Committee asked staff to clarify the motion on the floor in respect to amending the conditions. Staff replied there is no proposed changes for the consent conditions but should the consent be approved there will be an amendment to add a condition to the minor variance.

The Chair thanked staff for the detailed report and respect the fact that the Clarks and Mr. Walcot took the time to speak to this issue.

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

CA2021-018

Moved By D. Marsh

Seconded By Councillor Yeo

That consent application D03-2020-034, being an application to sever an approximately 316.13 square metre residential lot and retain an approximately 697.44 square metre residential lot with the conditions of provisional consent substantially in the form attached as Appendix G, be GRANTED.

Conditions of Provisional Consent:

1. This approval applies to the transaction applied for, subject to any minor alterations to the mutual lot line within the rear yards required as a result of exercising option b of Condition 2 to maintain the minimum lot area requirement of the R3 Zone.
2. The owner shall submit surveyor confirmation to the satisfaction of the Development Engineering Division the width of the William Street North road allowance. The owner shall carry out or cause to be carried out one of the following:
 - a. If the road allowance is at least 26.0 metres wide, the owner shall submit written confirmation from the Development Engineering Division that it is in agreement that the road allowance is at least 26.0 metres wide; or
 - b. If the road allowance is not 26.0 metres wide, a road widening of the width specified by the Development Engineering Division be conveyed to the City of Kawartha Lakes across the entire frontage of the lot to be severed, free and clear of all encumbrances. The legal description shall include the words "RESERVING UNTO the Transferor(s) a right-of-way for ingress and egress until such time as the land is dedicated as public highway."

3. The owner shall apply for, pay the prescribed fee and obtain a variance for the lot to be severed such that the minimum lot frontage be reduced, and possibly the lot area be reduced depending on the outcome of condition 2, and the variance(s) be in effect.
4. Payment to the City of Kawartha Lakes of a tree levy of \$500.00 for the residential lot.
5. The Owner submit to the Secretary-Treasurer written confirmation from the Roads Operations Division that an entrance permit would be available for the lot to be severed.
6. Submit to the Secretary-Treasurer one copy of the preliminary reference plan of survey of the lot to be severed for review and endorsement and the subsequent registered reference plan of survey.
7. Submit to the Secretary-Treasurer payment of all past due taxes and charges added to the tax roll, if any, at such time as the deeds are stamped.
8. Payment to the City of Kawartha Lakes of the stamping fee prevailing at the time the deeds are stamped, for the review and clearance of these conditions. The current fee is \$458.00. Payment shall be by certified cheque, money order, or from a lawyers trust account.
9. Payment of the cash-in-lieu of the dedication of parkland, equal to 5% of the appraised value of the land to be severed, as determined by an experienced and qualified land appraiser (CRA or AACI) as of the day before the day the provisional consent was given. The appraisal report shall accompany the cash-in-lieu payment. The City is not required to accept the appraisal report and reserves the right to peer-review the appraisal report and negotiate the cash-in-lieu payment. Payment shall be made by certified cheque, money order, or from a lawyers trust account.
10. Submit to the Secretary-Treasurer a deed in triplicate for endorsement with the certificate of consent which deed shall contain a registerable description of the parcel of land described in the decision.
11. The owner shall pay all costs associated with the registration of the required documents.
12. The owner's solicitor shall provide a written undertaking to the Secretary-Treasurer confirming, pursuant to Subsection 53(43) of the Planning Act, that the deed in respect of this transaction shall be registered in the proper land registry office within six months from the date that the Secretary-Treasurer's certificate is stamped on the deed, failing which the consent shall lapse.

13. The owner's solicitor shall also undertake to provide a copy of the registered Transfer to the Secretary-Treasurer as conclusive evidence of the fulfillment of the above-noted undertaking.

14. All of these conditions shall be fulfilled within a period of one year after the giving of the Notice of Decision, failing which, pursuant to Subsection 53(41) of the Planning Act, this consent shall be deemed to be refused.

Carried

3.2 Minor Variances

3.2.1 COA2021-013

Mr. Harding, Planner II, RPP MCIP
 File Number: D20-2020-044
 Location: 170 William Street North
 Block J, Part Lot 1, Part Lot 2, Plan 1
 Former Township of Lindsay
 Owners: Patrica Jarvie and Roger Beamish
 Applicant: Roger Beamish

Mr. Harding gave a brief presentation and summary of Report COA2021-013, to request relief to reduce the minimum lot frontage requirement in order to facilitate the creation of a residential lot proposed in consent application D03-2020-034. He brought the Committee's attention to page 3 of the Staff Report. He did not go through the slides as they were a mirror image of what has just been shown. The proposed amendment is to formally tie the proposed building facade to the building approval process by adding a condition to the proposed conditions. The proposed condition is:

2) **That** the building construction of the dwelling related to this approval shall proceed substantially in accordance with the elevation in Appendix D submitted as part of Report COA2021-013, which shall be attached to and form a part of the Committee's Decision.

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

Some of the comments previously received from 155 and 174 have been attached to the application as they referenced the minor variance specifically.

The comments have been addressed.

The Committee asked staff if it is common to add a condition regarding the appearance and style of the building. Staff replied it is common to include facades which have been agreed by the owner, staff and Committee, as a condition of approval.

Mr. Carroll, Planning Consultant for the owners, spoke to the Committee and agreed with staff's report. The development will be in keeping with the character of the neighbourhood and would continue to keep the amenity space and parking in accordance with the established character in the existing close smaller neighbourhood as well as broader neighbourhood.

Ms. Clark of 155 William Street spoke in opposition to the application and stated that she would not like to repeat the submissions that were made to the last application but would like those comments to be applied to this matter in addition to further comments. Ms. Clark spoke to her concerns with regard to the cultural significance and the history of the Carew House and neighbouring homes. Ms. Clark asked that the cultural significance be respected in decisions for the official plan and the provincial policy. The comments made by Ms. Turner indicates that the home is in keeping with the character of the local area and will not have a negative impact on the adjacent designated properties. Ms. Clark stated there is no basis for that decision. Ms. Clark referenced Ms. Turner's last representation that the matter did not have to be considered by the Heritage Committee and that it was only presented to them for information. Therefore, it was Ms. Turner's decision about the historical impact which Ms. Clark disputes along with not being given the opportunity to make her submissions to Ms. Turner regarding the historical and cultural impact of this immediate neighbourhood, not just their property, the Carew House, but the block. Ms. Clark finished by saying the proposed minor variance to allow a construction of a proposed dwelling is not in keeping with the character of the neighbourhood or maintaining cultural and historical significance of the Carew House and the neighbourhood.

Mr. Walcot of 174 William Street spoke in opposition to the Committee. He stated that he had nothing more to add from his previous comments.

The Committee stated that they appreciate the time and effort the residents put into preserving their properties. It stated that, unfortunately, it does not have the ability to control what goes on in the neighbourhood as long as it meets the Planning Act and provincial policy. Our decision is based on the facts.

The Committee questioned staff as to the appearance of the proposed dwelling and if a discussion took place with the owner to propose red brick on the front of the house. Mr. Harding replied that he did not have that discussion with the owners. The application initially went through the Pre-Consultation Committee and that's when the discussion with the Heritage Officer took place. Mr. Harding deferred to the Ms. Turner for additional comments to see how the facade design was arrived at. He did note that 16 Regent Street, a new build to the south, has a combination of siding and stone.

Ms. Turner noted that the conversation regarding building appearance was more about design features rather than materials. The original application discussed an attached garage which Ms. Turner said was inappropriate and not keeping with the historic character we are looking for when looking at infill proposals in historic neighbourhoods. We did not have a discussion on siding versus stone as there were other houses in the neighbourhood that have siding.

The Chair thanked the public for expressing their opinions.

There were no further questions of the Committee or others persons.

CA2021-019

Moved By D. Marsh

Seconded By S. Richardson

That minor variance application D20-2020-044 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

1) **That** this application shall be deemed to be refused if consent application D03-2020-034 lapses; and

2) **That** the building construction of the dwelling related to this approval shall proceed substantially in accordance with the elevation in Appendix D submitted as part of Report COA2021-013, which shall be attached to and form a part of the Committee's Decision.

This approval pertains to the application as described in report COA2021-013. Fulfillment of the conditions are required for the Minor Variance to be considered final and binding.

Carried

3.2.2 COA2021-014

Kent Stainton, Planner II

File Number: D20-2021-007

Location: 21 Propp Road

Lot 50, Plan 9M-725, Part Lot 11, Concession 3

Geographic Township of Manvers

Owner: Maurice and Beverley Gauthier

Applicant: John Kenthol

Mr. Stainton summarized Report COA2021-014, to request relief to reduce the minimum flankage yard requirement of 15 metres to 3.35 metres in order to facilitate the construction of an addition to the existing residential dwelling, consisting of an expansion to the existing living space and an attached two bay garage fronting on the Propp Drive with a storage loft. Please note there is no habitable space proposed within the storage loft of the garage.

Engineering and Corporate Assets Division has no concerns the proposal with respect to the lot drainage and grading, road and surface expansion and drainage swales along Corbett Drive.

Public comments received since the writing of the report from Ken and Susan Brough of 243 Corbett Drive north of 21 Propp Drive in support of the application. Public letters of opposition were received from Alan Armstrong of 255 Corbett Drive, dated March 10th and 16th, respectively as well as a similar letter from Ms. Shannon Ruiter of 247 Corbett Drive, received March 17th. Her concerns were view obstruction and precedent-setting. She also cited her inability to construct a garage on her property. Mr. Armstrong expressed concerns in opposition to the application for various reasons such as precedent setting, maintaining the intent of the Zoning By-Law and design similar to a commercial building (fire hall).

In response, planning staff offered the following; obstruction of view, using GIS mapping software, the north east limit of the addition will be over 40 metres from the front face of 247 Corbett Drive and over 70 metres from the corner of 255 Corbett Drive. The proposal is also divided by the width of Corbett Drive including the road allowance. No shadow casting is created that would impact either property as the height of the addition is in compliance with the Zoning By-law and enhanced exterior treatments are proposed through the application that blend in with existing single detached dwelling. Also, the landscape plantings proposed assist in melding the character of the addition with the rest of the residential

subdivision. In regard to precedent-setting, the lot is one of the largest in the neighbourhood, possibly the only property that could absorb the proposed addition. Staff noted that precedent cannot be considered as a determining factor and each application has to be examined on site-specific characteristics and individual merits. In regard to height and lot coverage; the addition is in compliance with the lot coverage provisions as mentioned at 22% of the RR1 zoning category within the zoning by-law. Decks and patios are not factored into this calculation, as defined by the zoning by-law. Height concerns; the proposed difference in the height from the existing single detached dwelling and the proposed addition will be 1.43 metres which is less than the height provisions of the RR1 zone of 11 Metres. Concerns relating to Non-residential site characteristics; as the property possesses a residential zone category, the lands are not subject to the City's Site Plan Control By-law in terms of influencing the overall design and layout of the property. Through the pre-screening process, larger windows and a stone brick skirt were added to enhance the appearance of the addition. A large bay window was also added to the face of the garage in order to increase the appeal of the addition by giving it a rural residential appearance. Noteworthy is the fact that an automotive repair shop nor a fire hall are permitted uses within the RR1 zoning category. Finally, maintaining the intent of the zoning by-law/street scape dominance was addressed through treatments, increasing the initially proposed setback and the landscape treatments proposed. It was mentioned in the report and presentation that the purposes of the flankage yard requirements are to maintain site lines, reserve space for road widening maintaining land for installation, expansion of services by regulating the placement of buildings.

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

The Committee questioned the increased flankage yard requirements of the Oakridge's Moraine Zoning By-law. Staff replied as speculation only, the intent is to create a rural residential feel through an enhanced side yard setback or flankage/side yard set back as to give an 'estate-like appearance'.

The Committee asked if there was a concern that the garage projects into the front yard. Staff replied 17.71 metre setback is ample and that because the garage is attached to the main dwelling, projection is permitted into the front yard. Through pre-screening and site visits, the addition was pushed back in comparison to the projection that was proposed. Consideration was given to site lines and the established building line to the east on Corbett Drive as well as any

visual impacts that posed to traffic as a result of a projections to the east. The applicant was able to move the eastern extent of the addition further west as a result.

The Committee noted that many by-laws do not permit garages in the front yard and asked if this not applies here. Staff replied this is an attached garage as opposed to a detached accessory structure and not subject to the general provisions of the zoning by-law which in many by-laws prohibit the situation of a garage within the front yard and because this is attached it is allowed. The Committee asked what the square footage of the addition. Staff replied total space including living space and garage is approximately 4,000 square feet. The Committee continued to question the addition space and why so large. Committee also asked why a detached configuration into the rear yard was not explored. Staff replied that the new septic system footprint would not permit the establishment and accessibility with the removal of the mature spruce trees may be difficult.

The applicant, Mr. Kenthol was present and spoke to the Committee to clarify the footage of proposed addition. Staff noted that the owner is the collector of automobiles. He reiterated that this lot is the only lot within the Plan of Subdivision that could accommodate this size in terms of addition and not concerned that other properties would construct something of a similar nature. The Committee asked if there were alternatives. Staff replied no due to the location of the septic bed. Discussions ensued as to the size of the garage.

Ms. Murchison, Chief Building official spoke to the Committee. Following up on the question of possibly relocating the detached structure to the backyard. In reviewing the file submitted for the sewage system upgrade, the future sewage system is of a size that it starts 5 metres of the deck and takes up the majority of the backyard. Not possible to allow structure in the backyard with sewage system and direction of flow.

The Committee asked staff as to the necessity of the addition upstairs. Staff did pose the question to the applicant and was intended for storage purposes; however, it would be best for the owner to speak to this. Mr. Gauthier was present and stated that there is a lack of storage space for general and seasonal items and would prefer to have possessions stored away. The Committee continued with their line of questioning.

Mr. Holy, Manager of Planning spoke to the Committee regarding the rationale behind the larger flankage yard setback. The zoning regulations were carried

over from the previous Township of Manvers zoning by-law. They had 15 metre flankage yard setback, which moved over to the Oakridges Moraine zoning by-law and that the 15 metre setback is one of the wider flankage/exterior yards that we are accustomed to.

Councillor Yeo motioned to grant the application and noted that the garage is not in fact 60 x 75 feet but 35 x 60 feet. 250 square feet is included in the bedroom addition. The upstairs is for storage. The applicant stated there is next to no basement. Looking at the plans as a builder and a Committee member, he liked the esthetics and the approach taken looks good. The lot will suit the building.

The Committee asked if a condition could be imposed to make sure the landscape vegetation is planted. Staff said an Agreement (Site Plan) would have to be put in place, but Staff takes the owners word that they will do as they have said. If they changed the vegetation to another type, the more permanent treatments such as the window size and configuration do an adequate job of breaking up the face of the wall and providing the rural residential look to the addition.

There were no further questions from Committee or other persons.

CA2021-020

Moved By Councillor Yeo

Seconded By S. Strangway

That minor variance application D20-2021-007 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketches in Appendices C & D submitted as part of Report COA2021-014, 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 structure identified as 'Exist. Shed' on Appendix C has been removed, 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 COA2021-014. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

3.2.3 COA2021-015

David Harding, Planner II, RPP, MCIP

File Number: D20-2021-008

Location: 11 Manor Road

Part Lots 8 and 9, Plan 152, Part Lot 9, Concession 8

Geographic Township of Fenelon

Owner: Trudy Worsley

Applicant: Trudy Worsley

Mr. Harding summarized Report COA2021-015, to request relief to permit the construction of a two storey addition to a single detached dwelling and recognize an existing shed. Mr. Harding clarified that the addition would come out a bit further than the existing covered deck area.

The Committee stated that looking at the property to the south, it appears to be closer to the water. Would it be in line with the property to the north if the addition was allowed? Staff replied referring to the photo that in fact the house to the north is set back slightly.

The Committee asked if the intent to extend the floor area out and use the existing roof or extend the roof also. Staff again referred to the photo of the dwelling and clarified the owners are extending the roof, but that the footprint will not extend beyond the deck on the first level. The Committee also asked whether the proposed roof will be extended 4 feet further as it already protrudes 1.8 metres. Staff confirmed that was correct. The Committee followed up by asking if the addition would not take up any more space than the footprint of the deck on the first floor. Staff replied, yes, it would extend to the edge of the light gray deck on the first floor.

The Committee noted that this would appear to be pushing habitable space

closer to the water, and wanted confirmation if this was correct. Staff replied that this was correct.

The Committee asked staff if the owners of 11 Manor Road owned 13 Manor Road. Staff confirmed there is no 13 only 12 and 14 Manor Road. The committee referred to the parking area to the side of the dwelling. Staff confirmed that the parking area is part of their parcel. The Committee stated if they were to deny this application, could they extend sideways instead. Staff said yes and that this matter was discussed through a pre-screening process of which there has been a change of staff since the application was submitted. The preference when dealing with extreme water setback reductions like this is to use the existing habitable wall as a minimum setback boundary and build in-line with that. The Committee followed up by asking do they have an option if we deny this. Staff replied yes. This is not their preference as they have an A frame building. It would require structural changes.

Applicant, Ms. Worsley, was present and spoke to the Committee. The Worsley's own the cottage and it has been in the family since 1950. It is small but special to us the children and grandchildren. Ms. Worsley is looking for more interior space. What is concerning is the neighbours to the north applied a few years ago to raise the bungalow and add a crawl space, which was granted, which is on her property line. She stated she doesn't have an issue as its cottage country and they get on great with them. The neighbours to the south at 13 Manor Road, they applied and were able to build a 2 storey permanent home on the property. The person to the south of him again applied and approved to pull down a small cottage and build a larger cottage. Ms. Worsley stated that the neighbours are closer to the water. She continued by saying that she simply wants to make the deck surface into floor space and enclose it to make a larger living area for the family.

Mr. Worsley was present and added that this proposal initially stemmed from the two barn beams that support the second storey deck. One of the beams is infected with carpenter ants. They need to be replaced with steel beams. Although an alternative was suggested to build to the south side of the cottage to allow more space this does not help with the fact that the beams have to be replaced. He stated that they are building in the same footprint. They are two and a half feet from water level, and never likely to flood. The deck is currently on nine concrete pillars which would support the new floor. Mr. Worsley is frustrated that the cottages in the area are getting support to build larger cottages and he is having a hard time not getting permission to enclose the deck.

The Chair stated that decisions made by the Committee are not precedent-setting. Each case is based on its own merits as we are doing with this application.

The Committee asked the owners whether the cottage to the south of 11 Manor is closer to the water and more in line with your cottage. The owner replied that was correct. The Committee continued to ask if it went down the shoreline would it find a number of cottages closer to the water than preferred because of the nature of the lots in the area? The owner replied that it would.

The Committee asked staff if the concern with the water reduction was that becomes habitable space or is it the built form itself? Staff replied there are two components here. 1. We are expanding built form on a very small lot and 2. Enclosing the deck results in the loss of outdoor amenity space that is already in short supply. This is something to be concerned about.

The owner, Ms. Worsley, stated that she had received letters from Kawartha Region Conservation, Engineering Division and Ministry of Transportation with no concerns.

The Committee expressed concern over the proximity of the shed to the lot line.

Ms. Worsley stated that they can relocate the shed to the property they own across the road if it is a problem.

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

The Committee motioned to deny reliefs 4-7 and to replace Condition 1 with new wording reflecting its approval of reliefs 1-3. Condition 2 is to be rephrased to relocate the shed to the lot across the road, which is also owned by the owner.

CA2021-021

Moved By D. Marsh

Seconded By S. Strangway

That reliefs 4-7 sought for the shed in minor variance application D20-2021-008 be DENIED, as the reliefs do not meet the four tests set out in Section 45(1) of the Planning Act.

That reliefs 1-3 sought for the addition to the dwelling in minor variance application D20-2021-008 be GRANTED, as the reliefs do meet the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction for the addition to the dwelling related to this approval shall proceed substantially in accordance with the sketch in Appendix C and elevation in Appendix D submitted as part of Report COA2021-015, 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 photographic evidence satisfactory to the Secretary-Treasurer that the shed identified in Appendix C to Report COA2021-015 has been relocated to the lot across the road, which is also owned by the owner, and sited in compliance with the Zoning By-law; 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 COA2021-015. Fulfillment of the conditions are required for the Minor Variances to be considered final and binding.

Carried

3.2.4 Memorandum - D20-2021-009

Kent Stainton, Planner II
 File Number: D20-2021-009
 Location: 39 Elliot Street
 Part Lot 106, Plan 100
 Former Village of Fenelon Falls
 Owner: Allan and Deborah Wilcox
 Applicant: Allan and Deborah Wilcox

The Chair stated that memorandum received dated March 9, 2021 to defer application D20-2021-009 until the May 2021 meeting was self explanatory and asked staff if they had anything further to add. Staff replied if the memorandum is sufficient in terms of explaining the rationale behind the deferral and to return to the May meeting, there is nothing more to add and suggested the decision be accepted as printed.

There were no questions from the Committee or other persons.

CA2021-022

Moved By D. Marsh

Seconded By B. Archer

That Minor Variance application D20-2021-009 be deferred for a period of not more than two months with the applications returning concurrently at the latest to the May 20, 2021 meeting.

Carried

3.2.5 COA2021-017

David Harding, Planner II, RPP, MCIP
 File Number: D20-2021-010
 Location: 121 Island Drive
 Lot 8, Island M Four Mile Lake, Plan 423
 Geographic Township of Somerville
 Owners: Christine Brown and John Lydford
 Applicant: Christine Brown

Mr. Harding summarized Report COA2021-017, to request relief to reduce the minimum water setback to permit an unenclosed deck and stairs and to permit a shed.

He noted the comments received from the KRCA after the report was written.

The applicants, Mr. Lydford and Ms. Brown were present. Mr. Lydford spoke to the Committee and noted that the shed is purely for toys and fishing rods.

There were no questions from the Committee or other persons.

CA2021-023

Moved By S. Richardson

Seconded By Councillor Yeo

That minor variance application D20-2021-010 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C submitted as part of Report COA2021-017, which shall be attached to and form part of the Committee's Decision; and

2) **That** the building construction related to the minor variances shall be completed within a period of six (6) 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 COA2021-017. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Carried

3.2.6 COA2021-018

Kent Stainton, Planner II
File Number: D20-2021-011
Location: 28 Liberty Lane
Lot 65, Plan 6, Part Lot 18, Concession 7
Geographic Township of Emily
Owners: Paul and Patti Stringer
Applicant: Tom deBoer - TD Consulting Inc.

Mr. Stainton summarized Report COA2021-018, to request relief to permit the construction of an accessory building (detached garage with attached carport) in the front yard of the subject property.

Comments received from Engineering and Corporate Assets as well as Building and Septic Division stating no concerns with the proposal.

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

The applicant, Mr. deBoer of TD Consulting Inc. was present and thanked staff

and was available to answer any questions.

There were no questions from the Committee or other persons.

COA2021-024

Moved By B. Archer

Seconded By S. Strangway

That minor variance application D20-2021-011 be GRANTED, as the application meets the tests set out in Section 45 (1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C submitted as part of Report COA2021-018, 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; 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 COA2021-018. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Carried

3.2.7 COA2021-019

Kent Stainton, Planner II
 File Number: D20-2021-012
 Location: 2 Ripple Street
 Part Lot 27, Concession 10
 Geographic Township of Fenelon

Owners: John and Sheila Speirs
 Applicant: Tom deBoer - TD Consulting Inc.

Mr. Stainton summarized Report COA2021-019, to request relief to reduce the minimum rear yard requirement in order to permit the construction of a new two storey single detached vacation dwelling.

Engineering and Corporate Assets has raised no concerns with respect to lot grading and drainage, Building Division has requested a lot grading and drainage plan be proposed as part of the building permit process. Septic notes that an application will need to be completed for a Sewage System Permit for the new proposal but there are no concerns with the minor variance proposal related to the septic requirements.

Since the writing of the report Kawartha Region Conservation Authority have noted that a permit under their Regulation is required; however, they have no concerns with the proposal.

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

The Committee asked staff how do you access 2 Ripple Street? Staff replied it's a shared driveway, access is between 2 and 3 Ripple Street. The Committee asked staff if 2 Ripple Street fronts on to a municipal road. Staff replied that it is a private road.

The applicant, Mr. deBoer of TD Consulting Inc. was present and available for questions.

The Committee asked staff if a condition be added in respect to lot grading and drainage? Staff replied its part of the Building Permit process and covered under that condition.

Not further questions from the Committee or other persons.

CA2021-025

Moved By D. Marsh

Seconded By Councillor Yeo

That minor variance application D20-2021-012 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 COA2021-019, which shall be attached to and form part of the Committee's Decision;
- 2) **That** prior to the issuance of a building permit, the owner shall apply for and complete an Application for a Sewage System Permit with the Building Division – Part 8 Sewage Systems;
- 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 structures identified on Appendix C to Report COA2021-019 as 'Pumphouse' and 'Shed' have been removed,
- 4) **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 COA2021-019 as 'Relocated sauna to be located a minimum 1.2m from property line' has been relocated; 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 COA2021-019. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Carried

3.2.8 COA2021-020

David Harding, Planner II, RPP, MCIP
 File Number: D20-2021-013
 Location: 146 Brook Street
 Part of Lot 17, Concession 3
 Geographic Township of Somerville
 Owner: Michael Allen
 Applicant: Michael Allen

Mr. Harding summarized Report COA2021-020, to request relief to reduce the minimum front yard setback to recognize the construction of a single detached dwelling.

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.

CA2021-026

Moved By S. Strangway

Seconded By Councillor Yeo

That minor variance application D20-2021-013 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C and elevation in Appendix D submitted as part of Report COA2021-020, 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 six (6) 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 COA2021-020. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried**3.2.9 COA2021-021**

Kent Stainton, Planner II

File Number: D20-2021-014

Location: 35 Westview Drive

Part of Lots 1 to 3, Plan 413, Part Lot 17, Concession 8

Geographic Township of Emily

Owner: Loretta Wong

Applicant: Bill Tai

Mr. Stainton summarized Report COA2021-021, to seek relief to reduce the minimum exterior side yard setback to recognize the existing construction of a wooden deck.

Comments were received from Engineering and Corporate Assets and Building Division stating no objections. Since the writing of the report, comments were received from Septic Division stating the site visit was conducted to confirm the location of the sewage system. A fill based area located as per diagram. Concrete tank noted. The deck for the dwelling is not encroaching and is within the required septic system clearance. No concerns.

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

The applicant, Bill Tai was present and spoke to the Committee and thanked staff.

There were no questions from the Committee or other persons.

CA2021-027**Moved By** B. Archer**Seconded By** S. Richardson

That minor variance application D20-2021-014 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketches in Appendices C & D submitted as part of Report COA2021-021, 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 COA2021-021. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

4. Deferred Applications

4.1 Minor Variances

4.2 Consents

5. Other Business

Mr. Holy, Manager of Planning was to provide a brief overview of the new Additional Residential Units policy and Zoning and Sourcewater Protection for Committee members.

Due to the time taken on minor variance applications, the presentation by Mr. Holy on Additional Residential Units policy and Zoning and Sourcewater Protection has been postponed until the May meeting.

The Chair thanked staff.

6. Correspondence

7. Next Meeting

The next meeting will be Thursday, April 15, 2021 at 1:00pm in Council Chambers, City Hall.

8. **Adjournment**

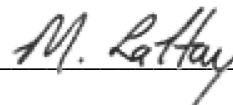
CA2021-028

Moved By D. Marsh

Seconded By S. Richardson

That the meeting be adjourned at 4:49pm.

Carried

A handwritten signature in cursive script, reading "M. LaHay", is written over a horizontal line.

Mark LaHay, Acting Secretary-Treasurer

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Farquhar
Report Number COA2021-022

Public Meeting

Meeting Date: April 15, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 5 – Former Town of Lindsay

Subject: An application as revised proposes to sever an approximately 320 square metre lot to permit the construction of a single detached dwelling and retain an approximately 564 square metre lot (as amended by St. David Street widening) containing a single detached dwelling addressed as 114 Queen Street.

The property is addressed as 114 Queen Street, former Town of Lindsay (File D03-2020-006).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2021-022 Michael and Jeffery Farquhar be received; and

That consent application D03-2020-006, being an application as revised to sever an approximately 320 square metre residential lot and retain an approximately 564 square metre lot with the conditions of provisional consent substantially in the form attached as Appendix 'F', be **Granted**.

Background: The original application proposed to sever an approximately 560 square metre residential lot on the norther portion of the subject property to contain two semi-detached dwellings, and retain an approximately 450 square metre residential lot with a single detached dwelling. Another consent application was anticipated to be filed at a later date to separate the ownership of each constructed semi-detached dwelling so that each one was on its own lot.

Staff report COA2021-011 was prepared for the Committee of Adjustment's February 18, 2021 meeting. The report identified challenges with the proposal and recommended the denial of the application.

At the meeting, the applicant and staff requested the Committee consider deferring the application to allow the parties more time to discuss a compromise.

The Committee agreed and deferred the application for a period of up to two months. As a result of the discussions between the City and applicant, the application was revised, shrinking the size of the proposed severed and thus enlarging the proposed retained. A single detached dwelling is now proposed for the severed lands.

The subject property is located at the northwest corner of Queen Street and St. David Street. There is an older, modestly sized 1.5 storey red brick dwelling on the southwest side of the property, with a two-door detached garage directly north of it. The driveway leads out from the garage onto St. David Street.

After further discussion with the applicant, the City received a revised proposal on April 7, 2021, which shows a 320 square metre severed lot for the purposes of a one single detached dwelling and a retained 564 square meter lot containing an existing single detached dwelling and a garage. See Appendix 'C'. A 3.0 metre road widening is shown along St. David Street along with a sight triangle at the intersection. The drawing does not show a road widening along Queen Street, which together with the sight triangle would further reduce the retained lot size.

| | |
|--------------------|---|
| Proposal: | <p>To create one lot containing a single detached dwelling and retain one lot containing a single detached dwelling.</p> <p>Both lots are proposed to have driveway access from St. David Street.</p> |
| Owners: | Michael and Jeffery Farquhar |
| Applicant: | Jeffery Farquhar |
| Legal Description: | Part Lot 35, Lot 36, North Side of Queen Street, Plan 15P |
| Official Plan: | "Residential-Commercial" with "Mixed Use Corridor Policy Area" in the Town of Lindsay Official Plan |
| Zone: | "Mixed Residential Commercial (MRC) Zone" within the Town of Lindsay Zoning By-law 2000-75 |
| Site Size: | <p>Existing: 1,011.835 square metres</p> <p>Proposed Revised Severed (as amended by St. David Street road widening): 320 square metres</p> <p>Proposed Revised Retained (as amended by St. David Street road widening): 564 square metres</p> |

Site Servicing: Municipal water, storm water, and sewer.

Existing Uses: Residential

Adjacent Uses: North: Residential
South: Commercial, Mixed Commercial-Residential
East: Commercial, Residential
West: Residential, Mixed Commercial-Residential

Rationale:

Policy Conformity

Provincial Policy Statement 2020 (PPS)

Sections 1.1.1(a) and (b) encourage the efficient development of land use patterns through accommodating an affordable range of housing types, employment, institutional, recreational, and other uses to meet the long term needs of municipalities.

Section 1.1.3 states that settlement areas shall be the primary focus of growth and development in order to ensure their long term vitality and economic prosperity. Land uses within settlement areas are to be of a range of densities that are to efficiently use land and resources. Opportunities for intensification and redevelopment are encouraged to establish efficient land use patterns.

Section 1.3 directs the protection and promotion of lands for a variety of uses, including employment and areas of mixed uses in order to meet long term needs. Subsection 1.3.1 further lays out that a range of suitable sites should be preserved to support a wide range of economic activities and accessory uses. In addition to preserving the sites for existing and future businesses, the act of preservation provides businesses with a selection of sites to choose from based upon their specific needs. This subsection also encourages mixed-use development to support liveable, diverse, and resilient communities.

Section 1.4 direct municipalities to provide for a broad range and mix of housing options to meet the needs of a wide range of household incomes at all stages of life.

The proposal provides additional housing and increases density by proposing a smaller severed lot with a single detached dwelling along with a single detached dwelling on the retained lands. The retained lands will retain some opportunity to establish a commercial or mixed commercial-residential use.

This proposal is consistent with the overall intent of the PPS when considering mixed-use sites and intensification goals within urban areas. The full analysis is contained in the staff analysis section.

Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan)

The Growth Plan provides a framework to plan for growth and development in urban areas. The Growth Plan provides that growth, including intensification,

should be directed towards settlement areas, and utilize existing or planned infrastructure. The subject property is located within the Lindsay settlement area. The Growth Plan contains settlement area policies to facilitate the development of settlement areas as complete communities. Complete communities are intended to provide a wide assortment of uses to support the daily needs of residents of all ages.

Section 2.2.1.4 of the Growth Plan encourages a range and mix of housing options in order to assist in the creation of complete communities. The same section highlights that complete communities require more than housing in order to be complete. Complete communities are to be achieved through a diverse mix of land uses, including employment uses, and are to have convenient access to local stores and services. Compact built form is also encouraged. A smaller severed lot containing a residential use is proposed. The retained lands are situated in a location, have buildings arranged in such a way, and is sized to allow for the establishment of a mixed commercial-residential use.

Section 2.2.5 requires municipalities to plan for sufficient land in suitable locations for a variety of employment uses. Retail and office uses are directed to areas where all forms of transportation are available, including vehicular, transit and active transportation modes. The subject property is a corner lot that abuts an arterial road, Queen Street, and a collector road, St. David Street, so designated within the Official Plan, and the Blue Route bus loop runs by the property.

Section 2.2.6 encourages the provision of diverse housing stock in order to accomplish the PPS's direction to establish and maintain complete communities.

The proposal does add residential intensification, and makes allowance for the future establishment of a mixed commercial-residential use on the retained lands.

The proposal conforms to the overall intent of the Growth Plan.

Town of Lindsay Official Plan (Official Plan)

As the Lindsay Secondary Plan is appealed to the Local Planning Appeal Tribunal, the policies of the Town of Lindsay Official Plan remain in effect. The subject property is within the "Residential-Commercial" designation and is also within the "Mixed Use Corridor Areas" policy area.

The designation identifies that the dominant form of development is to be a mix of low rise commercial and residential uses either in the same building or separate buildings. Commercial uses are anticipated to be in the form of restaurants, offices, service and convenience retail and other similar types of uses. While there is to be a mixture of commercial and residential use, built form is to be of a residential character in keeping with the dominant built form. Parking is to be directed to the rear or side yards and development is to be subject to site plan control.

The policy area identifies corridors along major roads that lead to the Lindsay Downtown Area. These corridors are generally comprised of older residential areas that are in transition to mixed commercial-residential use areas. This property is located within the Queen Street corridor between the Downtown Area and CKL Road 36.

While the proposal does propose additional a residential lot, and the designation and policy area recognizes residential use as the dominant built form and character, emphasis is placed on retaining commercial potential along Queen Street. The retained lot is set up and sized in such a way as to retain the potential to have a commercial component introduced. As such, it is appropriate to permit the severance of the subject property's rear yard as the rear yard does not border Queen Street.

There are also policies contained within Section 5.1.3.3 and 5.1.3.4 that direct road widening to occur to ensure arterial and collector road allowances are of suitable width for their designed function and allow for future infrastructure upgrades. In Appendix 'D', Engineering Division has requested the dedication of land to widen the road allowances and provide for a sight triangle in accordance with the City's Transportation Master Plan. This request is incorporated as Condition 2 in Appendix 'F'. The staff report analysis takes the dedication of land into consideration when considering final lot sizes of the severed and retained lands.

The proposal does conform to the Town of Lindsay Official Plan as a whole.

Lindsay Secondary Plan

While the Lindsay Secondary Plan (Secondary Plan) is appealed to the Local Planning Appeal Tribunal and is not in effect, conformity with this document is reviewed to determine whether the proposal is consistent with Council's direction for the area. Within the Secondary Plan the property is designated "Mixed-Use Residential". The "Mixed-Use Residential" designation contains much the same policies as the "Residential-Commercial" designation within the Town of Lindsay Official Plan. There is an additional section, which adds that commercial-residential uses are to have sufficient off-street parking in order to permit the use. As will be analysed in the zoning by-law section below, potential commercial parking space on the proposed retained is accounted for.

The "Mixed Use Corridor Areas" policy area found within the Official Plan is brought forward into the Secondary Plan with no significant changes. The subject property remains within the same policy area and regime.

The road widening policies contained within the Official Plan are brought forward into the Secondary Plan.

The proposal does conform to Council's direction for the Secondary Plan.

Town of Lindsay Zoning By-law 2000-75

The property is zoned "Mixed Residential Commercial (MRC) Zone" within the Zoning By-law.

The zone category permits a variety of service-oriented commercial and some retail uses along with an assortment of residential uses including: single detached, semi-detached, units above permitted commercial uses, and lodging/boarding/rooming houses.

The single detached uses are permitted. A revised proposed layout of the site including the dedication of land, setbacks and area calculations was submitted on March 7 and is included in Appendix 'C'.

The owners are not seeking to change the zone category, which would likely require an Official Plan Amendment, but seek variances to facilitate lot creation. Staff is supportive of variances, which are recommended in Condition 3 of Appendix 'F'.

The MRC Zone requires a minimum lot frontage of 18 metres and area of 600 square metres.

The retained lot, should the dedication of land occur, will not meet the lot frontage and area requirements of the MRC Zone by proposing approximately 10 metres of frontage on Queen Street, and an area of about 564 square metres. However, relief from the zoning by-law is not required as Section 5.29 grants legal non-complying status to any zone provision that no longer met on an existing lot when the City acquires lands from said lot.

The intent of the MRC Zone is to provide sufficient frontage and area in order to ensure a lot in that zone category may be used for future commercial-residential operations. A large component of any business outside the Downtown Area is to ensure the adequate provision of on-site parking to accommodate any commercial use that may be established on the site. The revised consent divides the property in such a way as to provide on-site parking for the retained lands to establish a commercial or commercial-residential use. As Appendix 'C' shows, there are 6 spaces (2 within the detached garage and 4 on the driveway) currently provided for should the dedication of lands occur. While the lands to the north of the driveway and garage provide landscaped open space and recreational space for the dwelling's occupants, additional parking may be accommodated on these lands if it is needed for customer parking. The north yard is also the logical direction to expand the existing parking area. The dedication of land to the City, while reducing the overall area of the retained lot, most impacts the south side of the property. As such, the dedication of land to the City does not impact the ability for the property to provide on-site parking due to where the parking currently takes place or could be expanded into. The suitability of the proposed retained for future mixed commercial-residential use is examined in the staff analysis section.

The severed lot is proposed in a wide-shallow configuration, owing to the fact that the subject property, which is rectangular, has more frontage along St. David Street than Queen Street. Any proposed dwelling will require relief from the zone provisions, and the dedication of land will not change this need. The proposal complies with the minimum lot frontage requirement of the MRC Zone by proposing about 18.6 metres along St. David Street. The lot will not meet the minimum lot area requirement by proposing about 320 square metres. However, the proposed lot area is in excess of the 300 square metre requirement needed for a lot within the R3 Zone, and the R3 Zone requirements are permitted to be applied to a building within the MRC Zone. Some relief from building setbacks are needed.

Further discussion is contained in the staff analysis section.

The proposal is in keeping with the intent of the zoning by-law.

Servicing Comments

The property is serviced by municipal water, sanitary, and storm water systems.

Consultations

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

Agency Comments

Community Services Department (June 30, 2020): The appropriate 5% cash-in-lieu of parkland against the value of each lot to be created is requested.

Building Division (January 19, 2021): No concerns provided the detached garage on the retained lands complies with the setback provisions for an accessory building from the proposed lot line.

Economic Development Division (February 5, 2021): It is important the retained property maintain the ability to function with a commercial use, such as providing sufficient parking. In particular, functional ability to convert the existing building to a commercial use should be maintained on the retained lands.

Development Engineering Division (March 9, 2021): See Appendix 'D'. Road widening off of St. David Street and Queen Street, along with a sight triangle requested.

Public Comments

John and Lynda McCauley (July 20, 2020): The commenters own the abutting property to the north, addressed as 27 St. David Street. See Appendix 'E' for their full comments.

Planning Division Analysis

The subject property is a corner lot located at the northwest corner of the intersection of Queen Street and St. David Street. These roads experience higher traffic volumes and have Arterial (Queen Street) and Collector (St. David Street) road classifications within the Town of Lindsay Official Plan to reflect this function. This intersection links the north residential and employment lands, the lands to the east of the Scugog River, and the Lindsay Downtown Area together.

Queen Street has a distinct character and function from the surrounding established residential neighbourhoods to the north and south. This portion of Queen Street is characterized by a variety of commercial, residential-commercial establishments, and residential uses. Lots used solely for residential use are presently further away from this intersection. The lands immediately around this intersection are primarily commercial in nature. The application proposes to maintain this established commercial nature to this portion of Queen Street by

proposing a residential lot to the north, away from the intersection and retain a lot at the intersection that may be used for future commercial or commercial-residential uses.

The lands to the northeast of the intersection are commercial in nature, containing a mechanic's shop operating as T&B Automotive at 118-122 Queen Street. Residential uses are found to the north and east of this establishment.

The lands to the southeast of the intersection contain the operations and showroom of Doan's Overhead Doors at 121 Queen Street and Hometown Appliance at 125 Queen Street. Residential uses are found to the south and east of these establishments.

The lands to the southwest on the intersection contain the offices and parking area for Poppa Ed's Taxi with a residence on the second floor and Duke's Car Clean Auto Service garage at 117 Queen Street, offices of C.A. Sellers Cleaning Services Ltd. at 109 Queen Street, and other commercial uses further west along Queen Street. Residential uses are to the south.

The lands to the northwest of the intersection contain a building at 112 Queen Street where the first floor appears to have been converted to residential use, Ruff Cuts Professional Dog Grooming with residential above at 110 Queen Street, a convenience store at 108 Queen Street, and a mix of residential and commercial-residential uses further west along Queen Street. The buildings much further west are residential. The buildings at the addresses noted are commercial in nature, but are all contained within built forms that range between 1 to 2.5 storeys.

The MRC Zone category was not applied to the entire section of Queen Street, nor is the "Residential-Commercial" designation found along the entire street. Instead, the designation and zone category is placed upon those lots with a history of commercial-residential or commercial use as evidenced by the existing uses or building appearance, or on lots in close proximity to those established uses. Along the Queen Street corridor where the "Residential-Commercial" designation is present, there is only one continuous strip of that designation and MRC Zone, and it is found between St. Peter Street and St. David Street. The subject property is within that block, and is arguably within what functions as the business centre of commercial-residential uses along Queen Street due to the Queen Street and St. David Street intersection. Due to its size and location, the proposed severed lot will not impact the commercial nature of the Queen Street corridor.

The retained lands receive more road exposure than other commercial or commercial-residential lots along Queen Street as it borders two roads. This provides the site with more exposure to passing traffic. The dwelling on the subject property, constructed circa 1875 according to MPAC along with its detached garage, constructed circa 1975 according to MPAC, are located to the extreme southwest in close proximity to the south and west lot lines. The location of the building currently allows sufficient space to the east and north to accommodate parking for clients should the building be used at some point in the future for a commercial business. Given the floor area of the building, which MPAC records at approximately 123 square metres, it is likely the building would be used for light retail or office uses. A conversion of the entire building for an office use would

result in approximately 5 parking spaces being required. The property can accommodate this parking requirement.

Lindsay has only three Mixed Use Corridor Policy Areas. The other two are along Kent Street West between the hospital and Downtown Area, and along Lindsay Street South between Mary Street West and the Downtown Area. The MRC Zone is not a very common zone. There are few corner lots within this zone category, and there are few lots where the existing dwelling is positioned off to the side in such a way as to allow for a commercial or commercial-residential use to be added outside the existing dwelling but still visible from the street. The direction within the Secondary Plan is that the potential for the establishment of mixed uses along the corridors leading to the Downtown Area is to be maintained, and the revised proposal is consistent with this direction.

The proposed severed lands propose a use and built form consistent with the residential neighbourhood along St. David Street north of the intersection with Queen Street. The applicant has submitted a conceptual building footprint in Appendix 'C' of the single detached dwelling. The dwelling, while requiring variances due to the wide-shallow nature of the proposed lot, appears to propose sufficient rear yard and side yard amenity space for its occupants. It also provides a garage set back from the front lot line, which provides for 1 full parking space to be contained between the garage door and the road allowance. It is understood that the applicant will be constructing the dwelling on the property. As such, Condition 3 is structured to include the variances required to permit the proposed building footprint. This way, the variances for lot creation and built form may be dealt with concurrently and comprehensively.

It is acknowledged that the retained lands, shown to have an area of 564 square metres will likely have a smaller area with the Queen Street road widening and revised sight triangle configuration imposed. Notwithstanding the smaller retained lot area, staff are still of the opinion that this lot represents a viable opportunity for future conversion purposes to mixed uses.

Conclusion

Given the character of the immediate area along Queen Street to trend towards a commercial nature, it is appropriate to retain the potential to establish a commercial use on the proposed retained lands as this property is within the functioning centre of the Queen Street Mixed Use Corridor Policy Area. The revised proposal is consistent with the PPS, conforms to the Growth Plan, Official Plan, Secondary Plan, and in keeping with the intent of the Zoning By-law. For the reasons outlined above, staff respectfully recommends the application be granted as the proposal represents good planning.

Attachments



Appendices A-F to
Report COA2021-02.

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Amended Sketch
Appendix D – Department and Agency Comments
Appendix E – Public Comment
Appendix F – Proposed Conditions of Provisional Consent

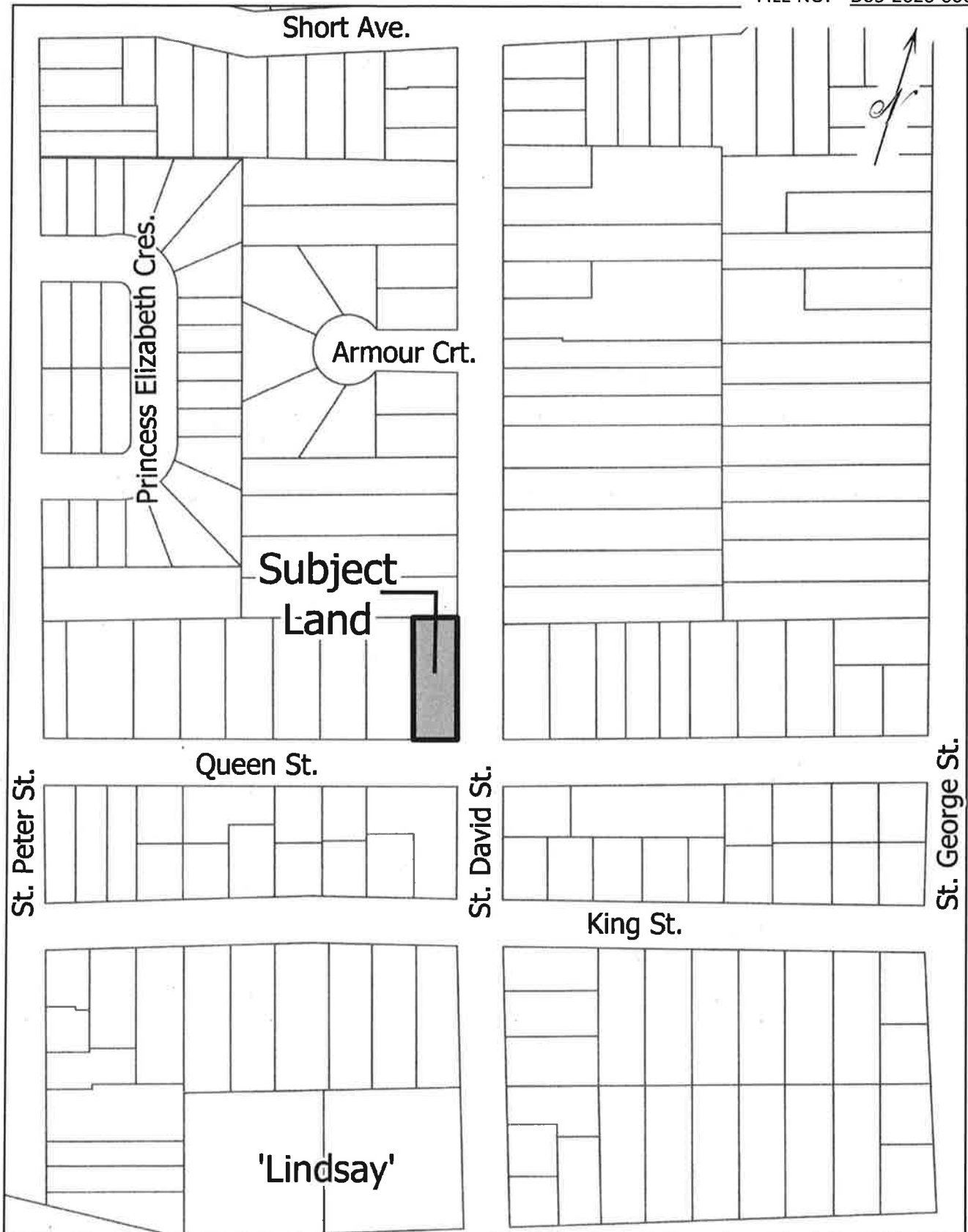
| | |
|-------------------------|--|
| Phone: | 705-324-9411 extension 1206 |
| E-Mail: | dharding@kawarthalakes.ca |
| Department Head: | Richard Holy, Acting Director of Development Services |
| Department File: | D03-2020-006 |

to

REPORT COA2021-022

FILE NO: D03-2020-006

D03-2020-006



114 Queen Street, former Town of Lindsay

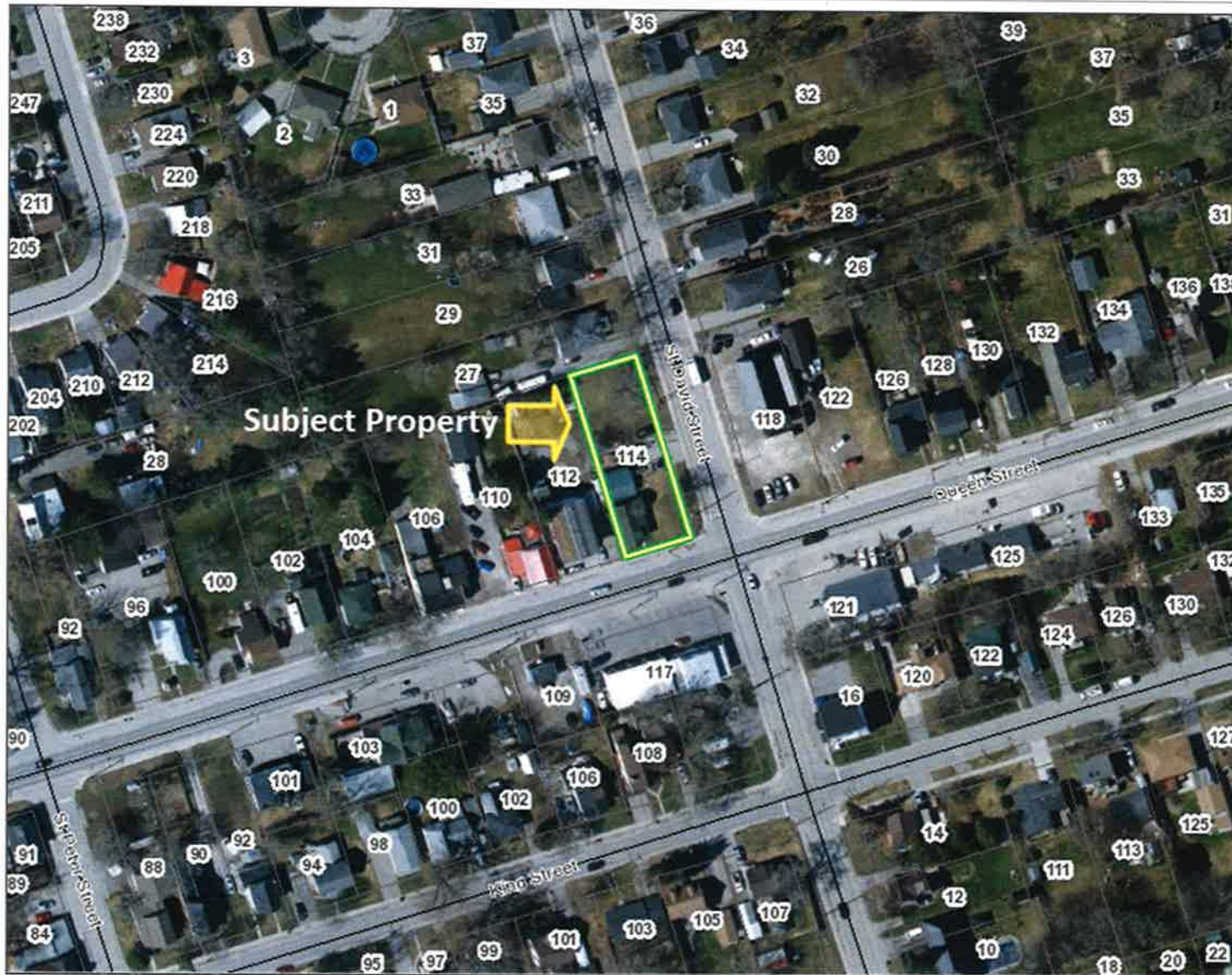
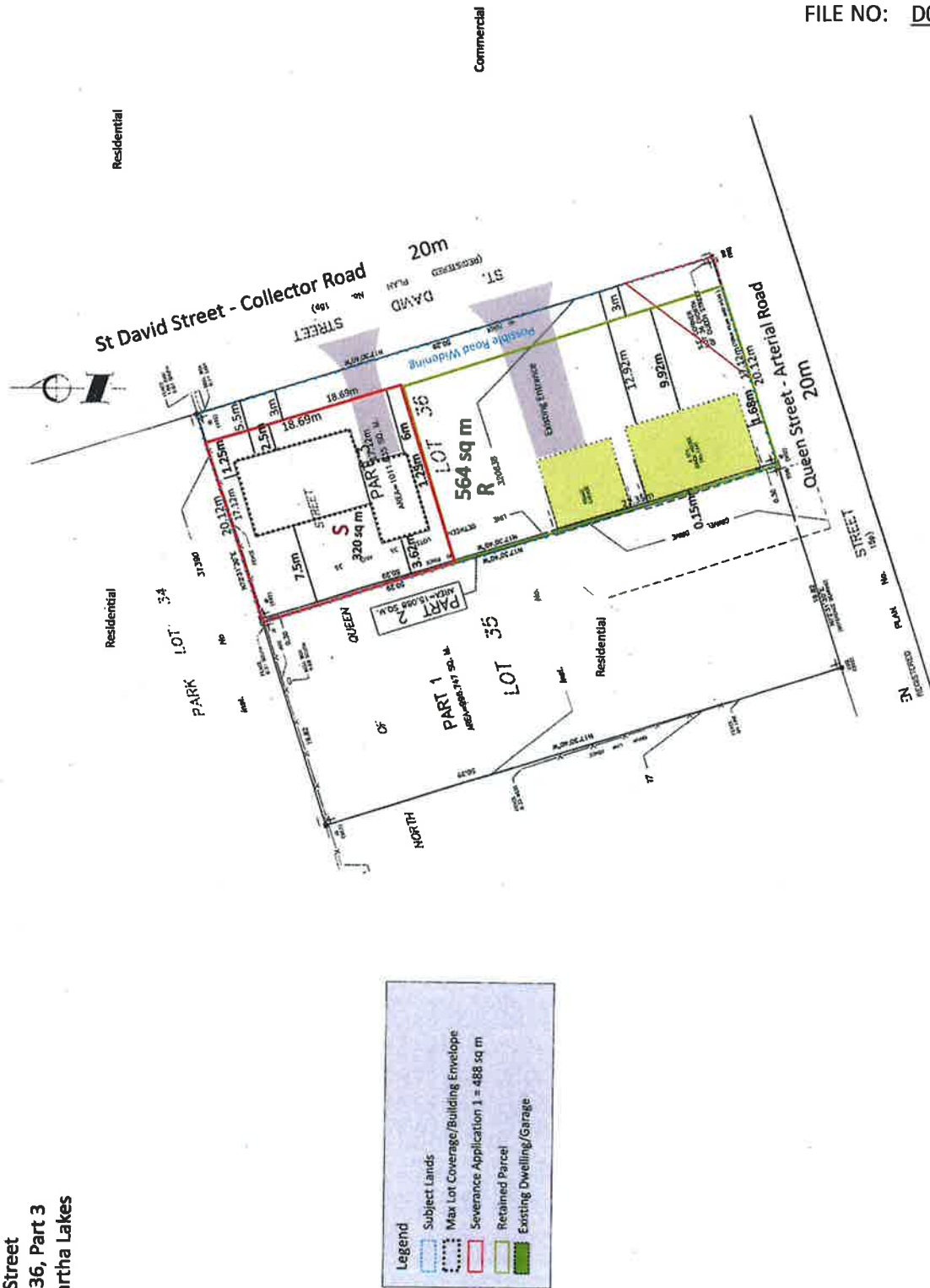


Figure 2 - Severance Sketch
 114 Queen Street
 RP 15p, Lot 36, Part 3
 City of Kawartha Lakes



APPENDIX " C "

to

REPORT COA2021-022

FILE NO: D03-2020-006

Z:\4117- 114 Queen Stre

Date: September 2017

David Hardingto
**REPORT
FILE NO.****COA2021-022
D03-2020-006**

From: Christina Sisson
Sent: Tuesday, March 9, 2021 9:00 AM
To: David Harding; 'Bob Clark'; 'Jeff Farquhar'; Rebecca Mustard; Richard Holy
Cc: Juan Rojas; Kirk Timms; Robyn Carlson
Subject: RE: 114 Queen Street Discussion - D03-2020-006
Attachments: 114 queen st

Importance: High

Good morning,

Further to our meeting last week and various emails provided through the planning applications, we have provided confirmation of the City's requirements. We acknowledge receipt of the attached email from the Owner, Mr. Jeff Farquhar. Therefore, for clarification, the City confirms the following:

- The Lindsay Official Plan (2000 and earlier) and City Official Plan (2012) and the Transportation Master Plan (2012) provide for the collector and arterial roads to be a minimum of 26.0 metre width. The Lindsay Official Plan (2015) states that:

31.2.2.7.13. Schedule "H-1" identifies the existing road pattern and future arterial and collector road network for Lindsay. The following road classification applies in Lindsay: Local roads provide access to lots and serve low volumes of traffic and shall have a minimum right of way width of 20 metres. Collector roads provide for medium volumes of traffic and shall have a minimum right of way width of 26 metres. iii. Arterial roads provide for medium to high volumes of traffic and shall have a minimum right-of-way width of 26 metres.

- The transportation corridor has been established in these documents and is to be protected. As per the Lindsay Official Plan:

5.1.2 Road Pattern The roads within the Town, both existing and proposed, are classified according to their anticipated ultimate function. Where additional land is required for widening and extensions, such land shall be obtained wherever possible, in the course of approving subdivisions, consents or site plan agreements, without amendment to this Plan.

- From the Transportation Master Plan:
Table 1-1: Transportation Solutions Solution Description Structural New roads Widen roads (auto and cycle lanes) Improve road geometry

1.6.5.5 Transportation and land use considerations shall be integrated at all stages of the planning process.

1.6.6.2 Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

- As per Section 31(6) of the *Municipal Act*, 2001 and Section 51(25) (Subdivision/Condominium) or Section 53(12) (Consent) of the *Planning Act*, R.S.O. 1990, as amended, the City has the legislative authority to request road widenings including daylight (sight) triangles and full right of way widths for municipal roads. The widening of collector and arterial roads is consistent with the City's road guidelines (26.0 metre road cross-sections). Full right of way roads are necessary to ensure the ultimate future use which includes future road maintenance, snow storage, road improvements, turning lanes, sidewalks, multi-use pathways, stormwater management, and other uses as per the specific components of the transportation system. The Transportation Master Plan outlined the existing road infrastructure and future/forecasted transportation demands on the collector and arterial roads. The established road widths were included in the City's Official Plans (before and after the TMP).
- Queen Street is classified as an arterial, and St. David Street is classified as a collector. These classifications have been consistent throughout the City's documents.
- The proposed Schedule "A+" for the proposed intersection works was an assumption at the time of the writing of the Transportation Master Plan. The Director has confirmed that this would have to be reviewed through an Environmental Assessment prior to the intersection works proceeding ("All Municipal Class EA Requirements subject to "Bump Up" if necessary").

Therefore, the City is confirming the Official Plan and the Transportation Master Plan implementation in requesting a widening of 3.0 metres on the arterial road and a widening of 3.0 metres on the collector road and a sight triangle of 12 metres by 12 metres.

Thank you,
Christina

Christina Sisson, P.Eng.
Supervisor, Development Engineering
Lean Six Sigma Black Belt
Engineering & Corporate Assets, City of Kawartha Lakes
705-324-9411 ext. 1152 (office)
705-878-3186 (mobile)
www.kawarthalakes.ca



Our office is closed to the public. Please note all courier packages and mail must be directed to City Hall, 26 Francis Street, Box 9000, Lindsay, ON, K9V 5R8.

-----Original Appointment-----

From: David Harding

Sent: Friday, February 26, 2021 4:12 PM

To: David Harding; Christina Sisson; 'Bob Clark'; 'Jeff Farquhar'; Rebecca Mustard; Richard Holy

Subject: 114 Queen Street Discussion - D03-2020-006

When: Wednesday, March 3, 2021 1:00 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Zoom

David Harding is inviting you to a scheduled Zoom meeting.

Topic: D03-2020-006

Time: Mar 3, 2021 01:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://kawarthalakes.zoom.us/j/97133142076?pwd=SWpiejZlMkFLWFZsYTRQK3FKSk14dz09>

Meeting ID: 971 3314 2076

Passcode: 521754

One tap mobile

+16473744685,,97133142076#,,, *521754# Canada

+16475580588,,97133142076#,,, *521754# Canada

Dial by your location

+1 647 374 4685 Canada

+1 647 558 0588 Canada

Meeting ID: 971 3314 2076

Passcode: 521754

Find your local number: <https://kawarthalakes.zoom.us/j/97133142076>

David Harding

From: Rebecca Mustard
Sent: Friday, February 5, 2021 4:29 PM
To: David Harding
Subject: Re: D03-2020-006 - 114 Queen Street, former Town of Lindsay

Hi David,

As both properties will retain the MRC zoning, it is important that they still have the ability to function as a commercial use (e.g. meet parking requirements to actively use the commercial use).

For this application as the MRC use is the zoning for properties along Queen Street, a functional commercial use should be maintained in the retained parcel.

Rebecca

Rebecca Mustard
Manager, Economic Development
Development Services, City of Kawartha Lakes
705-324-9411 ext. 1395 www.kawarthalakes.ca



From: David Harding
Sent: Tuesday, January 19, 2021 10:10:50 AM
To: Derryk Wolven; Rebecca Mustard
Subject: D03-2020-006 - 114 Queen Street, former Town of Lindsay

Hello Rebecca and Derryk,

Please find attached the planning justification report for the above-noted file. Derryk, the two attachments I was trying to send before are a table on page 9 and sketch on page 13.

David Harding RPP, MCIP
Planner II
Development Services – Planning Division
City of Kawartha Lakes
180 Kent Street West, Lindsay, ON K9V 2Y6
Phone 705-324-9411 extension 1206 | Toll Free 1-888-822-2225
Fax 705-324-4027

Due to COVID-19, 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



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 transmission in error, please notify the sender immediately by telephone, fax or e-mail and permanently delete this e-mail from your computer, including any attachments, without making a copy. Access to the e-mail by anyone else is unauthorized. Thank you.

David Harding

From: Derryk Wolven
Sent: Tuesday, January 19, 2021 10:47 AM
To: David Harding
Subject: RE: D03-2020-006 - 114 Queen Street, former Town of Lindsay

Thanks David,

Can you have a look at the sketch? They show 1.25m setback for proposed building both ends and 1.25m existing garage to proposed lot line. Although dimensioned equally they do not appear to be the same visual offset. I guess I am confused why we don't see a surveyors sketch as we do with even some farm consolidations that have buildings in proximity to the proposed line. As a garage accessory to the house, .6m is the OBC cutoff so I suppose we have no concern.

Derryk Wolven
Plans Examiner
City of Kawartha Lakes
705-324-9411 ext 1273
www.kawarthlakes.ca



From: David Harding
Sent: Tuesday, January 19, 2021 10:11 AM
To: Derryk Wolven ; Rebecca Mustard
Subject: D03-2020-006 - 114 Queen Street, former Town of Lindsay

Hello Rebecca and Derryk,

Please find attached the planning justification report for the above-noted file. Derryk, the two attachments I was trying to send before are a table on page 9 and sketch on page 13.

David Harding RPP, MCIP
Planner II
Development Services – Planning Division
City of Kawartha Lakes
180 Kent Street West, Lindsay, ON K9V 2Y6
Phone 705-324-9411 extension 1206 | Toll Free 1-888-822-2225
Fax 705-324-4027



The Corporation of the
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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: June 30, 2020
TO: Mark LaHay
FROM: LeAnn Donnelly, Executive Assistant, Community Services
RE: Various Applications

This memorandum confirms receipt of various applications for Consent to the Community Services Department. Our Department would request that, as a condition of this Consent, the Committee consider the appropriate cash-in-lieu of parkland against the value of each lot created for the following applications:

| | |
|--------------|-------------------|
| D03-2020-001 | 1491 Glenarm Road |
| D03-2020-002 | 1491 Glenarm Road |
| D03-2020-006 | 114 Queen Street |

LeAnn Donnelly

LeAnn Donnelly
Executive Assistant, Community Services

to
REPORT
FILE NO:

COA2021-022
D03-2020-006

July 20, 2020

Development Services – Planning Division
180 Kent St W.
Lindsay, On K9V 2Y6

RECEIVED
JUL 22 2020
City of Kawartha Lakes
Development Services
Planning Division

Attn: Mark LaHay ✕ *DAVID HARDING*

Re: File No D03-2020-006
114 Queen Street
Part Lot 35, Lot 36, N/S Queen St. Plan 15P
Former Town of Lindsay, Ward 5

To Whom This May Concern:

This letter is in response to your letter dated June 25, 2020 regarding the above file No D03-2020-006.

We currently live at the property located on Park Lot 34 or 27 St. David Street and have owned the property since 2006. For the most part we have enjoyed a quiet life here.

When it comes to allowing a severance on the property located at 114 Queen Street, we have to say that we have some strong thoughts as to why this should not be allowed to proceed.

- The proposed semi-detached will be located close to the front of the property due to the depth and therefore will block our view from the south.
- Loss of privacy and it will create a higher density of persons living in the area.
- The possibility of these builds would be used as rental properties is a strong possibility. Especially with the shortage of rentals
- Already a busy corner and will increase the traffic as well as safety of pedestrians.
- Added noise of an already noisy corner

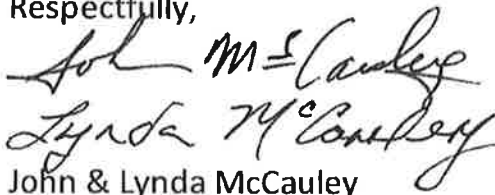
- With having a sidewalk and most households having a min of 2 vehicles and the street parking I am sure will be used along with parking across the sidewalks. This has proved to be an issue in many parts of Lindsay and then the owners/tenants park on the front lawns during the parking restriction months
- Not knowing the proposed building type is also difficult. If a 2-storey building is to be built the height would certainly not fit in with the street scape.
- If this building(s) can be constructed on this location we strongly feel that it will affect the value of our home.
- Wondering how the drainage would work on this property as well if allowed 2 severances.

If a severance is allowed, we would strongly suggest that a single-family home would be better suited in this situation.

I have attached an overview of the lot severance proposal as well and you can see for yourself our concerns.

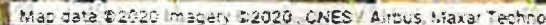
Thank you for allowing us to submit our views on the proposed severance.

Respectfully,

Handwritten signatures of John and Lynda McCauley. The signature 'John' is written in a cursive script, followed by 'McCauley'. Below it, 'Lynda McCauley' is also written in a cursive script.

John & Lynda McCauley
27 St. David Street
Lindsay, ON K9V 1N2
705-878-0690

Encl. 1



1. This approval applies to the transaction applied for as amended by the sketch prepared by Clark Consulting Services Inc. received March 7, 2021.
2. The owner shall convey the following lands specified by the Development Engineering Division in Appendix 'D' to Report COA2021-022 to the City of Kawartha Lakes across the subject property, free and clear of all encumbrances. The legal description shall include the words "RESERVING UNTO the Transferor(s) a right-of-way for ingress and egress until such time as the land is dedicated as public highway." The lands to be conveyed are:
 - a. A 3.0 metre road widening across the entire St. David Street frontage of the lands to be severed,
 - b. A 3.0 metre road widening across the entire St. David Street frontage of the lands to be retained,
 - c. A 3.0 road widening across the entire Queen Street frontage of the lands to be retained and enter into a license with the City for the portion of the dwelling to occupy the lands dedicated to the City OR a road widening across the entire Queen Street frontage of a depth and shape satisfactory to the Development Engineering Division; and
 - d. A sight triangle on the retained lands at the corner of Queen Street and St. David Street measuring 12 metres by 12 metres and enter into a license with the City for the portion of the dwelling to occupy the lands dedicated to the City OR a sight triangle at the corner of Queen Street and St. David Street with a depth and shape satisfactory to the Development Engineering Division.
3. The owners shall apply for, pay the prescribed fee and obtain variances for the lot to be severed:
 - a. From the MRC Zone minimum area requirement of 600 square metres in Section 12.2(a),
 - b. From the R3 minimum front yard setback requirement of 7.5 metres in Section 8.2(c),
 - c. From the R3 minimum rear yard setback requirement of 7.5 metres in Section 8.2(f); and
 - d. If applicable, the R3 maximum gross floor area requirement as a percentage of lot area of 40% in Section 8.2(f); and

The variances be in effect. A reference plan satisfactory to the Secretary-Treasurer shall accompany the application to verify the extent of the reliefs required.

4. Payment to the City of Kawartha Lakes of a tree levy of \$500.00 for the residential lot.

5. The owners submit to the Secretary-Treasurer written confirmation from the Roads Operations Division that an entrance permit would be available for the lot to be severed.
6. Submit to the Secretary-Treasurer one copy of the preliminary reference plan of survey of the lot to be severed for review and endorsement and the subsequent registered reference plan of survey.
7. Submit to the Secretary-Treasurer payment of all past due taxes and charges added to the tax roll, if any, at such time as the deeds are stamped.
8. Payment to the City of Kawartha Lakes of the stamping fee prevailing at the time the deeds are stamped, for the review and clearance of these conditions. The current fee is \$458.00. Payment shall be by certified cheque, money order, or from a lawyers trust account.
9. Payment of the cash-in-lieu of the dedication of parkland, equal to 5% of the appraised value of the land to be severed, as determined by an experienced and qualified land appraiser (CRA or AACI) as of the day before the day the provisional consent was given. The appraisal report shall accompany the cash-in-lieu payment. The City is not required to accept the appraisal report and reserves the right to peer-review the appraisal report and negotiate the cash-in-lieu payment. Payment shall be made by certified cheque, money order, or from a lawyers trust account.
10. Submit to the Secretary-Treasurer a deed in triplicate for endorsement with the certificate of consent which deed shall contain a registerable description of the parcel of land described in the decision.
11. The owners shall pay all costs associated with the registration of the required documents.
12. The owners' solicitor shall provide a written undertaking to the Secretary-Treasurer confirming, pursuant to Subsection 53(43) of the Planning Act, that the deed in respect of this transaction shall be registered in the proper land registry office within six months from the date that the Secretary-Treasurer's certificate is stamped on the deed, failing which the consent shall lapse.
13. The owners' solicitor shall also undertake to provide a copy of the registered Transfer to the Secretary-Treasurer as conclusive evidence of the fulfillment of the above-noted undertaking.
14. All of these conditions shall be fulfilled within a period of one year after the giving of the Notice of Decision, failing which, pursuant to Subsection 53(41) of the Planning Act, this consent shall be deemed to be refused.

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Lindsay Seniors GP Limited
Report Number COA2021-023

Public Meeting

Meeting Date: April 15, 2021

Time: 1:00 pm

Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 5, former Town of Lindsay

Subject: The purpose and effect is to request relief from the following provisions in order to facilitate the construction of a 5-storey apartment building:

1. Section 11.3.7 (g) to increase the maximum building height from 18 metres to 21.8 metres to allow for rooftop mechanical and design features;
2. Section 5.12 (j) x. to allow twenty-eight (28) parking spaces within the front yard; and
3. Section 5.13 (b) to allow for a portion of the loading space within the front yard.

The variances are requested at 37 Adelaide Street North, former Town of Lindsay (File D20-2021-001).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2021-023 Lindsay Seniors GP Limited, be received;

That minor variance application D20-2021-001 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed generally in accordance with the site plan sketch in Appendix C and elevations in Appendix D and landscape plantings plans in Appendix E submitted as part of Report COA2021-023, which shall be attached to and form part of the Committee's Decision; and
- 2) **That** the site plan agreement shall be registered within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused.

This approval pertains to the application as described in report COA2021-023. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The application proposes a 5-storey, 176 unit seniors' apartment building at the above-noted address. Site Plan application D19-2020-001 has been submitted with three rounds of comments provided between December 2019 and December 2020. Through review of the submissions, it was identified that relief from the building height, loading space and parking space location provisions would be required.

This application was last amended March 29, 2021.

Proposal: To permit an additional storey for design features, which conceal rooftop components of the building. Also, to permit a portion of a loading space as well as twenty-eight (28) parking spaces within the front yard of the subject property.

Owner: Lindsay Seniors GP Ltd. (MTCO Holdings Ltd.)

Applicant: Carolyn Molinari – CM Planning Inc.

Legal Description: 37 Adelaide Street North, Block 15, Plan 57M-782, former Town of Lindsay now the City of Kawartha Lakes

Official Plan: Residential within the Town of Lindsay Official Plan

Zone: 'Residential High-Rise One Special Five Holding One' (RH1-S5(H1)) Zone within the Town of Lindsay Zoning By-law 2000-75.

Site Size: 11,519.8 square metres (2.85 acres)

Site Servicing: Full municipal services available

Existing Uses: Vacant Land (former Lindsay Fair Grounds)

Adjacent Uses: North: High and Low Rise Residential,
East: Low Rise Residential, Fair Avenue
West: Vacant Lands owned by Ross Memorial Hospital,
South: Ross Memorial Hospital, Low Rise Residential

Rationale:

1) Are the variances minor in nature? Yes
And

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

The subject property is situated on a portion of the old Lindsay Fairgrounds adjacent to the former Fair Avenue entrance. The property is bordered by Adelaide Street North to the east.

The Adelaide Street North-Colborne Street neighbourhood, where higher residential densities exist, is evidenced by the three apartment buildings, one proposed apartment building and retirement residence within the vicinity (53 Adelaide Street North, 107, 126, vacant lands to the south of 126 & 133 Colborne Street East) of the subject lands. The building will provide additional residential options in Lindsay and add to Lindsay's skyline. The additional storey is required for design elements in order to conceal the rooftop mechanical features of the building. The additional storey is not anticipated to adversely impact the Adelaide Street North streetscape and will compliment the overall façade and appearance of the building.

A portion of the loading zone associated with the building is located within the front yard of the subject lands. The location was chosen as it represents the least impact to surrounding residential properties by being located closest to the northeast parking lot of the Ross Memorial Hospital. Amenity space and connectivity to the property to the north as well as connectivity to the hospital will be maintained as a result. As per Appendix E, fencing and a continuous minimum 4 metre landscaped strip is proposed in order to screen the loading zone from adjacent properties alleviating any visual or auditory impacts from the loading space.

As per Appendix E, a continuous minimum 4 metre landscaped strip is proposed along the front lot line adjacent to Adelaide Street North; whereas, the Zoning By-law requires a minimum of 3 metres. The vegetative buffer will assist in alleviating any impacts to the adjacent low rise residential homes on the east side of Adelaide Street North as well as any impacts to pedestrians. It is important to note that the majority of the existing mature deciduous trees along Adelaide Street North are proposed to be maintained.

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

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

The subject property is zoned Residential High-Rise One Special Five Holding One (RH1-S5(H1)) Zone. The category permits an apartment building and a senior citizens' home among other uses. The holding provision relates to site plan approval being granted and confirmation of an adequate supply of

municipal water and sanitary services to the proposed development by the Director of the City of Kawartha Lakes Public Works Department.

As high-rise development is already proposed within the zoning, the addition of one storey is not anticipated to substantially change the scale of the built form. Eighteen (18) metres is the maximum height permitted under the Zoning By-law with an additional 3 metres proposed (according to Appendix D) for construction elements used to conceal rooftop access stairs and mechanical items. The proposed parapets and façade work will ultimately present a more esthetically-pleasing product. While 21 metres is the maximum height indicated in the drawings, an additional 0.8 metres for construction differences is being accounted for as part of application.

Only a portion of the proposed loading space will be located within the front yard (in relation to the eastern face of the building). The intent of locating loading spaces in the side and/or rear of buildings is to prevent incompatibilities with front yard and streetscape. As only a portion of the loading space is proposed within the front yard, no incompatibilities are anticipated, especially considering the landscape and design elements proposed within the front yard, which will help to screen the loading space. The landscape plantings plan indicates a mixture of tree and shrub (cedar and lilac) species along the southeastern lot line that will assist in negating any visual or audio impacts from the presence of the loading dock. Moreover, additional screening through 1.8 metre-high fencing along the southern lot line as well as an elaborate raised garden, patio plantings of shrubs, a trellis and a decorative fountain proposed in the front yard assist in being the focal points of the front yard.

The intent of limiting parking within the front yard of apartment buildings is to minimize potential conflicts between vehicles, pedestrians and the streetscape. Landscaping provisions of the zoning by-law are to provide minimum landscaping requirements in the form of continuous vegetative plantings around the immediate perimeter of the property and the parking lot to buffer the property from surrounding uses. In this case, the applicant has proposed landscaping that exceeds the minimum requirements in order to account for the parking spaces within the front yard of the building. Without relocating the building further towards Adelaide Street North, the proposed landscaped buffer comprised of tree and shrub species along with the proposed maintenance of the existing mature deciduous trees will assist in the integration of the parking spaces with the streetscape and provide to pedestrians. The proposed configuration also maintains amenity space consisting of walkways, gardens and benches for residents within the rear yard

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

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

Yes

As the Lindsay Secondary Plan is under appeal, the Town of Lindsay Official Plan remains in effect. The property is designated 'Residential' within the Town

of Lindsay Official Plan. High density residential development in the form of apartment buildings is permitted.

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

Other Alternatives Considered:

The applicant has submitted three revised versions of the proposal that were circulated to City staff associated with the Site Plan Approval process. No other alternatives have been considered at this time.

Servicing Comments:

The development will be on full municipal services once constructed.

Consultations:

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

Agency Comments:

Development Engineering Division (April 1, 2021): No objections to the proposed Minor Variance. The engineering review of the proposed site plan for this property is continuing.

Public Comments:

No comments received as of April 7, 20201.

Attachments:



Appendices A-E
COA2021-023.pdf



Appendices E-F
COA2021-023.pdf

- Appendix A – Location Map
- Appendix B – Aerial Photo
- Appendix C – Applicant's Site Plan
- Appendix D – Elevations
- Appendix E – Landscape Plantings Plan
- Appendix F – Department and Agency Comments

| | |
|-------------------------|---|
| Phone: | 705-324-9411 extension 1367 |
| E-Mail: | kstainton@kawarthalakes.ca |
| Department Head: | Richard Holy, Acting-Director of Development Services |
| Department File: | D20-2021-001 |

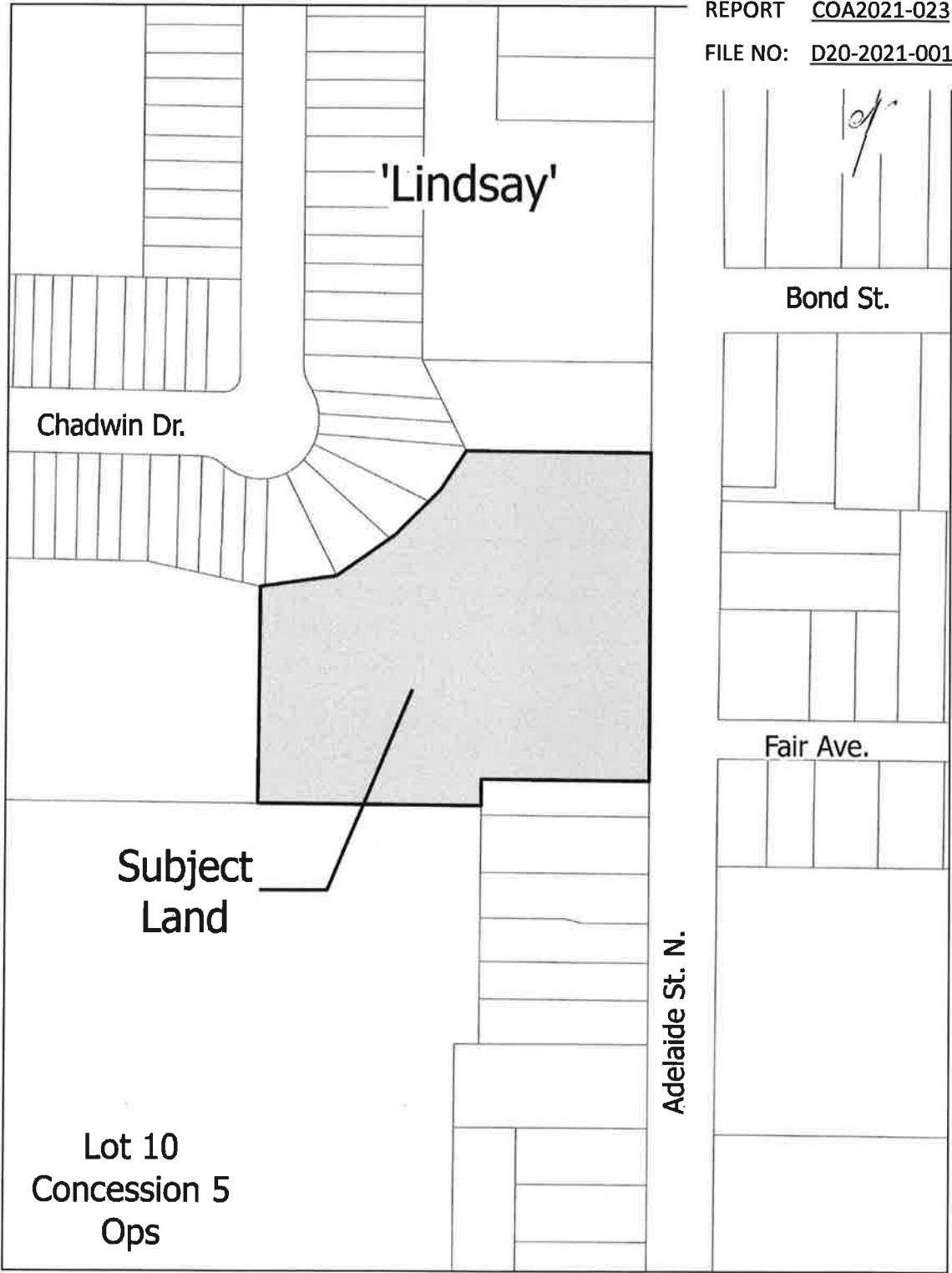
D20-2021-001

APPENDIX " A "

to

REPORT COA2021-023

FILE NO: D20-2021-001



31 Adelaide Street North, Former Town of Lindsay



Legend

- ☐ Property Roll Number
- ☒ Lots and Concessions

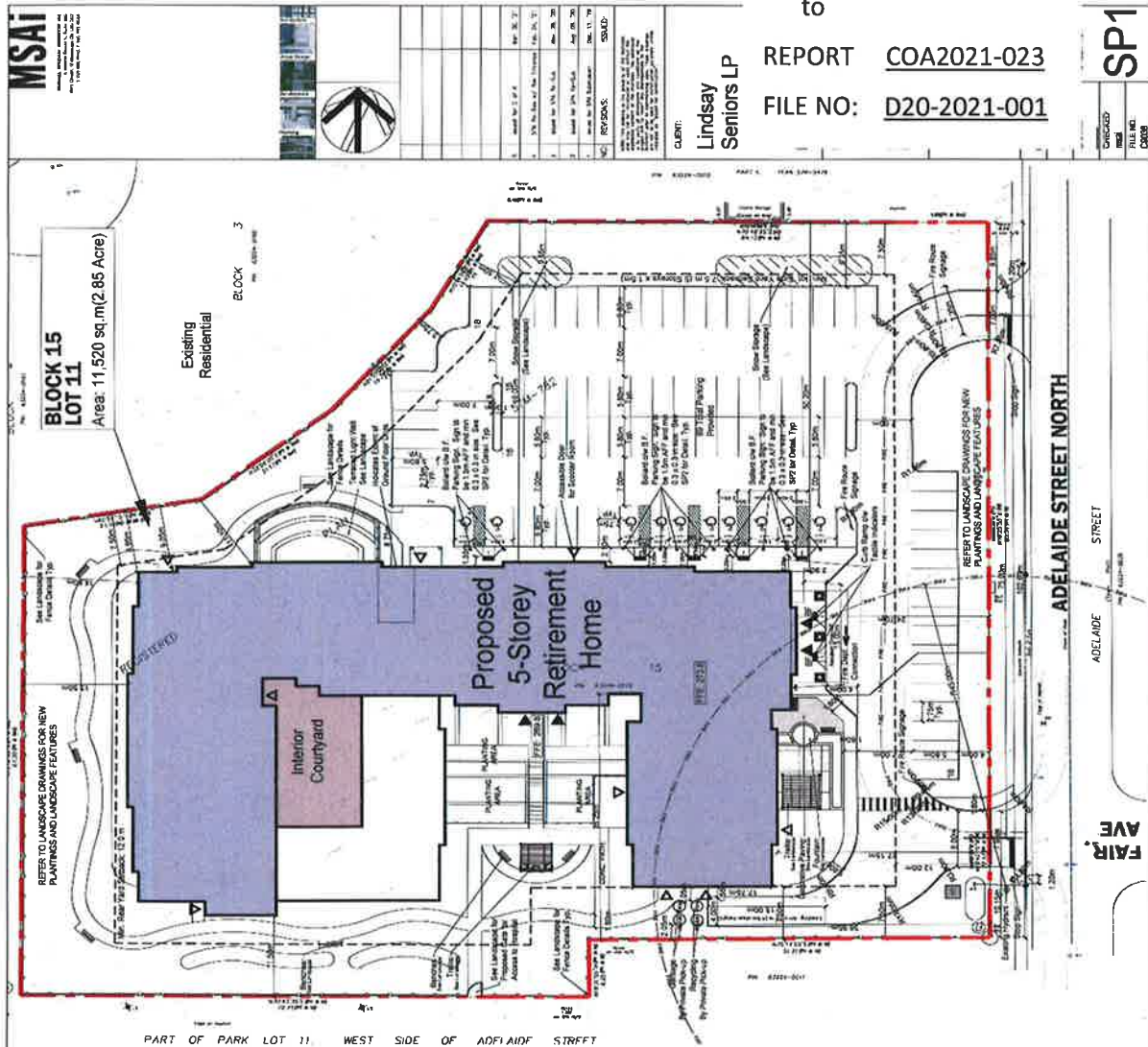
Notes

Notes

APPENDIX " B "

to

REPORT COA2021-023
FILE NO: D20-2021-001



| UNIT BREAK DOWN PER FLOOR | | | | | | | | | |
|---------------------------|-----------|-------|-----------|-------|----------------|-------|---------------------|-----|-------|
| | Remodel 1 | | Remodel 2 | | Altered Living | | Independence Living | | |
| | 1 Bed | 2 Bed | 1 Bed | 2 Bed | 1 Bed | 2 Bed | 1 Bed | 1+1 | 2 Bed |
| Ground Floor | 25 | 27 | 24 | 26 | 2 | 3 | 5 | 14 | |
| 1st Floor | | | | | 3 | 3 | 3 | 4 | 37 |
| 2nd Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 3rd Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 4th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 5th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 6th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 7th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 8th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 9th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 10th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 11th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 12th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 13th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 14th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 15th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 16th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 17th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 18th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 19th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 20th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 21st Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 22nd Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 23rd Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 24th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 25th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 26th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 27th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 28th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 29th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 30th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 31st Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 32nd Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 33rd Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 34th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 35th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 36th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 37th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 38th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 39th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 40th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 41st Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 42nd Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 43rd Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 44th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 45th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 46th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 47th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 48th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 49th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 50th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 51st Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 52nd Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 53rd Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 54th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 55th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 56th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 57th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 58th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 59th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 60th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 61st Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 62nd Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 63rd Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 64th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 65th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 66th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 67th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 68th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 69th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 70th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 71st Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 72nd Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 73rd Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 74th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 75th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 76th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 77th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 78th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 79th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 80th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 81st Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 82nd Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 83rd Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 84th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 85th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 86th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 87th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 88th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 89th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 90th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 91st Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 92nd Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 93rd Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 94th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 95th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 96th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 97th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 98th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 99th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| 100th Floor | | | | | 5 | 5 | 2 | 4 | 37 |
| TOTAL UNITS | 27 | 27 | 34 | 2 | 26 | 2 | 8 | 17 | 105 |
| TOTAL UNITS PROPOSED | | | | | | | | | |

| GROSS FLOOR AREA | | SITE PLAN LEGEND | |
|------------------|----------|------------------|--------------------|
| | Sq. ft. | | |
| Underground | 1,707.19 | 12,050 | Barter Free |
| Ground Floor | 2,650.1 | 25,948 | BF |
| Second Floor | 2,324.8 | 25,925 | Primary Entrance |
| Third Floor | 2,324.8 | 25,925 | Primary Entrance |
| Fourth Floor | 2,324.8 | 25,925 | Secondary Entrance |
| Fifth Floor | 2,324.8 | 25,925 | |
| Sub-Total: | 13,756.2 | 148,070 | |



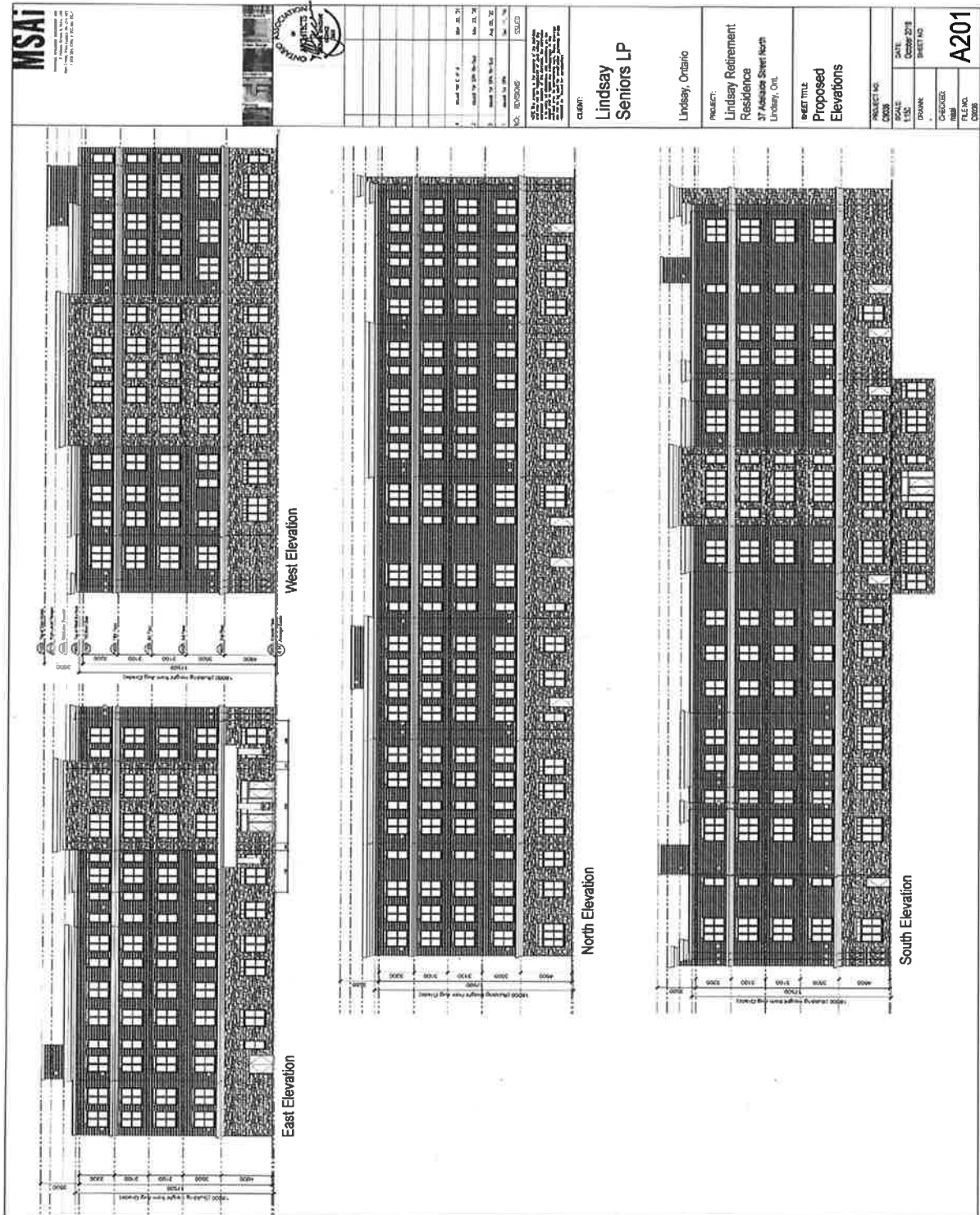
Zoning

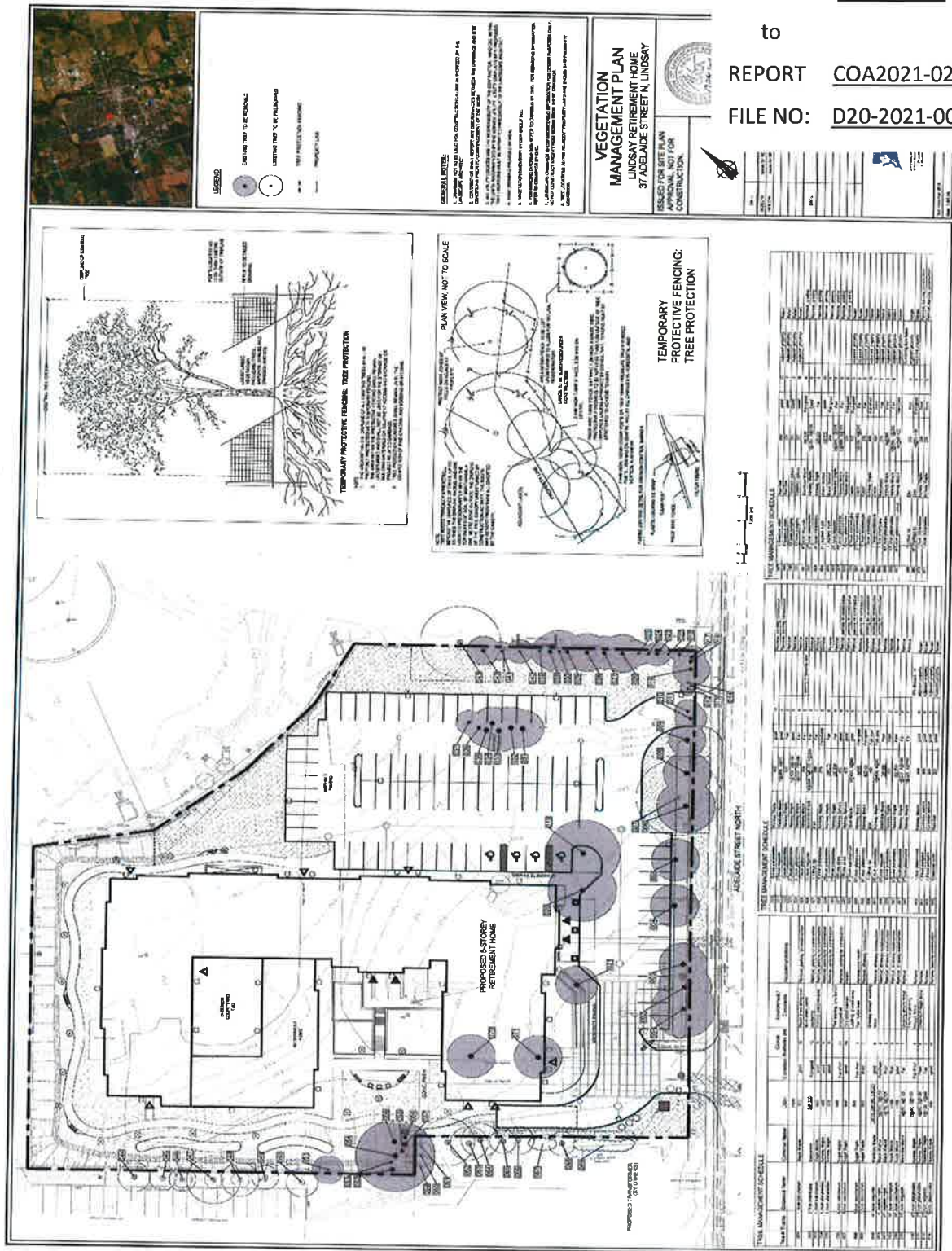
11.3.7 RH-1-S(50ft) Zone notwithstanding the permitted uses and zone requirements for the RH1 zone, on land zoned RH-1-S(50ft) the following requirements shall apply:

| | Permitted | Provided |
|---|---------------------|--------------|
| a. Minimum lot coverage 40.0 % | 40.0 % | 32.0 % |
| b. Minimum lot frontage 60.0 m | 12.0 m | 32.0 m |
| c. Minimum exterior side yard setback 3.0 m for each story | 3.0 m | N/A |
| d. Minimum exterior side yard setback 1.5 m for each story | 1.5 m | 7.5 m |
| e. Minimum interior side yard setback 12.0 m | 12.0 m | 13.5 m |
| f. Minimum rear yard setback 12.0 m | 12.0 m | 18.0 m |
| g. Maximum building height 18.0 m | 18.0 m | 28.9 % |
| h. Maximum lot coverage 45% | 45% | 44% |
| i. Maximum floor area ratio 1.0 | 1.0 | 1.0 |
| j. Maximum gross floor area (a) of lot area 150k (1,127,87 sqm) | 150k (1,127,87 sqm) | 37,798.2 sqm |
| k. Maximum lot area (a) of lot area 150k (1,127,87 sqm) | 150k (1,127,87 sqm) | 44% |

| Parting Calculation | Area Calculation |
|---------------------|------------------|
| | |

[illegible]





Kent Stainton

From: Mark LaHay
Sent: Thursday, April 1, 2021 1:31 PM
To: David Harding; Kent Stainton
Cc: Charlotte Crockford
Subject: FW: 20210401 D20-2021-001 - Engineering review

Importance: High

APPENDIX " F "
to

REPORT COA2021-023

FILE NO. D20-2021-001

FYI - file

From: Kim Rhodes
Sent: Thursday, April 1, 2021 12:46 PM
To: Mark LaHay
Cc: Christina Sisson ; Kirk Timms ; Benjamin Courville
Subject: 20210401 D20-2021-001 - Engineering review
Importance: High

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-001
37 Adelaide Street North
Block 15, Plan 57M-782
Former Town of Lindsay

It is the understanding by Engineering that the purpose and effect is to request relief from the following provisions in order to facilitate the construction of a 5- storey seniors' apartment building:

1. Section 11.3.7 (g) to increase the maximum building height from 18 metres to 21.8 metres to allow for rooftop mechanical and design features;
2. Section 5.12 (j) x. to allow twenty-eight (28) parking spaces within the front yard; and
3. Section 5.13 (b) to allow for a portion of the loading space within the front yard.

From an engineering perspective, we have no objection to the proposed Minor Variance. The engineering review of the proposed site plan for this property is continuing.

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

Thanks,

Christina

Christina Sisson, P.Eng.
Supervisor, Development Engineering
Lean Six Sigma Black Belt

Engineering & Corporate Assets, City of Kawartha Lakes
705-324-9411 ext. 1152 (office) 705-878-3186 (mobile) www.kawarthalakes.ca



Our office is closed to the public. Please note all courier packages and mail must be directed to City Hall, 26 Francis Street, Box 9000, Lindsay, ON, K9V 5R8.

Charlotte Crockford

From: Derryk Wolven
Sent: Wednesday, March 31, 2021 4:11 PM
To: Charlotte Crockford
Subject: RE: Notice of Public Hearing D20-2021-001 37 Adelaide Street North Lindsay.

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: [SharePoint] This message was saved in 'Planning and Development > Apps - Minor Variances > D20-2021-001 Lindsay Seniors GP Ltd. , 37 Adelaide Street North , Lindsay (K. Stainton)'

Please be advised building division has no concerns with this application.

Derryk Wolven
Plans Examiner
City of Kawartha Lakes
705-324-9411 ext 1273
www.kawarthalakes.ca



From: Charlotte Crockford <ccrockford@kawarthalakes.ca>
Sent: Wednesday, March 31, 2021 4:03 PM
To: Christina Sisson <csisson@kawarthalakes.ca>; Kim Rhodes <krhodes@kawarthalakes.ca>; Amber Hayter <achayter@kawarthalakes.ca>; Pat Dunn <pdunn@kawarthalakes.ca>; Susanne Murchison <smurchison@kawarthalakes.ca>; Derryk Wolven <dwolven@kawarthalakes.ca>
Subject: Notice of Public Hearing D20-2021-001 37 Adelaide Street North Lindsay.

Good afternoon

Please find attached the Notice of Public Hearing for application D20-2021-001 to be heard at the Committee of Adjustment Meeting on April 15, 2021.

Many thanks

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



MEMORANDUM

TO: Committee of Adjustment

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

DATE: April 7, 2021

SUBJECT: Minor Variance Application File No. D20-2021-006
2 Huntingdon Court, Geographic Township of Fenelon

On April 1, 2021 Septic Division staff provided the Planning Division with a letter identifying that the application in its current configuration cannot be supported. A sewage system permit to install was issued under file SS2020-0320. This permit was issued to replace the existing sewage system serving the dwelling to accommodate a required clearance distance to the proposed boathouse. The proposal did not accommodate an allowance for habitable space (identified as a 'sunroom') within the boathouse. The Supervisor of the Septic Division has advised that the boathouse be reconfigured or the existing septic permit is to be amended in order to account for human habitation within the boathouse.

Planning staff is supportive of the request and is requesting the Committee consider deferring the application for a period of not more than four months, returning at the latest to the August 19, 2021 meeting.

The owners and applicant are hereby advised that an applicant/owner-requested deferral fee of \$343.00 will apply to bring forward another report after April for Committee's consideration.

Respectfully,

Kent Stainton, Planner II

cc: Garry Newhook - Applicant
Karen & Peter Marren - Owners
Mark LaHay, Acting Secretary-Treasurer for the Committee of Adjustment
Anne Elmhirst – Supervisor, Septic Division

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Jane and Paul McCabe
Report Number COA2021-025

Public Meeting

Meeting Date: April 15, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 7 – Geographic Township of Ops

Subject: The purpose and effect is to request relief from the following provisions in order to fulfill a condition of provisional Consent associated with a lot line adjustment as part of Consent File D03-2020-027:

1. Section 16.2 b) to reduce the minimum lot area from 37 hectares to 27.5 hectares

The variance is requested at vacant land on Cross Creek Road, former geographic Township of Ops (File D20-2021-015).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2021-025 McCabe, be received;

That minor variance application D20-2021-015 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **THAT** the variance shall apply solely to the proposed retained portion of the subject property;
- 2) **THAT** this minor variance shall be deemed to be refused if the related Application for Consent, D03-2020-027, lapses.

This approval pertains to the application as described in report COA2021-025. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The Director of Development Services, as delegated by Council, is in the process of granting provisional consent for file D03-2020-027 to sever approximately 980 square metres from the subject lands on Cross Creek Road and add the lands to 308 Cross Creek Road. The applicant has agreed to the

conditions of the staff recommendation. The resultant retained lands are approximately 27.5 hectares (68 acres) in size. Through review of the consent application, it was determined that the retained agricultural lands do not meet the minimum lot area requirements of the Zoning By-law. Condition 5 of the provisional consent approval requires a variance to the retained agricultural parcel to recognize a lot area less than required by the Zoning By-law. The application is concurrent with minor variance file no. D20-2021-016; whereby, an existing detached garage with a reduced front yard setback is being proposed.

This application was deemed complete on March 12, 2021.

Proposal: The acknowledgement of the undersized agricultural lot is associated with a consent application to facilitate a lot addition to an abutting residential property. The justification for the lot line adjustment is to address the encroachment of a swimming pool, wood furnace and well servicing the benefitting lands. No new lot is being created and no new construction is proposed through the application.

Owners: Jane and Paul McCabe

Applicant: Roberta Perdue

Legal Description: Vacant land on Cross Creek Road, Part Lot 10, Concession 4, geographic Township of Ops, City of Kawartha Lakes

Official Plan: Prime Agricultural and Environmental Protection within the City of Kawartha Lakes Official Plan (2012). The Environmental Protection designation follows the shoreline of the Scugog River and the Scugog River and Mariposa Brook Provincially Significant Wetland Complex.

Zone: 'Agricultural (A)' Zone and 'Hazard Lands (HL)' Zone within the Township of Ops Zoning By-law 93-30.

Site Size: Approximately 27.5 hectares (68 acres)

Site Servicing: None

Existing Uses: Agricultural (Barn)

Adjacent Uses: North: Agricultural, Rural Residential South: Scugog River,
East: Agricultural, Rural Residential West: Rural Residential

Rationale:

1) Are the variances minor in nature? Yes

And

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

The subject property is located within a rural neighbourhood southeast of the former Town of Lindsay. The subject lands contain a barn (constructed in 1920 according to MPAC). There is a farm entrance off of Cross Creek Road that was identified during the site visit. The predominant surrounding land use in the area is agriculture (beef, cash-crop) with the Scugog River to the south of the property.

According to records, the subject lands have undergone two severances for 'one-acre parcels' in both 1972 (property to the east known as 386 Cross Creek Road) and 1989 (the benefitting lands in consent file D03-2020-027 – known as 308 Cross Creek). Essentially, the parcel has always been undersized, notwithstanding the aforementioned severances.

The existing lot-of-record maintains a triangular shape that is based on the unopened road allowance to the west and the Scugog River to the south. Based on records from the aforementioned consent applications in 1972 and 1989 respectively, the subject lands were always undersized. The requirement to recognize the deficiency in lot area is triggered as a result of the consent application; whereby, the lot size is slightly decreased by 980 square metres (0.2 acres). No impacts to the operation of the property nor the neighbourhood are anticipated as a result of the acknowledgement.

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

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

The subject lands are zoned Agricultural (A) Zone within the Township of Ops Zoning By-law 93-09. Agricultural uses and a single detached dwelling are permitted.

The purposes of the minimum lot area requirement of an Agricultural Zone are to ensure buildings and structures do not dominate the parcel in terms of massing and lot coverage. Through spreading out development on larger sized parcels, adequate lot drainage can also be maintained.

As mentioned previously, based on records from the aforementioned consent applications in 1972 and 1989, the subject lands were always undersized as per the minimum lot area requirements of the Agricultural Zone category. The resultant lot area, which is only 9.5 hectares less than minimum lot area required under the Zoning By-law, does not impair the functionality of the lot as an agricultural property. The lot possesses adequate frontage in compliance

with the Zoning By-law and all future agricultural buildings and structures are required to comply with MDS criteria.

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 Prime Agricultural and Environmental Protection within the City of Kawartha Lakes Official Plan. Agricultural Uses are anticipated within the Agricultural designation.

Agricultural uses are anticipated through the Agricultural designation. There is no anticipated development proposed through this application. It is understood that the Environmental Protection designation will remain in-place to protect the wetlands and shoreline of the Scugog River.

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 subject property does not contain servicing.

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 (April 1, 2021): No objections.

Building Division (April 1, 2021): No concerns.

Septic Division (April 1, 2021): No concerns.

Public Comments:

No comments have been received as of April 7, 2021.

Attachments:



Appendices A-D for
COA2021-025.pdf

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

Phone: 705-324-9411 extension 1367
E-Mail: kstainton@kawarthalakes.ca
Department Head: Richard Holy, Acting-Director of Development Services
Department File: D20-2021-015

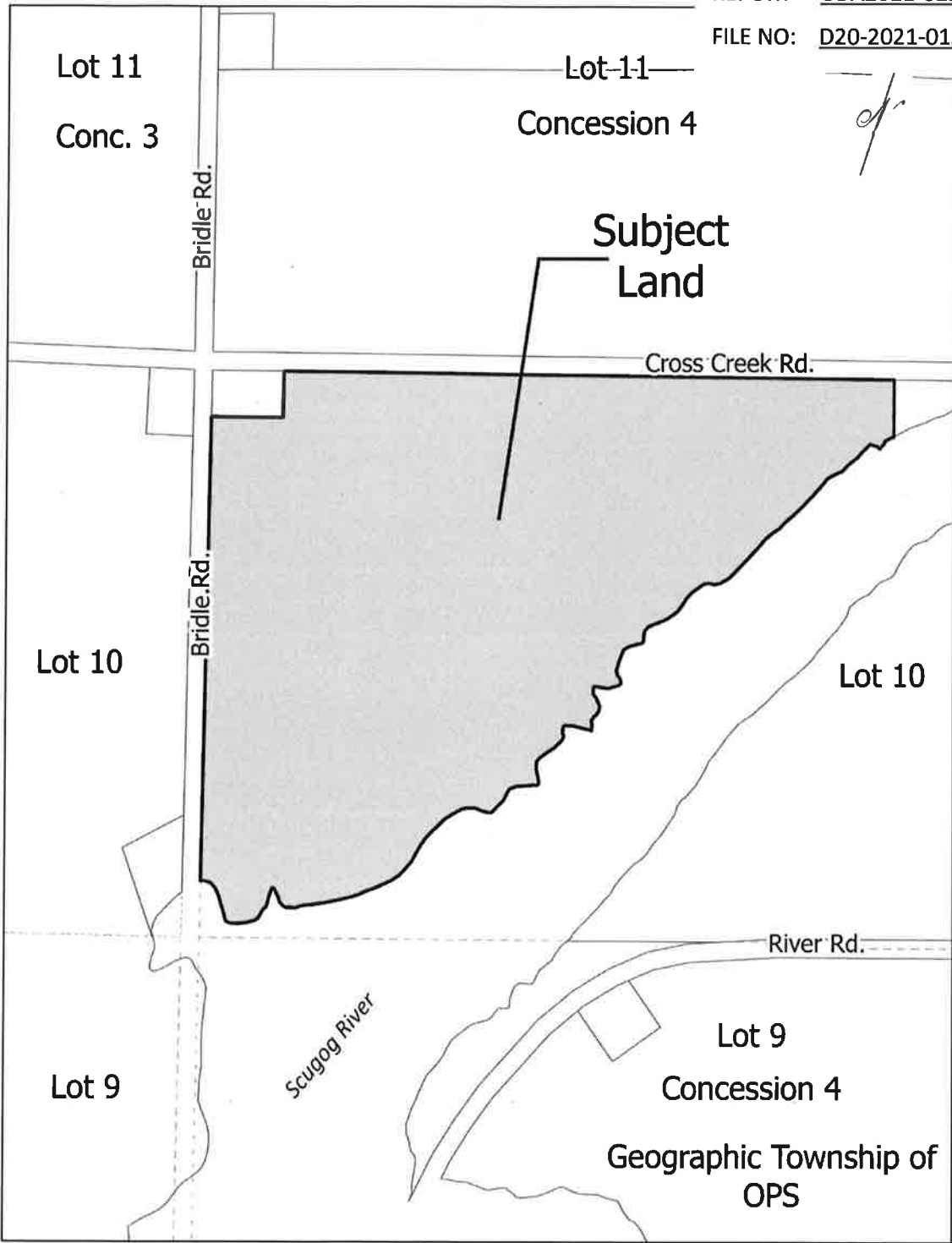
D20-2021-015

APPENDIX " A "

to

REPORT COA2021-025

FILE NO: D20-2021-015



Vacant Lands on Cross Creek Road, Former Geographic Township of Ops



0.90

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
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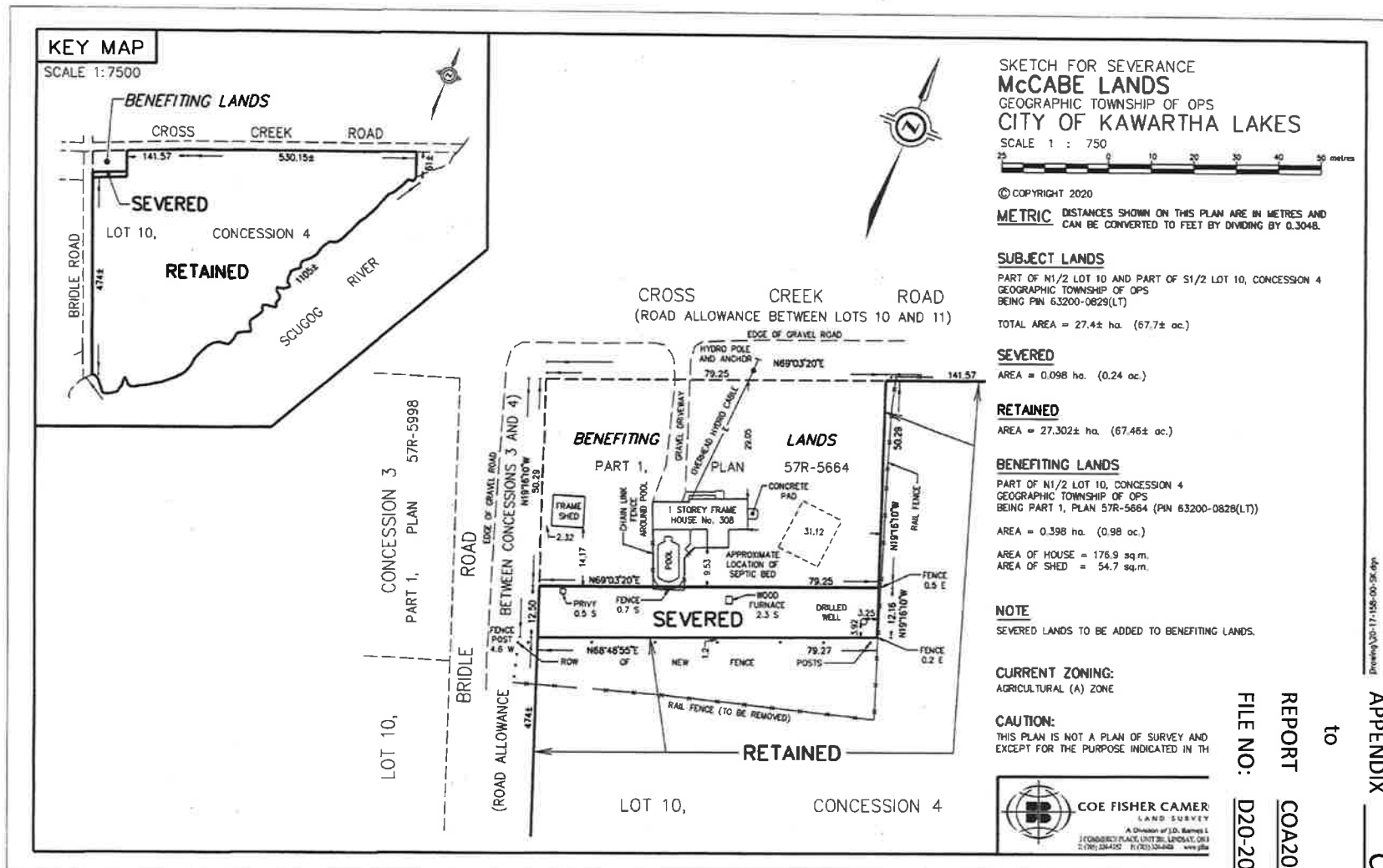
Legend

- ☐ Property Roll Number
- ☒ Lots and Concessions

Notes

Notes

APPENDIX " B "
to
REPORT COA2021-025
FILE NO: D20-2021-015



APPENDIX " C "

to

REPORT COA2021-025

FILE NO: D20-2021-015

Kent Stainton

From: Mark LaHay
Sent: Thursday, April 1, 2021 1:31 PM
To: David Harding; Kent Stainton
Cc: Charlotte Crockford
Subject: FW: 20210401 D20-2021-015 - Engineering review

FYI - file

From: Kim Rhodes
Sent: Thursday, April 1, 2021 1:20 PM
To: Mark LaHay
Cc: Christina Sisson ; Kirk Timms ; Benjamin Courville
Subject: 20210401 D20-2021-015 - Engineering review

APPENDIX " D "
to
REPORT COA 2021-025
FILE NO. D20-2021-015

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-015
Vacant Land on Cross Creek Road
Part Lot 10, Concession 4
Geographic Township of Ops

It is the understanding by Engineering that the purpose and effect is to request relief from Section 16.2 b) to reduce the minimum lot area from 37 hectares to 27.5 hectares. The variance is required to fulfil a condition of provisional consent (File No. D03-2020-027) for a lot line adjustment.

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
Lean Six Sigma Black Belt
Engineering & Corporate Assets, City of Kawartha Lakes
705-324-9411 ext. 1152 (office) 705-878-3186 (mobile) www.kawarthalakes.ca



Kent Stainton

From: Anne Elmhirst
Sent: Thursday, April 1, 2021 10:03 AM
To: Charlotte Crockford
Subject: D20-2021-015 & D20-2021-016

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Charlotte,

I have reviewed the Minor Variance applications D20-2021-015 & 016 for a request for relief for the minimum front lot line setback and minimum lot size.

The property has a current sewage system located within the boundaries of the property and there is sufficient room to replace the system should the current one fail.

As such, the Building and Septic Division has no concerns as they relate to on-site sewage disposal.

Best Regards,

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

Supervisor – Part 8 Sewage Systems

Development Services - Building and Septic 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: Derryk Wolven
Sent: Thursday, April 1, 2021 9:12 AM
To: Charlotte Crockford
Subject: RE: Notice of Public Hearing D20-2021-15Cross Creek Road and 016, 308 Cross Creek Road

Follow Up Flag: Follow up
Flag Status: Flagged

Building division has no concerns with the above noted applications.

From: Charlotte Crockford
Sent: Wednesday, March 31, 2021 4:22 PM
To: Christina Sisson ; Kim Rhodes ; Patrick O'Reilly ; Susanne Murchison ; Derryk Wolven ; Anne Elmhirst
Subject: Notice of Public Hearing D20-2021-15Cross Creek Road and 016, 308 Cross Creek Road

Good afternoon

Please find attached the Notice of Public Hearing for application D20-2021-015 and 016 to be heard at the Committee of Adjustment Meeting on April 15, 2021.

Many thanks

Charlotte Crockford
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.

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

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Jane and Paul McCabe
Report Number COA2021-026

Public Meeting

Meeting Date: April 15, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 7 – Geographic Township of Ops

Subject: The purpose and effect is to request relief from the following provisions in order to fulfill a condition of provisional Consent associated with a lot line adjustment as part of Consent File D03-2020-027 by recognizing the location of an existing detached garage:

1. Section 5.2 in order recognize a reduced front yard setback from 9 metres to 2.32 metres

The variance is requested at 308 Cross Creek Road, former geographic Township of Ops (File D20-2021-016).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2021-026 McCabe, be received;

That minor variance application D20-2021-016 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **THAT** this minor variance shall be deemed to be refused if the related Application for Consent, D03-2020-027, lapses.

This approval pertains to the application as described in report COA2021-026. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The Director of Development Services, as delegated by Council, is in the process of granting provisional consent for file D03-2020-027 to sever approximately 980 square metres from vacant land on Cross Creek Road and add the lands to 308 Cross Creek Road. The resultant benefitting lands would be

approximately 0.49 hectares (1.2 acres) in size. The applicant has agreed to the conditions of the staff recommendation.

Through review of the consent application, it was determined that the subject property is a corner lot, abutting an unopen road allowance and as such, the western lot line was determined to be the front lot line. An existing detached garage permitted is located within the front yard of the subject property. Condition 5 of the provisional consent approval requires a variance to recognize the reduced front yard setback of the garage in relation to the front lot line. The application is concurrent with minor variance file no. D20-2021-015; whereby, an undersized agricultural lot is being recognized.

This application was deemed complete on March 12, 2021.

| | | | |
|--------------------|---|-------------------------|--|
| Proposal: | The acknowledgement of the location of the location of the detached garage is associated with a consent application to facilitate a lot addition to an abutting residential property. The justification for the lot line adjustment is to address the encroachment of a swimming pool, wood furnace and well servicing the benefitting lands. No new lot is being created and no new construction is proposed through the application | | |
| Owners: | Jane and Paul McCabe | | |
| Applicant: | Roberta Perdue | | |
| Legal Description: | 308 Cross Creek Road, Part Lot 10, Concession 4, geographic Township of Ops, City of Kawartha Lakes | | |
| Official Plan: | Prime Agricultural within the City of Kawartha Lakes Official Plan (2012). | | |
| Zone: | 'Agricultural (A)' Zone within the Township of Ops Zoning By-law 93-30. | | |
| Site Size: | Currently, the property is approximately 0.398 Hectares (0.98 acres) | | |
| Site Servicing: | Private individual well and private individual septic system | | |
| Existing Uses: | Residential | | |
| Adjacent Uses: | North: Agricultural, Rural Residential | South: Scugog River, | |
| | East: Agricultural, Rural Residential | West: Rural Residential | |

Rationale:

1) Are the variances minor in nature? Yes

And

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

The subject property is located within a rural neighbourhood southeast of the former Town of Lindsay. The bungalow with walkout basement to the east was constructed in 1974 (according to MPAC). The predominant surrounding land use in the area is agriculture with the Scugog River located to the south of the property.

As the lot abuts a road allowance to the west, it is considered a corner lot. In this case, since the western lot line is shorter than the northern lot line, the western yard is considered the 'front yard' for the purposes of administering the Zoning By-law. Definition notwithstanding, the front yard functions as an exterior side yard. Correspondence with Engineering and Corporate Assets Division has provided that the unopened road allowance (a continuation of Bridle Road) will not be opened.

A Building Permit was issued for the detached garage in 1992. While the construction predates the current Township of Ops Zoning By-law, the previous iteration of the Zoning By-law from 1987 also identifies the front yard setback for detached structures as being 9 metres. Noteworthy is the fact that neither version of the Zoning By-law restricts the placement of accessory buildings or structures from being situated in the front yard. The variance is requested to acknowledge and rectify the reduced front yard setback.

The proposal will acknowledge the existing location of the garage in relation to the front lot line. There are no anticipated massing issues and impacts to sightlines. Overall, the functionality of the front yard will not be diminished.

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 zoned Agricultural (A) Zone under the Township of Ops Zoning By-law 93-09. In accordance with the Zoning By-law, since the lot was created by consent, the permitted uses and provisions revert to the Rural Residential (RR) Zone. The RR Zone permits a single detached dwelling and accessory uses.

As the the intent of the front yard setback is to provide separation between the road and residential uses, acknowledging the existing 2.32 metre setback is appropriate. The front lot line is delineated by dense vegetation screening the property from the road allowance and the neighbouring property at 300 Cross Creek Road to the west. The front yard setback of 2.32 metre is of sufficient space to provide for lot and building maintenance as well.

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 Prime Agricultural within the City of Kawartha Lakes Official Plan. Residential dwellings along with accessory uses are anticipated within this designation. No additional development is proposed through the application.

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

Consultations:

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

Agency Comments:

Development Engineering Division (April 1, 2021): No objections.

Building Division (April 1, 2021): No concerns.

Septic Division (April 1, 2021): The property has a current sewage system located within the boundaries of the property and there is sufficient room to replace the system should the current one fail. As such, the Building and Septic Division has no concerns as they relate to on-site sewage disposal.

Public Comments:

No comments have been received as of April 7, 2021.

Attachments:



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

Phone: 705-324-9411 extension 1367
E-Mail: kstainton@kawarthalakes.ca
Department Head: Richard Holy, Acting-Director of Development Services
Department File: D20-2021-016

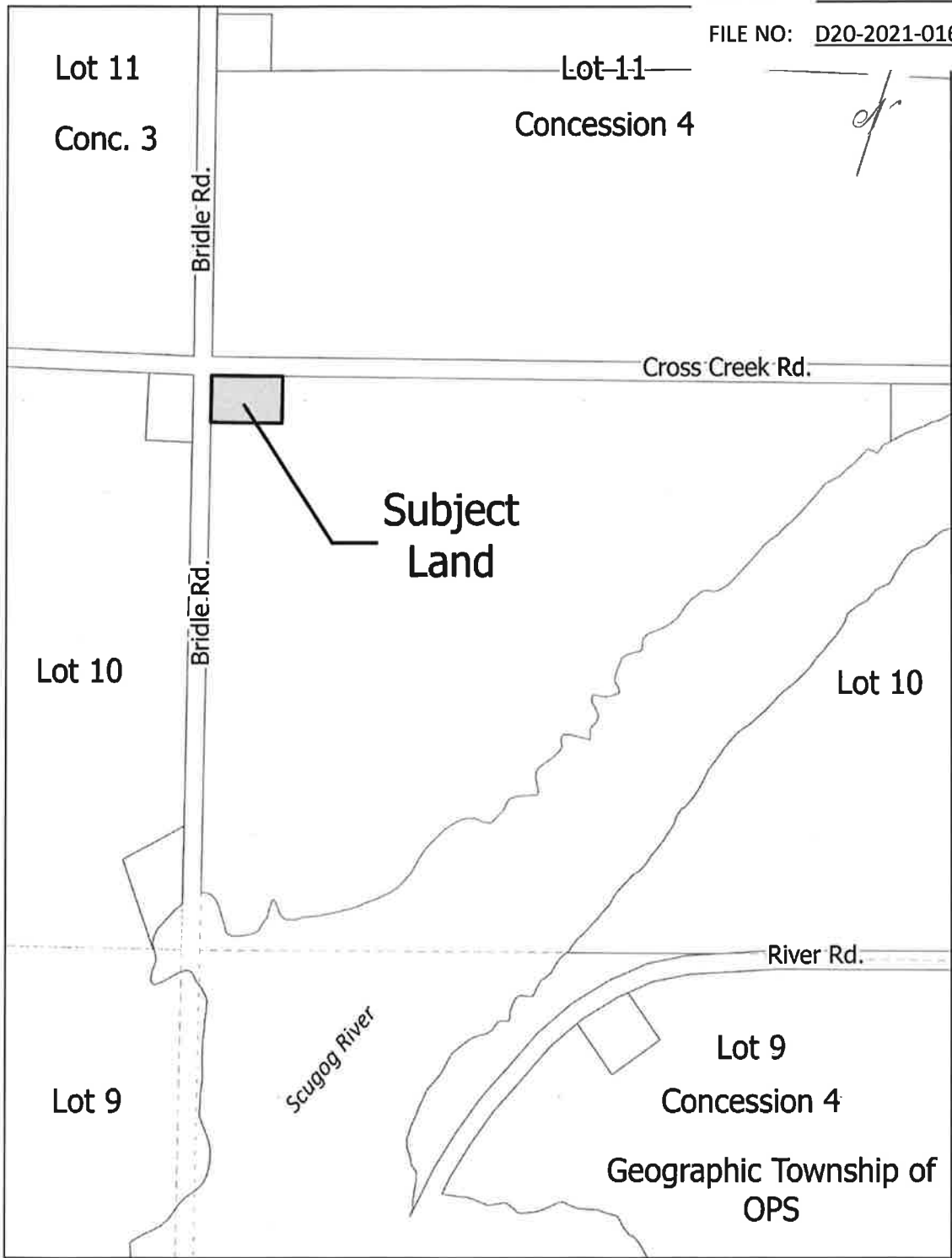
D20-2021-016

APPENDIX " A "

to

REPORT COA2021-026

FILE NO: D20-2021-016





GEOMATICS
MAPPING

308 Cross Creek Road, Former Geographic Township of Ops



0.22 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



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THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

Legend

- ☐ Property Roll Number
- ☐ Lots and Concessions

Notes

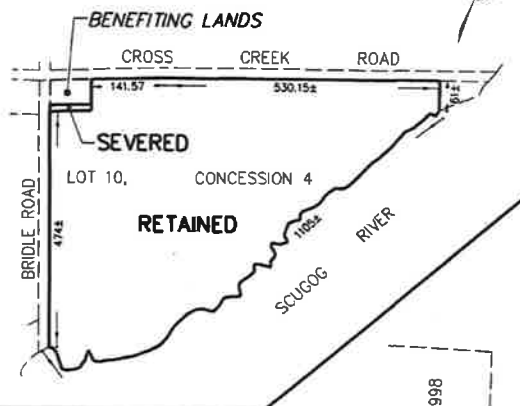
Notes

APPENDIX " B "

to

REPORT COA2021-026
FILE NO: D20-2021-016

SCALE 1:7500



LOT 10, CONCESSION 3
PART 1, PLAN 57R-5998

LOT 10,

BRIDLE ROAD

(ROAD ALLOWANCE
4.00 FT
BETWEEN CONCESSIONS 3 AND 4)
EDGE OF GRAVEL ROAD
N19°16'10"W
474+

LOT 10,

CONCESSION 4



SKETCH FOR SEVERANCE
McCABE LANDS
GEOGRAPHIC TOWNSHIP OF OPS
CITY OF KAWARTHA LAKES

SCALE 1 : 750



© COPYRIGHT 2020

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

SUBJECT LANDS

PART OF N1/2 LOT 10 AND PART OF S1/2 LOT 10, CONCESSION 4
GEOGRAPHIC TOWNSHIP OF OPS
BEING PIN 63200-0829(LT)

TOTAL AREA = 27.4± ha. (67.7± ac.)

SEVERED

AREA = 0.098 ha. (0.24 ac.)

RETAINED

AREA = 27.302 ± hq. (67.46 ± ac.)

BENEFITING LANDS

PART OF N1/2 LOT 10, CONCESSION 4
GEOGRAPHIC TOWNSHIP OF OPS
BEING PART 1, PLAN 57R-5664 (PIN 63200-0828(LT))

AREA = 0.398 ha. (0.98 ac.)

AREA OF HOUSE = 176.9 sq.m.
AREA OF SHED = 54.7 sq.m.

NOTE

SEVERED LANDS TO BE ADDED TO BENEFITING LANDS.

CURRENT ZONING:

AGRICULTURAL (A) ZONE

CAUTION:

THIS PLAN IS NOT A PLAN OF SURVEY AND
EXCEPT FOR THE PURPOSE INDICATED IN TH



COE FISHER CAMERON
LAND SURVEY
A Division of J.D. Barnes & Co.
3 CONSUMERS PLACE, UNIT 200, LANSING, MI 48206
TEL: (313) 224-4122 FAX: (313) 224-6490 www.jdc.com

REPORT COA2021-026
FILE NO: D20-2021-016

to

APPENDIX "C"

Kent Stainton

From: Mark LaHay
Sent: Thursday, April 1, 2021 1:32 PM
To: David Harding; Kent Stainton
Cc: Charlotte Crockford
Subject: FW: 20210401 D20-2021-016 - Engineering review

FYI - file

From: Kim Rhodes
Sent: Thursday, April 1, 2021 1:22 PM
To: Mark LaHay
Cc: Christina Sisson ; Kirk Timms ; Benjamin Courville
Subject: 20210401 D20-2021-016 - Engineering review

APPENDIX " D "
to
REPORT COA 2021-026
FILE NO. D20-2021-016

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-016
308 Cross Creek Road
Geographic Township of Ops

It is the understanding by Engineering that the purpose and effect is to request relief from Section 5.2 of the Zoning By-law in order recognize a reduced front yard setback from 9 metres to 2.32 metres, acknowledging the existing detached garage. The variance is required to fulfil a condition of provisional consent (File No. D03-2020-027) for a lot line adjustment.

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
Lean Six Sigma Black Belt
Engineering & Corporate Assets, City of Kawartha Lakes
705-324-9411 ext. 1152 (office) 705-878-3186 (mobile) www.kawarthalakes.ca



Kent Stainton

From: Charlotte Crockford
Sent: Thursday, April 1, 2021 12:03 PM
To: Kent Stainton
Subject: FW: D20-2021-015 & D20-2021-016

Fyi

I will save to the digital file.

Charlotte Crockford
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.

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: Anne Elmhirst
Sent: Thursday, April 1, 2021 10:03 AM
To: Charlotte Crockford
Subject: D20-2021-015 & D20-2021-016

Hello Charlotte,

I have reviewed the Minor Variance applications D20-2021-015 & 016 for a request for relief for the minimum front lot line setback and minimum lot size.

The property has a current sewage system located within the boundaries of the property and there is sufficient room to replace the system should the current one fail.

As such, the Building and Septic Division has no concerns as they relate to on-site sewage disposal.

Best Regards,

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

Supervisor – Part 8 Sewage Systems

Development Services - Building and Septic 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: Charlotte Crockford
Sent: Thursday, April 1, 2021 11:56 AM
To: Kent Stainton
Subject: FW: Notice of Public Hearing D20-2021-15Cross Creek Road and 016, 308 Cross Creek Road

Fyi
I will save to digital file.

Charlotte Crockford
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.

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: Thursday, April 1, 2021 9:12 AM
To: Charlotte Crockford
Subject: RE: Notice of Public Hearing D20-2021-15Cross Creek Road and 016, 308 Cross Creek Road

Building division has no concerns with the above noted applications.

From: Charlotte Crockford <ccrockford@kawarthalakes.ca>
Sent: Wednesday, March 31, 2021 4:22 PM
To: Christina Sisson <csisson@kawarthalakes.ca>; Kim Rhodes <krhodes@kawarthalakes.ca>; Patrick O'Reilly <poreilly@kawarthalakes.ca>; Susanne Murchison <smurchison@kawarthalakes.ca>; Derryk Wolven <dwolven@kawarthalakes.ca>; Anne Elmhirst <aelmhirst@kawarthalakes.ca>
Subject: Notice of Public Hearing D20-2021-15Cross Creek Road and 016, 308 Cross Creek Road

Good afternoon

Please find attached the Notice of Public Hearing for application D20-2021-015 and 016 to be heard at the Committee of Adjustment Meeting on April 15, 2021.

Many thanks

Charlotte Crockford
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.

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

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Grimesway Construction Ltd.
Report Number COA2021-027

Public Meeting

Meeting Date: April 15, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 7 – Former Town of Lindsay

Subject: The purpose and effect is to request relief from Section 6.2(h) to increase the maximum lot coverage from 35% to 40% to permit the construction of a single detached dwelling.

The variance is requested at 17 Denfield Road, former Town of Lindsay (File D20-2021-019).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendations:

Resolved That Report COA2021-027 Grimesway, be received;

That minor variance application D20-2021-019 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C and generally in accordance with the elevation in Appendix D submitted as part of Report COA2021-027, 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 COA2021-027. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: This application was deemed complete March 24, 2021.

Proposal: To increase the maximum permitted lot coverage.

Owner: Grimesway Construction Ltd.

Applicant: Owen Grimes – Grimesway Construction Ltd.

Legal Description: 17 Denfield Road, Lot 18, Plan 57M-772, former Town of Lindsay, City of Kawartha Lakes

Official Plan: “Residential” within the Town of Lindsay Official Plan

Zone: “Residential Type One (R1) Zone” within the Town of Lindsay Zoning By-law 2000-75

Site Size: 583.3 square metres (6,278.5 square feet)

Site Servicing: Municipal water and sewer

Existing Uses: Vacant Residential

Adjacent Uses: North, South, East: Residential
West: Residential, Pedestrian Walkway

Rationale:

1) Is the variance minor in nature? Yes
And

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

The subject property is situated in a newer residential neighbourhood containing single detached dwellings. Some of the lots along Denfield have been developed later than the surrounding dwellings. The subject property is the last vacant residential lot within the neighbourhood. As a result, the subject property is surrounded on all sides by single detached dwellings. There is also a pedestrian link on the west side which links Denfield Road with Murdoch Court to the south.

The proposal will allow for a dwelling with additional living space to be created. The rear yard will be in excess of 10 metres (32 feet) deep. The minimum required is 7.5 metres. A rear yard of sufficient depth will be retained for outdoor recreational and amenity purposes.

The proposed increase in lot coverage is not anticipated to be perceptible, as the scale of built form will not change when viewed from the street or the walkway.

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

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

Yes

The subject property is within the “Residential Type One (R1) Zone” within the Town of Lindsay Zoning By-law 2000-75. The R1 Zone permits single detached dwellings and accessory uses.

The lot coverage requirement ensures a sufficient degree of landscaped open space is maintained and to control more technical aspects of development such as storm water management. Adequate outdoor amenity space is being retained. The Development Engineering Division has advised that there are no concerns with respect to the increased lot coverage.

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

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

Yes

As the Lindsay Secondary Plan part of the City of Kawartha Lakes Official Plan is under appeal, the Town of Lindsay Official Plan (Official Plan) applies.

The lands are designated “Residential” within the Official Plan. The subject property is within a neighbourhood that would be classified as Low Density Residential. Low density residential uses include single detached dwellings, and an addition to a single detached dwelling is proposed. 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 municipal sewer, water, and storm water systems.

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 (April 1, 2021): No objection to the proposed variance.

Building Division (April 1, 2021): No concerns. Permits required. Development charges apply.

Public Comments:

No comments received as of April 6, 2021.

Attachments:



Appendices A-E to
COA2021-027.pdf

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Department and Agency Comments

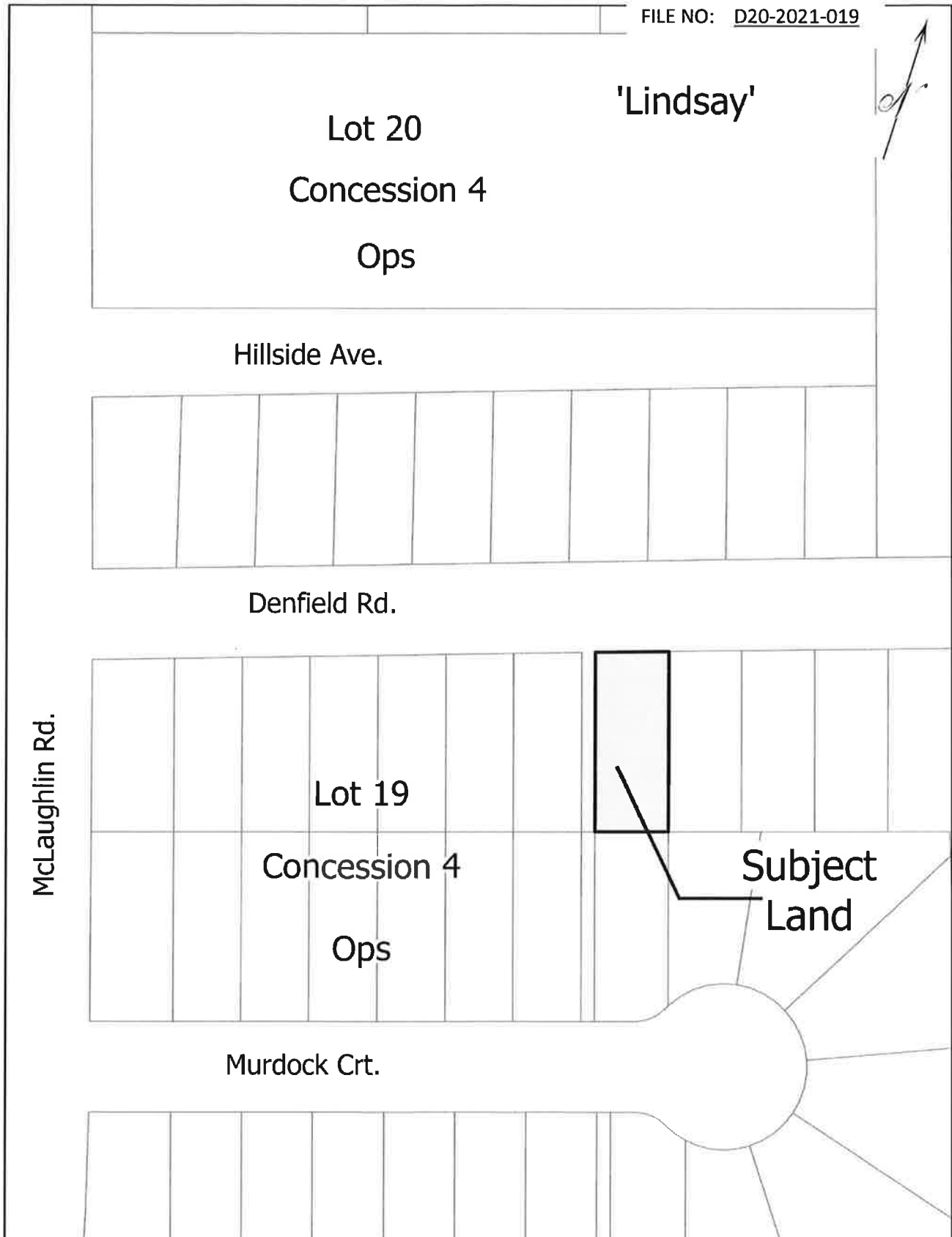
| | |
|-------------------------|---|
| Phone: | 705-324-9411 extension 1206 |
| E-Mail: | dharding@kawarthalakes.ca |
| Department Head: | Richard Holy, Acting Director of Development Services |
| Department File: | D20-2021-019 |

to

REPORT COA2021-027

FILE NO: D20-2021-019

D20-2020-019



17 Denfield Road, Former Town of Lindsay



0.06 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



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APPENDIX " B "
to
REPORT COA2021-027
FILE NO: D20-2021-019

APPENDIX " C "

CITY OF KAWARTHA LAKES

SCALE - 1 : 250

0m 5m 10m METRES

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

to

REPORT COA2021-027

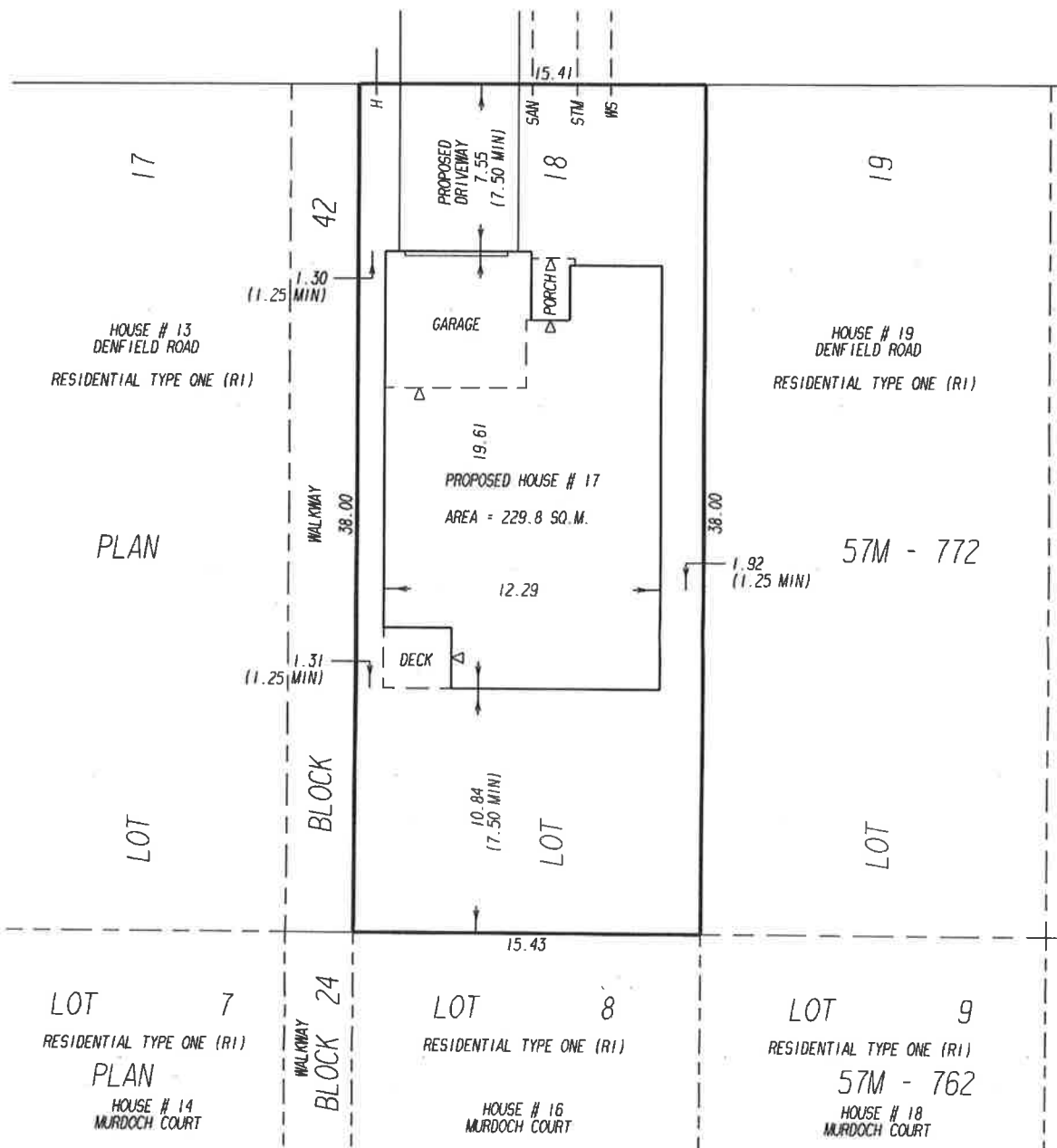
FILE NO: D20-2021-019



CENTRELINE OF CONSTRUCTION

DENFIELD

ROAD



NOTES.

LOT AREA = 586 SQ.M.
ZONING IS RESIDENTIAL TYPE ONE (R1)
PROPOSED HOUSE AREA = 229.8 SQ.M.
PROPOSED LOT COVERAGE = 39.2% (35% MAXIMUM)

FEBRUARY 25, 2021

CADD FILE: 8127-MV.1.DPD
PROJECT No. 8127-MV

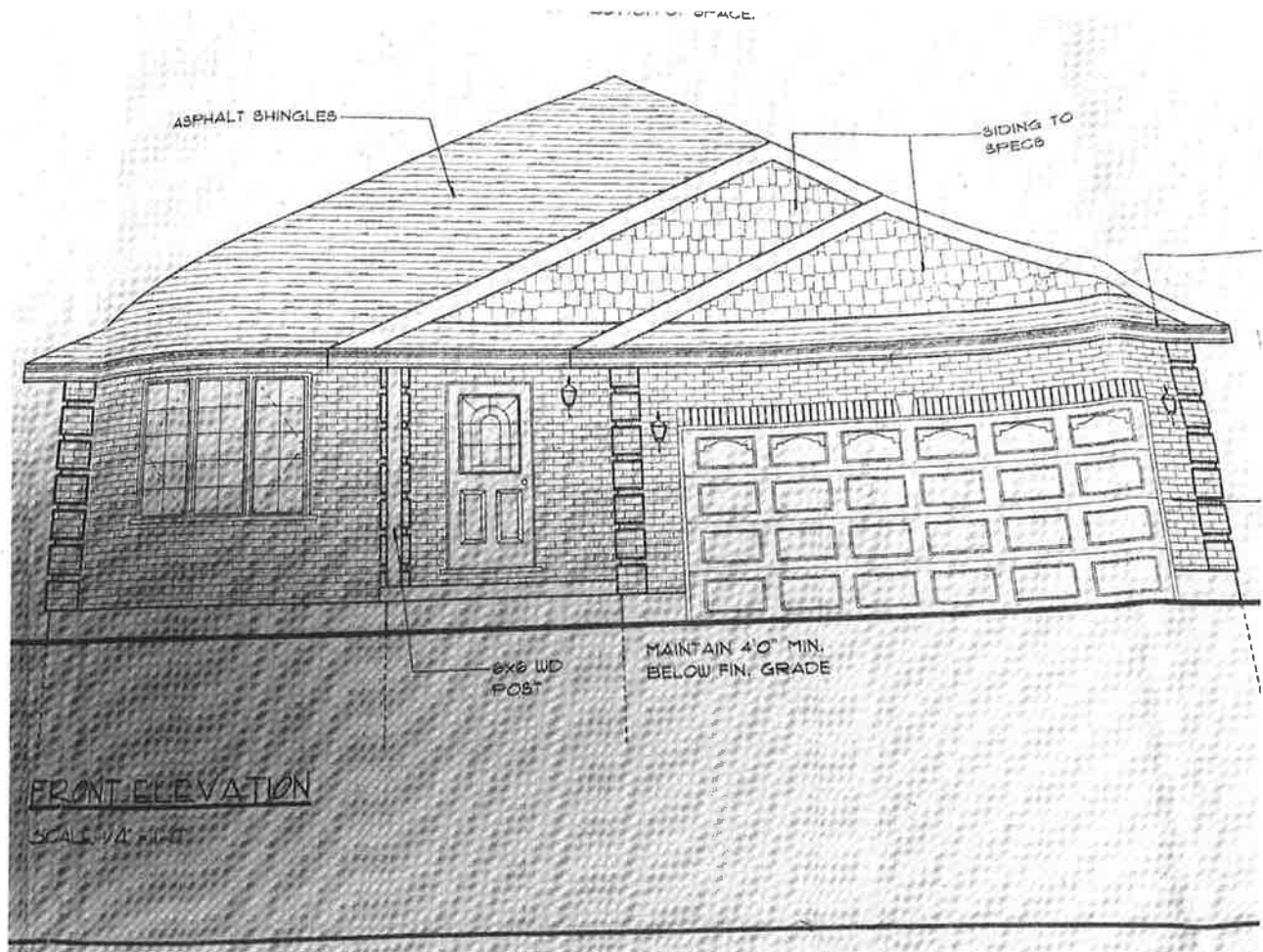
H. F. GRANDER Co. Ltd.
ONTARIO LAND SURVEYOR
1575 HIGHWAY 7A WEST, UNIT 2A
POST OFFICE BOX 616
PORT PERRY, ONTARIO
L9L 1A6
TEL. (905) 985-3600
FAX. (905) 985-2347

APPENDIX " D "

to

REPORT COA2021-027

FILE NO: D20-2021-019



David Harding

From: Kim Rhodes
Sent: Thursday, April 1, 2021 2:35 PM
To: Mark LaHay; Charlotte Crockford
Cc: Christina Sisson; Kirk Timms; Benjamin Courville
Subject: 20210401 D20-2021-019 - Engineering review

APPENDIX " E "
to
REPORT COA2021-027
FILE NO. D20-2021-019

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-019
17 Denfield Road
Lot 18, Plan 57M-772
Former Town of Lindsay

It is the understanding by Engineering that the purpose and effect is to request relief from Section 6.2(h) to increase the maximum lot coverage from 35% to 40% 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
Lean Six Sigma Black Belt
Engineering & Corporate Assets, City of Kawartha Lakes
705-324-9411 ext. 1152 (office) 705-878-3186 (mobile) www.kawarthalakes.ca



Our office is closed to the public. Please note all courier packages and mail must be directed to City Hall, 26 Francis Street, Box 9000, Lindsay, ON, K9V 5R8.

David Harding

From: Derryk Wolven
Sent: Thursday, April 1, 2021 10:41 AM
To: Charlotte Crockford
Subject: RE: Notice of Public Hearing D20-2021-019, 17 Denfield Road

Building division has no concerns with the above noted application.
Permits required, DC applies.

From: Charlotte Crockford
Sent: Thursday, April 1, 2021 10:36 AM
To: Christina Sisson ; Kim Rhodes ; Amber Hayter ; Patrick O'Reilly ; Susanne Murchison ; Derryk Wolven
Subject: Notice of Public Hearing D20-2021-019, 17 Denfield Road

Good morning

Please find attached the Notice of Public Hearing for application D20-2021-019 to be heard at the Committee of Adjustment Meeting on April 15, 2021.

Many thanks

Charlotte Crockford
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.

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

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Kevin Brasier and Theresa Henry

Report Number COA2021-028

Public Meeting

Meeting Date: April 15, 2021

Time: 1:00 pm

Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 6 – Geographic Township of Fenelon

Subject: The purpose and effect is to re-create two residential lots that have merged on title by seeking relief from the following provisions:

26 Sanderling Court

1. Section 11.2.1.2 to reduce the minimum lot frontage requirement from 38 metres to 23 metres,
2. Section 11.2.1.3(b) to reduce the minimum interior side yard from 3 metres on the south side to 2.8 metres; and

28 Sanderling Court

3. Section 11.2.1.2 to reduce the minimum lot frontage requirement from 38 metres to 29 metres.

The variances are requested at 26 and 28 Sanderling Court, geographic Township of Fenelon (File D20-2021-021).

Author: David Harding, Planner II, RPP, MCIP

Signature: 

Recommendations:

Resolved That Report COA2021-028 Brasier/Henry, be received;

That minor variance application D20-2021-021 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the application shall be deemed to be refused if the related consent application D03-2020-011 lapses;
- 2) **That** the variances pertaining to 26 Sanderling Court shall only apply to said address once the lands are divided;

- 3) **That** the variance pertaining to 28 Sanderling Court shall only apply to said address once the lands are divided.

This approval pertains to the application as described in report COA2021-028. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

| | |
|--------------------|--|
| Background: | <p>This application was submitted in anticipation of the issuance of a decision by the Acting Director of Development Services for consent file D03-2020-011. The owners have agreed with the proposed conditions within the staff recommendation for the consent. One of the conditions of consent is to obtain variances for lot frontage and interior side yard setback in order to re-create the two residential lots.</p> <p>The application will serve to re-establish independent ownership over the single detached dwellings addressed as 26 and 28 Sanderling Court. Each parcel became part of a lot within a plan of subdivision and thus lost their Planning Act protections from a merger on title granted under Section 50(3) when a new lot was created to the west under consent application D03-07-047 in 2008. While the lots merged on title, they continue to function independently of one another and are separated by a fence and hedge.</p> <p>This application was submitted March 25, 2021.</p> |
| Proposal: | To re-create two residential lots. |
| Owners: | Kevin Brasier and Theresa Henry |
| Legal Description: | 26 and 28 Sanderling Court, Part Lots 1 and 2, Plan 400, geographic Township of Fenelon, City of Kawartha Lakes |
| Official Plan: | "Prime Agricultural" within the City of Kawartha Lakes Official Plan |
| Zone: | "Rural Residential Type One (RR1) Zone" within the Township of Fenelon Zoning By-law 12-95 |
| Site Size: | 26 Sanderling Court – 2,855 square metres (30,730.9 square feet) 28 Sanderling Court – 2,825 square metres (30,408 square feet) |
| Site Servicing: | Private individual well and septic system for each dwelling |
| Existing Uses: | Rural Residential |
| Adjacent Uses: | North, East: Rural Residential |

West: Rural Residential, Agricultural, Forest
South: Agricultural

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 part of a smaller plan of subdivision surrounded by agricultural uses. The application will serve to re-establish independent ownership over the single detached dwellings addressed as 26 and 28 Sanderling Court. While the lots merged on title, they continue to function independently of one another and are separated by a fence and hedge.

As each side of the subject property is developed with a dwelling, the perceived frontage is not changing as a result of this application. Further, the frontages proposed are in keeping with the other rural residential lots along Sanderling Court.

For the proposed interior side yard setback reduction from the dwelling at 26 Sanderling Court to the mutual lot line, sufficient space remains for access and maintenance purposes. Also, it is not anticipated that the 0.3 metre reduction from one corner of the dwelling will be perceptible. As the attached garages of each dwelling border the proposed mutual lot line, and the relief is being requested for the corner containing the garage, there is no anticipated loss of privacy as the closest wall of each dwelling to the mutual lot line contain attached garages.

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

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

The subject property is zoned "Rural Residential Type One (RR1) Zone" within the Township of Fenelon Zoning By-law 12-95. The RR1 Zone permits single detached dwellings.

The intent of the lot frontage provision is to ensure the residential lots are sufficiently sized to accommodate a building along with private servicing. The frontage provision appears to have been written on the premise that a lot within the RR1 Zone would be rectangular in nature. The two proposed residential lots to be re-established are pie shaped. They do contain sufficient area to contain and support two dwellings, as is evidenced by the two dwellings that exist. However, the building envelopes are situated further back from the road.

The intent of the interior side yard provision is to ensure sufficient spatial separation between lots to manage massing, property maintenance issues, and lot grading and drainage issues. Due to the pie-shaped nature of the lots, only one of the two corners of the dwelling requires relief from the interior side yard provision. It is not anticipated that the 0.3 metre reduction on one corner will be perceptible. Further, there is sufficient distance between the dwelling and lot

line to carry out needed maintenance, and Development Engineering has not raised any issues with respect to lot grading and drainage.

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

Within the City of Kawartha Lakes Official Plan (Official Plan), the property is designated "Prime Agricultural". The "Prime Agricultural" designation recognizes the importance of protecting agricultural lands for agricultural purposes. This designation also recognizes the existence of clusters of rural residential lots within this designation. The application seeks to reconfigure the ownership of a residential lot with two established residential uses by re-establishing the independent ownership of the two single detached dwellings.

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:

Each dwelling 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 (April 1, 2021): No concerns.

Building Division (April 1, 2021): No concerns.

Public Comments:

No comments as of April 6, 2021.

Attachments:



Appendices A-D to
COA2021-028.pdf

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: Richard Holy, Acting-Director of Development Services
Department File: D20-2021-021

to

D20-2021-021

REPORT COA2021-028

FILE NO: D20-2021-021

Geographic Township
of Fenelon

Lot 1

Concession 7

Subject
Land

Sanderling Crt.

Pickerel Point Rd.

Lot 29

Concession 7

Geographic Township
of Ops

Unopened

Kawartha Lakes Rd. 36



26 and 28 Sanderling Court, geographic Twp. 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 reference only. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.

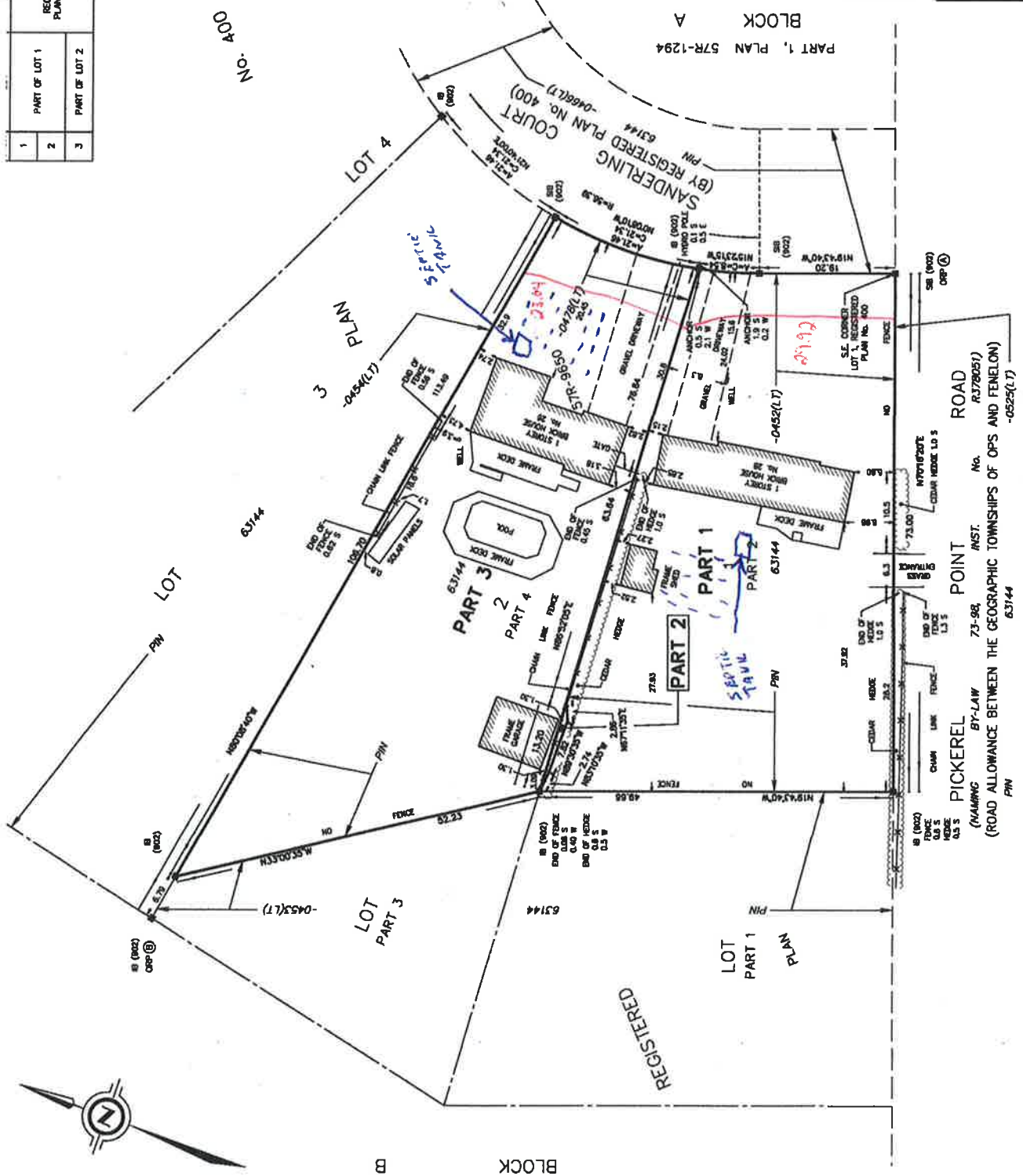
THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

to

REPORT COA2021-028

FILE NO: D20-2021-021

| | | |
|---|---------------|---------------------------|
| 1 | PART OF LOT 1 | REGISTERED PLAN No. 40 |
| 2 | | |
| 3 | PART OF LOT 2 | |



David Harding

From: Mark LaHay
Sent: Thursday, April 1, 2021 1:31 PM
To: David Harding; Kent Stainton
Cc: Charlotte Crockford
Subject: FW: 20210401 D20-2021-021 - Engineering review

Importance: High

APPENDIX " D "
to
REPORT COA 2021-02K
FILE NO. D20-2021-021

FYI - file

From: Kim Rhodes
Sent: Thursday, April 1, 2021 1:03 PM
To: Mark LaHay
Cc: Christina Sisson ; Kirk Timms ; Benjamin Courville
Subject: 20210401 D20-2021-021 - Engineering review
Importance: High

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-021
26 and 28 Sanderling Court, Fenelon
Part of Lots 1 and 2, Plan 400
Geographic Township of Fenelon

It is the understanding by Engineering that the purpose and effect is to re-create two residential lots that have merged on title by seeking relief from the following provisions:

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28 Sanderling Court

3. Section 11.2.1.2 to reduce the minimum lot frontage requirement from 38 metres to 29 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

Lean Six Sigma Black Belt

Engineering & Corporate Assets, City of Kawartha Lakes

705-324-9411 ext. 1152 (office) 705-878-3186 (mobile) www.kawarthalakes.ca



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David Harding

From: Derryk Wolven
Sent: Thursday, April 1, 2021 11:45 AM
To: Charlotte Crockford
Subject: RE: Notice of Public Hearing D20-2021-021, 26 and 28 Sanderling Court, Fenelon

Building division has no concerns with the above noted application.

From: Charlotte Crockford
Sent: Thursday, April 1, 2021 10:53 AM
To: Christina Sisson ; Kim Rhodes ; Ron Ashmore ; Susanne Murchison ; Derryk Wolven
Subject: Notice of Public Hearing D20-2021-021, 26 and 28 Sanderling Court, Fenelon

Good morning

Please find attached the Notice of Public Hearing for application D20-2021-021 to be heard at the Committee of Adjustment Meeting on April 15, 2021.

Many thanks

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



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