

The Corporation of the City of Kawartha Lakes

Agenda

Committee of Adjustment Meeting

COA2021-005

Thursday, May 20, 2021

1:00 P.M.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Lloyd Robertson

Councillor Emmett Yeo

Betty Archer

Sandra Richardson

Stephen Strangway

David Marsh

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

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2.3.	Adoption of Minutes	
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3.1.1.	COA2021-024 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	25 - 45
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3.2.	Consents	
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	David Harding, Planner II, RPP, MCIP File Number: D20-2021-024 Location: 1193 Salem Road South Part Lot 20, Concession 6 Geographic Township of Mariposa Owner: Thomas Davis Applicant: Thomas Davis	
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4.2.	Consents	

5. Other Business

6. Correspondence

7. Next Meeting

The next meeting will be Thursday, June 17 at 1:00pm in Council Chambers, City Hall.

8. Adjournment

The Corporation of the City of Kawartha Lakes
Minutes
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
Sandra Richardson
Lloyd Robertson
Stephen Strangway

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1. Call to Order

Chair Robertson called the meeting to order at 1:00pm.

Chair Robertson and C. Crockford, Recording Secretary were in person in Council Chambers.

Councillor E. Yeo and Members, S. Richardson, B. Archer and S. Strangway were in attendance via electronic participation.

Staff, K. Stainton, Planner II, R. Holy, Acting-Director of Development Services, M. LaHay, Acting-Secretary Treasurer, L. Barrie, Acting-Manager of Planning, S. Murchison, Chief Building Official and C. Sisson, Supervisor of Development Engineering were in attendance via electronic participation.

Absent: D. Marsh

2. Administrative Business

2.1 Adoption of Agenda

2.1.1 COA2021-004.2.1.1

April 15, 2021

Committee of Adjustment Agenda

COA2021-029

Moved By S. Strangway

Seconded By Councillor Yeo

That the agenda for April 15, 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 COA2021-003.2.3.1

March 18, 2021

Committee of Adjustment Minutes

COA2021-030

Moved By B. Archer

Seconded By S. Richardson

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

Carried

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

Mr. Holy, Acting-Director of Development Services summarized Report COA2021-022 on behalf of Mr. Harding.

This is a returning application previously heard at the February 18, 2021 Committee of Adjustment meeting. It was the Committee's decision to defer the application for a period of not more than two months returning to the April 15, 2021 meeting to allow the owner and applicant time to explore options that would satisfy staffs' concerns relating to the proposed development.

Mr. Holy stated that a minor variance is required for the retained lands because they do not meet the minimum 600 square metre lot size under the MRC zone. Currently, the owner is showing 564 Square metres. One of the conditions of consent would be a minor variance for the retained lands to deal with the

reduced lot area. There should be sufficient parking so a minor variance may not be required. Also, a minor variance should be considered for several regulations on the severed lot. Looking at the sketch provided, it shows a residential portion close to the new front lot line, which is 2 metres away, which would require a minor variance for front yard setbacks. The applicant is aware of this and will be submitting a minor variance application soon to be put on the next available agenda to deal with these issues. The consent does conform to the relevant Provincial Policy, the Town of Lindsay Official Plan, and meets the intent of the Town of Lindsay Zoning By-law.

Agency comments received from Community Services requested a 5% Cash-in Lieu of Parkland, which would be taken for the newly severed land. Building Division has no concerns. Economic Development previously indicated one of their goals from their strategic plan is to allow sufficient land from this property to allow conversion to commercial uses. Engineering Division has no concerns provided that 3 metre road widenings are taken on St. David's Street and Queen Street and a site triangle at the intersection of St. David's Street and Queen Street to accommodate for future road upgrades that are contemplated long term from the Transportation Master Plan.

Comments were received from the public, Lynda and John McCauley, in respect to the severance and their comments are contained in the report.

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

Mr. Holy stated that he has had several lengthy discussions with the owner, Mr. Farquhar and would likely be speaking to those conversations.

The Committee questioned the lot to be severed, and asked if it will it stay as a mixed residential or should it be rezoned residential. Staff replied that the MRC zone has provisions to allow it to stay as MRC zone if used as residential. In accordance with an R1, R2, R3 zone you do not need to re-zone as it will automatically refer to those zone requirements. The Committee followed up by asking if there are new owners, could they open up a grocery store. Staff replied firstly a grocery store is not permitted and secondly there is not sufficient area for parking for that use.

The Committee asked whether the road widening and site triangle applied to the new severed lot and the retained lot. Staff replied that, based on a recent legal opinion obtained from the City's solicitor, the requirement applies to both the severed and the retained lands. We are therefore requesting the widenings on

both pieces. The Committee asked if Engineering plans to widen the streets now or in the near future. Staff replied that they are not aware but suggested that Ms. Sisson, Supervisor of Engineering Division would speak to this.

Ms. Sisson spoke to the Committee and stated that it is the understanding that the roads through and around the Lindsay area are part of the Transportation Master Plan, so they can be widened at anytime. The arterial and collector lanes have been identified in the Official Plan for several years, in fact decades. Specific growth and development targets that are necessary for those widenings identified as the corridors through and around the Lindsay area to both the residential, commercial and industrial components. At this time, there is no plan to widen these two roads.

The Committee asked whether there was room along the frontage of other neighbours along the street to accommodate road widenings. Ms. Sisson replied that when Engineering proceed with a capitol project, it involves an Engineering Assessment Process and through the process, it will identify what their needs are. Sometimes sidewalks both sides of the road or additional infrastructure, or lane width or number of lanes required for that road structure. Ms. Sisson gave an example.

The Committee noted that the applicant mentioned that according to the Planning Act, the City could not acquire land under existing buildings. The Queen Street road widening as well as the sight triangle go under buildings. Ms. Sisson deferred to Mr. Holy. Mr. Holy stated that we would not take land underneath the building; however, we would take land around the building, leaving a strip of land around the building so that the building foundation would not encroach on to the road allowance. The Planning Act does not allow us to take land from underneath buildings as part of widening's.

The Committee asked if the conditions of consent would speak to that. Staff replied that they prepared two sets of conditions.

- 1) That went underneath the land subject to encroachment agreement.
- 2) That went around the building. We would enforce that we would only take lands as it goes around the building.

The Committee asked if the City currently owns all the required road allowance for the expansion along St. David's Street and Queen Street or will they expropriate when required to do the road widening. Staff responded by saying

the City only owns widening's that had been taken through previous Site Plan, Consent or Plan of Subdivision applications. At this point, Staff cannot confirm what lands are owned by the City along St. David Street and Queen Street. Once the capital projects are activated, there is a land acquisition phase that goes along with that and we purchase all the properties along the corridor in accordance with the design that is approved through the Engineering Assessment Process.

The Committee asked how wide St. David and Queen Street currently. Ms. Sisson's understanding is that we currently have 20 metres right-of-way on Queen Street and 20 metres right-of-way on St. David's Street. Through the Official Plan, Transportation Master Plan, and Secondary Plan etc., everything that has been done to date indicates that the arterial and collectors should be a minimum of 26 metres, a further 6 metres to the 20 metres.

The Committee asked if the right-of-way includes sidewalks or excluding sidewalks. Ms. Sisson replied that the right-of-way includes all of the municipal property, everything we have jurisdiction over.

The Committee questioned if and when the expansion happens, would property be taken from both sides of St. David Street and Queen Street. Staff replied typically yes but it relates to the nature of what is situated on either side. If there is an obstruction where you cannot take a widening, for example a potential cemetery for instance, then it would be taken from one side but typically it's evenly taken from both side where possible.

The Committee noted a 12 metres triangle requirement for this property. If that also means a 12 metre requirement on the east side of St. David Street, the Committee asked if the City planning on putting a round-about there. Ms. Sisson replied that this is not a proposal right now. The intersection is being looked at via the design requirement. Later an Environmental Assessment, whereby any other work that takes place can be provided through the lands and whether the need to take land would be determined, which would be the desired cross section in terms of two side walks, one side walk, bike lanes. Everything goes through the official design process as Mr. Holy suggested and it is a multi stage process.

The Chair noted that if we streamline the process with the design situation at this stage, this will prevent expropriation down the road which can be an adversarial process. Ms. Sisson replied it is her understanding that this is the purpose and reason it is available through the Planning Act process.

The applicant, Mr. Farquhar spoke to the Committee. He noted the lengthy conversations with Mr. Holy regarding the road widening's and the minor variance requirements and suggested to Mr. Holy to ask permission from the Committee to defer the application and return with the Consent and Minor Variance together which will allow time for more discussions over the issues that are contentious.

Mr. Holy noted that Mr. Farquhar has technical issues to deal with in terms of house siting, access to the newly created lot and to see if there is a lot configuration moving the lot line further south. We are agreeable to tabling as well to try to work through some of these issues. It is also advantageous for the Committee to see the revised layout and variances together. If Mr. Farquhar submits the minor variance shortly, the earliest we could get this on the agenda would be for the July meeting if the Committee approves the deferral today. Hopefully, the applicant can prepare a demonstration plan next week to show the revised proposal to understand whether a revised parking scenario can be provided for consideration. If we are in agreement, the variances would then be based on that. It would then be re-advertised and return to the July meeting.

Mr. McCauley was present and spoke to the Committee. The Chair requested that Mr. McCauley hold his questions until such time as the application returns to the meeting.

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

CA2021-031

Moved By S. Strangway

Seconded By S. Richardson

That this is further to the Committee's consideration of application D03-2020-006 on April 15, 2021. The Committee agreed with staff to defer the application for a period of not more than three months, returning at the latest to the July 15, 2021 meeting. The deferral will allow the applicant time to explore options that would satisfy staff's concerns relating to the proposed development, road widening as well as submitting minor variances.

Carried

4. New Applications

4.1 Minor Variances

4.1.1 COA2021-023

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.

Mr. Stainton summarized Report COA2021-023, the purpose and effect is to request relief in order to facilitate the construction of a 5-storey senior's apartment building.

As mentioned the proposal involves the construction of a new 5-storey, 178 unit apartment building. Please note, indicated in the report it stated 176 units, for the record please reflect the changes. This will not change any of the reliefs provided through this application.

Mr. Stainton corrected a statement made in the report regarding the preservation of mature deciduous trees along Adelaide Street North. Unfortunately, the majority of the mature deciduous trees will be removed to facilitate the project. However, a variety of trees and shrubs species as mentioned are proposed in the latest landscape plantings plan.

Comments received from Building and Septic Division and Community Services stated no concerns to the proposal. Engineering and Corporate Assets Division also have no objections to the variances requested and noted that an engineering review of the Site Plan application is continuing.

Public comments and two letters of opposition were received from Janet Armstrong and John Saunders on April 1, 2021 of 47 Chadwin Drive and Tom and Birdie Murphy, April 13, 2021 of 49 Chadwin Drive. Both letters expressed concerns with respect to the overall height of the building, lot drainage of the subject lands and privacy issues and how privacy will be addressed through the landscape plantings plan. The name of the developer and construction time lines were also requested. The location of the loading dock and what time garbage truck pick-up and deliveries would occur was also addressed as a concern. The applicant has taken time to respond to their concerns, which was received via email to the members, staff and interested parties.

In response to the two letters with respect to concerns of the height, the requested increase in height from 18 metres to 21.8 metres is not needed for habitable units but for construction, which the owners are using to conceal roof to access stairs. The height of 21 metres is the maximum height in the drawing and an additional 0.8 metres for construction differences is being accounted for as part of the application and may not be utilized. The additional 0.8 metres is built-in as a contingency. As indicated by the applicant, the top of the roof surface meets the building height requirements and the variance is only requested to permit the increase of the height to accommodate the roof top features and architectural details, such as cornices and parapets to shield and screen the roof top features from view and also to add visual appeal to the building. Note, the Residential High-Rise One Special Five Holding One provision zone category has been in place on the property since 2006, which always permitted a building height of 18 metres.

With respect to lot concerns related to drainage and impacts as indicated by the applicant, the property drains to the south, away from the residential lands to the north as noted on the drainage plan. A lot drainage and grading plan is being reviewed as part of the site plan application and will ensure drainage is contained to the property, posing no negative impacts to adjacent lots.

In terms of privacy issues as indicated by the applicant, the landscape plantings plan provides a 1.8 metre high board fence along the perimeter of the site and significant landscaping along the fence line adjacent to the rear yards of the properties along Chadwin Drive. Mr. Stainton noted that the property line between the subject lands and the Chadwin Drive properties is to be planted with various tree species that, when planted, will range in the height of 1.75 metres to 2.5 metres. At maturity, these trees will range from 10 metres to 20 metres.

With respect to noise, as indicated by the applicant, the semi-underground waste containers will be on the southeast corner of the property and the south side of the building. Collection times will be during normal business hours to respect the needs of the surrounding residential community.

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

The Committee requested clarification as to the maximum height allowed being 18 metres plus an additional 3.8 metres, which is not for residential purposes but

for construction to conceal roof top stairs and mechanical items. Staff replied that is correct, the 3.8 metres is essentially for design features and to conceal unsightly elements of the building.

The applicant, Carolyn Molinari was joined by architect Mr. De Brum. Ms. Molinari thanked staff for the processing of the Site Plan application and the Minor Variance application. Ms. Molinari confirmed that she had reviewed the report and is in agreement of the findings and the conditions included in the staff report. The property is being developed into a 5-storey senior citizens apartment as permitted by the zoning by-law. The variance for parking in the front yard comes from a need to accommodate the situation of the building on an irregularly shaped lot, which narrows significantly to the rear. The general proposal is to have some of the parking and a portion of the loading space in the front yard as needed to preserve the small backyard, rear yard and side yard for use of the residence meeting the parking requirements of the zoning by-law. The additional height requirement is requested for the roof top features and building facade enhancements in order to screen mechanical equipment from view. Ms. Molinari spoke to the application meeting the 4 tests for the minor variance.

The Committee asked if there was a difference between a retirement home and a senior home. Mr. Holy, Acting-Director of Development Services said there are subtle differences. Ms. Murchison, Chief Building Official confirmed there are differences between the zoning by-law and the building code. The building code defines a 'retirement home' and the definitions are governed under certain acts. There is a difference between a retirement home, residential building and a nursing home. This application aligns with the retirement home under the definition of the building code.

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

CA2021-032

Moved By Councillor Yeo

Seconded By S. Strangway

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.

Carried

4.1.2 D20-2021-006 Memorandum

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

Mr. Stainton spoke to the memorandum dated April 7, 2021 presented to the Committee, stating 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 applicant, Mr. Newhook was present and available for question.

There were no questions from the Committee or other persons.

CA2021-033

Moved By B. Archer

Seconded By S. Richardson

That Minor Variance application D20-2021-006 be deferred for a period of not more than four months returning to the August 15, 2021 meeting to allow the applicant to bring forward a revised application supportable by staff, as parts of the application do not meet the tests set out in Section 45(1) of the Planning Act.

Carried

4.1.3 COA2021-025

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

Mr. Stainton summarized Report COA2021-025 to request relief in order to fulfill a condition of provisional consent associated with a lot line adjustment as part of consent file D03-2020-027. The variance acknowledges an existing undersized Agricultural lot.

Agency comments received from Engineering and Corporate Assets, Building and Septic Division and Community Services stated no concerns with the proposal.

Based on the contents of the report, staff respectfully acknowledged the application meets the 4 tests of the minor variance. Staff respectfully requested the application be granted approval subject to the conditions identified in the report.

The applicant, Roberta Perdue was present and thanked staff.

There were no questions from the Committee or other persons.

CA2021-034

Moved By S. Strangway

Seconded By S. Richardson

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.

Carried

4.1.4 COA2021-026

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

Mr. Stainton summarized Report COA2021-026, to request relief 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. This application is running concurrently with the previous application D20-2021-015.

Agency comments received Engineering and Corporate Assets, Building and

Septic Division and Community Services noting no concerns.

Based on the contents of the report, staff acknowledges the application meets the 4 tests of a minor variance. Staff respectfully recommends the application be granted approval subject to the condition in the report.

The applicant, Roberta Perdue was present and available for questions.

There were no questions from the Committee or other persons.

CA2021-035

Moved By Councillor Yeo

Seconded By S. Richardson

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.

Carried

4.1.5 COA2021-027

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

Mr. Stainton summarized Report COA2021-027, on behalf of Mr. Harding, to request relief to increase a maximum lot coverage to permit the construction of a single detached dwelling. Mr. Stainton stated that he was on site for this

application and is familiar with the application.

Development Engineering advised no concerns with the lot drainage as a result of the increase lot coverage.

Development Engineering, Building and Septic Division and Community Services noted no concerns with the proposal. The Building and Septic Division noted permits are required and development charges do apply.

Based on the review of the application, staff confirms the application meets the 4 tests of the minor variance and recommends approval subject to the conditions within the report.

The applicant was not present.

There were no questions from the Committee or other persons.

CA2021-036

Moved By B. Archer

Seconded By S. Strangway

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.

Carried

4.1.6 COA2021-028

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

Mr. Stainton summarized Report COA2021-028, on behalf of Mr. Harding, to re-create two residential lots that have merged on title by seeking relief for 26 Sanderling Court to reduce the minimum lot frontage requirement from 38 metres to 23 metres and to reduce the minimum interior side yard from 3 metres on the south side to 2.8 metres. In addition, the application seeks relief for 28 Sanderling Court to reduce the minimum lot frontage requirement from 38 metres to 29 metres.

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.

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. Mr. Stainton continued to summarize the report.

Agency comments were received from Development Engineering, Building and Septic Division and Community Services noting no concerns.

Staff is requesting approval of the subject application and confirms that the application does meet the 4 tests of the minor variance and requests approval of the application subject to the conditions within the report.

The Committee asked staff what year the houses were built. Staff asked to defer to the owner for confirmation.

The Committee had concerns as to the lots at the back of 26 and 28 Sanderling Court. It appears the two lots had to merge in order to grant the severance at the back side. The Committee wondered whether they were essentially reversing the requirement that allowed them to have the other severance. Parts 1 and 3 severed from residential areas and the requirement to merge so that they would have 1 lot.

Staff responded by saying perhaps the owners who are online are able to answer that question. Originally, it was part of a plan of subdivision and they have inadvertently merged due to legal purposes. One owner purchased both lots in the same name and essentially merged on title. The severance has nothing to do with the plan of subdivision.

The Committee continued to say that with a plan of subdivision, it does not matter if you are side by side, they are legally separate. Staff replied that they were registered in the same name on title and that they merged with respect to land registry. The Committee responded by saying not when they are legal plans of subdivision. Staff referred to Mr. Holy, Acting-Director of Development Services. Mr. Holy replied.

The Committee asked if we are dealing with two separate owners. Staff replied the applicants Mr. Brasier and Ms. Henry are online and can confirm.

The applicant, Ms. Henry was present and spoke to the Committee. She confirmed that the houses were built in the late 70s. The back part was severed in 2011. The lawyer at the time advised that one lot was to be registered in Theresa Henry and Kevin Brasier name and the other registered in Mr. Brasier and Theresa Henry name. The lot at the back was to be registered in one name, Mr. Brasier. Ms. Henry stated there was three separate tax bills. Ms. Henry and Mr. Brasier found out a couple of years ago that 26 and 28 Sanderling Court had been merged together on title and that they just want them separated back to what they had originally.

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

CA2021-037

Moved By Councillor Yeo

Seconded By S. Richardson

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.

Carried

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 Source Water Protection for Committee members.

The Chair requested a 5 minute break.

Mr. Holy Acting-Director of Development Services gave a presentation on Additional Residential Units Policy and Zoning and Source Water Protection, which was originally scheduled for the March 18, 2021 meeting, but due to time constraints, it was deferred to the April 15, 2021 meeting. The presentation is attached.

6. Correspondence

7. Next Meeting

The next meeting will be Thursday, May 20, 2021 at 1:00pm in Council Chambers, City Hall.

8. Adjournment

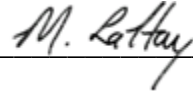
CA2021-038

Moved By Councillor Yeo

Seconded By B. Archer

That the meeting be adjourned at 3.53pm.

Carried



Mark LaHay, Acting-Secretary Treasurer

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Peter and Karen Marren
Report Number COA2021-024

Public Meeting

Meeting Date: May 20, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 3 – Geographic Township of Fenelon

Subject: The purpose and effect is to request relief from the following provisions in order to facilitate the construction of a two-storey boathouse and acknowledge the location of a garden shed within the front yard:

Two-Storey Boathouse

1. Section 3.1.5.3 to increase the number of storeys of a boathouse from one (1) storey to two (2) storeys,
2. Section 3.1.5.3 b) to increase the height of a boathouse from 4.5 metres to 5.5 metres,

Garden Shed

3. Section 3.1.2.1 to acknowledge the location of an accessory building which is not part of the main building within the front yard.

The variance is requested at 2 Huntingdon Court, geographic Township of Fenelon (File D20-2021-006).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2021-024 Marren, be received;

That reliefs 1-2 sought for in the minor variance application D20-2021-006 be DENIED, as the reliefs do not meet the four tests set out in Section 45(1) of the Planning Act.

That relief 3 pertaining to the acknowledgement of the location of the garden shed within the front yard in minor variance application D20-2021-006 be GRANTED, as the relief does meet the tests set out in Section 45(1) of the Planning Act.

Condition:

- 1) **That** the shed location related to this approval shall be acknowledged generally in accordance with the sketch in Appendix C submitted as part of

Report COA2021-006, which shall be attached to and form part of the Committee's Decision; and,

- 2) **That** within 24 months after the date of the Notice of Decision the owners shall submit to the Secretary-Treasurer photographic evidence confirming that the building identified on Appendix C to Report COA2021-006 as 'Shed to be Removed' has been removed.

This approval pertains to the application as described in report COA2021-024. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The application was originally submitted December 16, 2020. No consultation through the pre-screening process occurred with the Planning Division prior to the submission of the application. The application was originally scheduled for the April 2021 Committee meeting.

On April 1, 2021, the Supervisor of Part 8 Sewage Systems provided the Planning Division with a letter identifying that the application, as proposed, could not be supported. A sewage system permit to install was issued to replace the existing sewage system serving the dwelling; however, the proposal did not accommodate an allowance for habitable space (identified as a 'sunroom') within the boathouse. The Supervisor of Part 8 Sewage Systems 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. A deferral to address the concerns with respect to reference to human habitation was granted by the Committee at the April 18, 2021 meeting.

The applicant subsequently modified the proposal by removing reference to human habitation within the second storey of the boathouse and eliminated a cantilevered deck projecting into the water setback from the second storey balcony. No additional structural changes to the proposal were made.

The application was last amended on April 22, 2021.

Proposal: To construct a new 209.3 square metre (2,252.9 square feet), two-storey boathouse with marine railway. The proposal also recognizes the location of a 7.5 square metre (80.7 square feet) garden shed within the front yard of the subject property.

Owners: Peter and Karen Marren

Applicant: Garry Newhook

Legal Description: 2 Huntingdon Court, Part Lot 12, Concession 9, Parts 4 and 5, RP 57R-8322, geographic Township of Fenelon,

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

Zone: Rural Residential Type Three (RR3) Zone within the Township of Fenelon Zoning By-law 12-95

Site Size: 1.01 hectares (approximately 2.54 acres)

Site Servicing: Private individual well and private septic system

Existing Uses: Shoreline Residential

Adjacent Uses: North, South, West: Shoreline Residential, Rural Residential
East: Sturgeon Lake

Rationale:

- 1) Are the variances minor in nature?**
 - (i) Two-Storey Boat House and Height - No**
 - (ii) Location of garden shed in front yard - Yes**

And
- 2) Is the proposal desirable and appropriate for the use of the land?**
 - (i) Two-Storey Boat House and Height - No**
 - (ii) Location of garden shed in front yard - Yes**

The subject property is located on a relatively quiet cul-de-sac comprised of three narrow, linear lots created through consent in the late 1990's. The property is elongated with a gravel driveway that winds through mature mixed deciduous forest a considerable distance to the east before terminating at a clearing, where a 1.5 storey dwelling with a walkout basement exists. The dwelling was constructed in 2001 (according to MPAC) and overlooks Sturgeon Lake. Attached to the dwelling on the north side is a two-bay garage.

Between the dwelling and the shoreline, the property consists of manicured lawn. Deciduous trees provide a degree of privacy on the southern interior lot line, while planted conifers denote the northern lot line. The property then slopes considerably towards an armoured shoreline. An interlocked brick patio is located at the site of the proposed boathouse in the northeastern corner of the lot. There is also a small building with a storage awning located in the southeastern corner of the lot.

From the water, the shorelines of adjacent properties appear to have larger, two-storey boathouses nearly identical to the development proposed through the application. Planning Division records indicate that a two-storey boathouse was approved by the Committee of Adjustment in October of 2012 for the abutting property addressed as 604 Long Beach Road, notwithstanding a staff recommendation for the proposal to be denied. It must be emphasized that

every application is evaluated on its individual merits, notwithstanding adjacent development approvals. The property addressed as 6 Huntingdon Court also has a two-storey boathouse

(i) Two-Storey Boat House and Height:

The scale of the proposed two-storey boat house is anticipated to be visually imposing when compared to the design and built-form of most boat houses on Sturgeon Lake. Most boat houses on Sturgeon Lake are single-storey and the massing of the proposed design including a partially covered deck is anticipated to present negative land-use compatibility issues considering the potential for human habitation.

Although the applicant has revised the proposal to stipulate that the second storey is supposed to function as storage, one can reasonably infer that the proposed design and exterior treatments (including 3-glass doors on the waterside and double-door entrance from grade) present a considerable extension of amenity space. There are options to revise the proposal to a configuration that does not double the allowable number of storeys and represents a configuration conducive to storage without a 4.2 metre (13.75 feet) ceiling height. The height of the second storey alone is almost equal to the allowable 4.5-metre boathouse height under the By-law.

As a result of the above analysis, the reliefs pertaining to the boathouse cannot be considered minor nor desirable and appropriate for the use of the land.

ii) Location of garden shed within the front yard

The garden shed is located near the western end of parking area, where the driveway connects to the parking area and two-bay attached garage. The use of the shed is apparent, as it is used to storage items used in the maintenance of the parking area/driveway.

Given the distance (over 261 metres) between the shed and the entrance to the property from Huntingdon Court combined with the privacy created from the buffering of the woodlands, the presence of the shed is undetectable from Huntingdon Court. No land use incompatibilities will be created through acknowledging the existing location of the garden shed. This particular relief 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?

- (i) Two-Storey Boat House and Height - **No**
- (ii) Garden Shed Located in the Front Yard – **Yes**

(i) Two-Storey Boat House and Height:

The Township of Fenelon Zoning By-law is clear in the standards allowed for boathouses. The By-law prescribes that only one (1) storey is permitted and that when a structure is constructed more than 3 metres away from the shore lot line, the height is to be measured from finished grade (on land). Due to the

irregular slope of the land, the height of the boathouse is calculated based on the average elevation of the grade.

Boathouses are intended to house and shelter boats, watercraft and modes of water transportation as well as items ancillary to the aforementioned. The primary intent behind limiting boathouses to one storey is to prevent human habitation in order to protect personal property and human life. Recently adopted Additional Residential Unit (ARU) policies and regulations through an Official Plan Amendment and Zoning By-law Amendment restrict the establishment of habitable units within boathouses and within the water yard setback altogether. While the determination that the boathouse is located outside of the Regulatory flood elevation has been made by Kawartha Conservation, there is no evidence that the geotechnical stability of the slope for which the boathouse is being constructed into has been examined.

Through constructing a second storey on the boathouse, the opportunity for the conversion of the space into a separate, habitable unit with the potential to connect to the adjacent septic system is presented. Despite the drawings and the acknowledgement of the applicant that the second storey is for storage, the height of the second storey at 4.19 metres is comparable to the height of a residential storey and the ability to walk into the boathouse from grade is provided for. Loft storage within the boathouse could be achieved at a height much less than what is proposed through the application.

Restricting the height of boathouses to 4.5 metres is intended to prevent the ability to access boathouses from higher elevations. When a boathouse is constructed into a slope, entrances or amenity space atop the boathouse can be constructed. Through proposing to increase the height of the boathouse by an entire metre to 5.5 metres, the application contravenes the intent and purpose of the zoning by-law by allowing the ability to access the upper level of the boathouse from the existing grade.

It is important to note that upon conducting the site visit associated with the variance application, Planning staff identified a small storage building located within the water yard setback of the property. The owners have agreed to remove the building. A condition is recommended in order to ensure the building is entirely removed from the property.

In consideration of the above analysis, the requested reliefs pertaining to the height of the boathouse do not maintain the intent and purpose of the zoning by-law.

(ii) Location of garden shed within the front yard:

The intent of relegating accessory buildings to interior side or rear yards is to ensure accessory uses do not dominate over the primary use within the front yard. Due to the location of and the screening of the shed, the dwelling remains the primary use on the property from a visual perspective. The shed also complies with the other general provisions for accessory buildings and

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

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

(i) Two-Storey Boat House and Height - No

(ii) Location of the Garden Shed in the Front Yard – Yes

The property is designated Waterfront within the City of Kawartha Lakes Official Plan. Residential uses, along with accessory uses (e.g. boat houses) are anticipated within the designation.

The Official Plan is unequivocal in its intent to maintain naturalized shorelines that are not dominated by anthropogenic influence. The Sturgeon Lake shoreline, in particular, is one of the most heavily developed of the Kawartha Lakes. Policies 20.3.7 and 20.3.10 of the Official Plan strive to limit building and structure heights so as to maintain a low profile and blend with the natural surroundings. Policy 20.5.1 related to Density and Massing within the Waterfront designation also requires buildings and structures to maintain a low profile. When examining the proposal from the water (as was done during the site visit in the Winter), the height and massing of the proposed boathouse will dominate the shoreline of the property and completely detract from the dwelling atop of the slope.

When combined with the existing hardscaped shoreline of the property, the proposal is also incompatible with Objective 5 of the Sturgeon Lake Management Plan, which resolves to enhance and maintain the natural integrity of the shoreline. Policy 20.3.11 of the Official Plan encourages individual Lake Management Plans as a means towards identifying lake character.

In summary, the reliefs proposed associated with the boathouse do not maintain the general intent and purpose of the Official Plan.

(ii) Location of garden shed within the front yard:

Low density residential uses, along with accessory uses are anticipated within the Waterfront designation.

In consideration of the above, the relief for the location of the garden shed within the front yard of the subject property maintains the general intent and purpose of the Official Plan.

Other Alternatives Considered:

No other alternative configurations have been proposed by the applicant; however, the applicant did revise the proposal on May 11, 2021 to remove a cantilevered deck projecting towards the shoreline from the second-storey.

In consideration of the above analysis, provided the proposed number of storeys for the boathouse is reduced to less than two-storeys and the height of the storage loft is revised to restrict the potential for human habitation yet permit storage, Planning staff would be in a position to support the application.

Servicing Comments:

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

Consultations:

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

Agency Comments:

Kawartha Region Conservation Authority (March 9, 2021): A site visit was conducted on September 17, 2020, which confirmed that the proposed boathouse will be outside of the floodplain for Sturgeon Lake. Kawartha Conservation has issued a permit (Permit #2020-268) for the proposal and has no concerns with the proposed variances.

Community Services Division (April 7, 2021): No concerns.

Building and Septic Division (May 6, 2021): The Building and Plans Examiner notes that although not a requirement of the minor variance, Building Division would note that the proposed cantilevered covered deck will require engineering or conventional support (posts and footings). No representation of the deck and roof being cantilevered 1.2 metres into the 3 metre setback has been presented on the site plan.

Planning Response: The applicant has revised the proposal by eliminating the cantilevered covered deck from the proposal.

Building and Septic Division – Supervisor, Part 8 Sewage Systems (May 7th, 2021): A sewage system permit to install has been issued to replace the existing system. The replacement system will be located in a manner to accommodate the proposed boathouse placement. The purpose of the second storey will be for storage only.

As such, the Building and Septic Division has no objection to the proposed minor variance as it relates to private on-site sewage disposal.

Development Engineering Division (May 7th, 2021): No objections.

Public Comments:

The following comments were received with the application in support of the proposal:

- 1) Brian and Jill Hoag, 6 Huntingdon Court, received December 16, 2020;
- 2) Jennifer and Byron Allin, 604 Long Beach Road, dated December 7, 2020, received December 16, 2020.

Attachments:



Appendices A-F for
COA2021-024.pdf

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch (Site Plan)
Appendix D – Applicant's Drawings (Elevations)
Appendix E – Department and Agency Comments
Appendix F – Public Comments

Phone: 705-324-9411 extension 1367
E-Mail: kstainton@kawarthalakes.ca
Department Head: Richard Holy, Acting-Director of Development Services
Department File: D20-2021-006

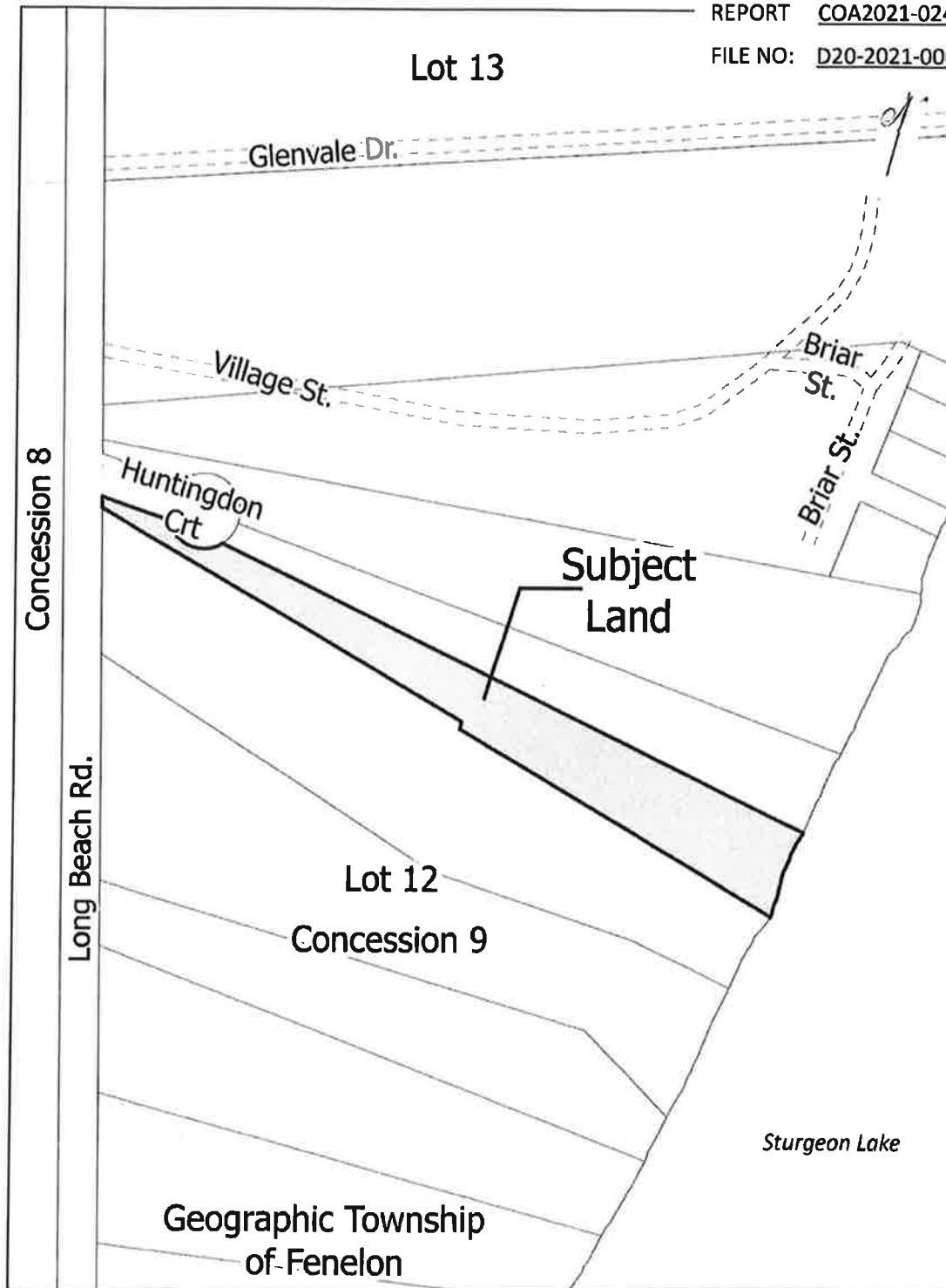
D20-2021-006

APPENDIX " A "

to

REPORT COA2021-024

FILE NO: D20-2021-006



2 Huntingdon Court, Geographic Township of Fenelon



0.22 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



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

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

Legend

☐ Property Roll Number

Notes

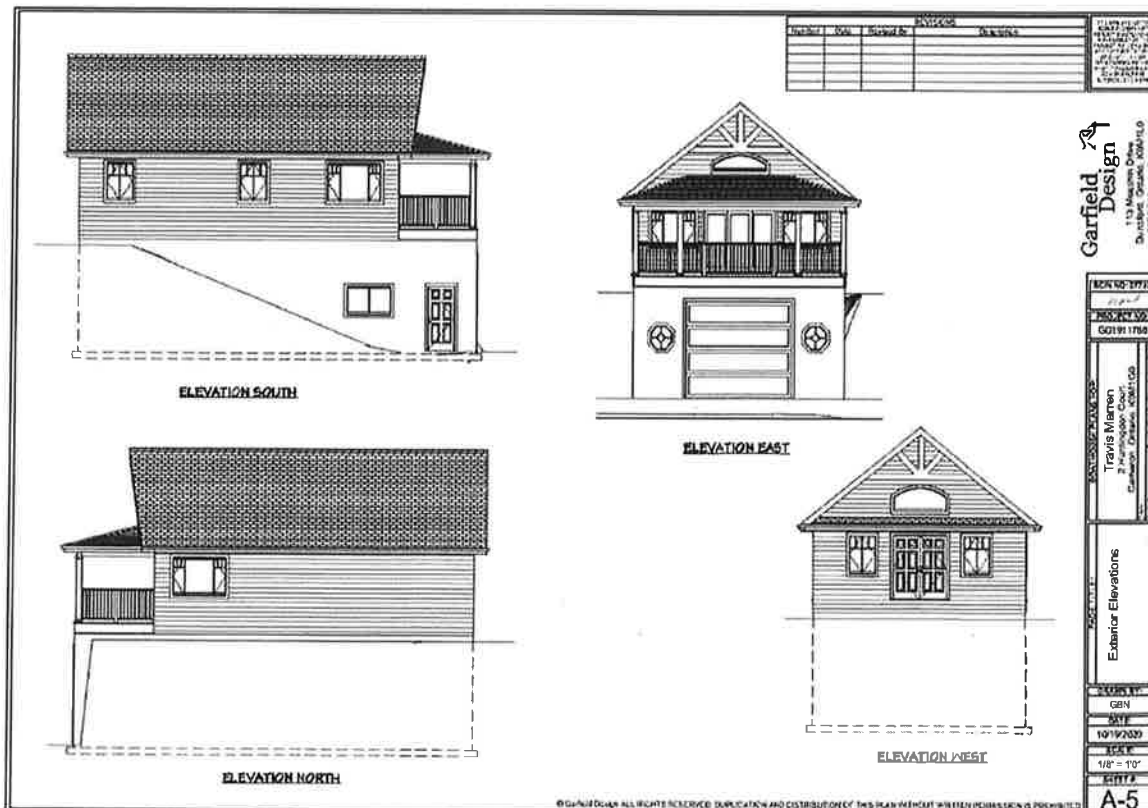
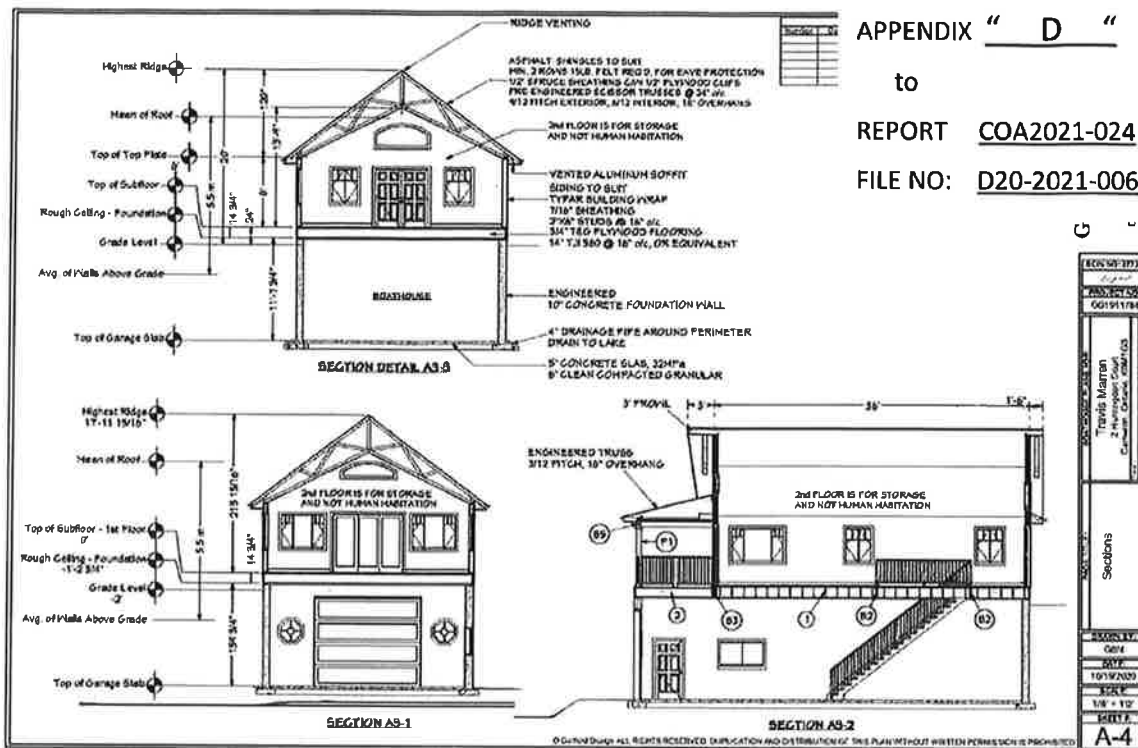
APPENDIX " B "
to
REPORT COA2021-024
FILE NO: D20-2021-006

FILE NO: D20-2021-006

[illegible]

113 Meachin Drive,
Dunsford, Ontario, K0M1L0

A-6



Kent Stainton

APPENDIX " E "
to

From: Anne Elmhirst
Sent: Friday, May 7, 2021 6:10 PM
To: Charlotte Crockford
Subject: RE: Notice of Public Hearing for Minor Variance D20-2021-006, 2 Huntingdon Court Fenelon

REPORT COA2021-024

FILE NO. D20-2021-006

Hello Charlotte,

I have reviewed the application for minor variance D20-2021-006 to construct a boathouse with a second storey. The purpose of the second storey of the boathouse will be for storage only.

A sewage system permit to install has been issued to replace the existing system. The replacement system will be located in a manner to accommodate the proposed boathouse placement.

As such, the Building and Septic Division has no objection to the proposed minor variance as it relates to private 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.

From: Charlotte Crockford
Sent: Thursday, May 6, 2021 12:27 PM
To: Christina Sisson ; Kim Rhodes ; 'alanna.boulton@canada.ca' ; Doug Elmslie ; Susanne Murchison ; Derryk Wolven ; Anne Elmhirst
Subject: Notice of Public Hearing for Minor Variance D20-2021-006, 2 Huntingdon Court Fenelon

Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-006, 2 Huntingdon Court Fenelon.

Many thanks

Charlotte Crockford
Administrative Assistant

Kent Stainton

From: Kim Rhodes
Sent: Friday, May 7, 2021 12:10 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Benjamin Courville
Subject: 20210507 D20-2021-006 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-006
2 Huntingdon Court
Part Lot 12, Concession 9
Township of Fenelon

It is the understanding by Engineering that the purpose and effect is to request relief from the following provisions in order to facilitate the construction of a two-storey boathouse and acknowledge the location of a garden shed within the front yard:

Two-Storey Boathouse

1. Section 3.1.5.3 to increase the number of storeys of a boathouse from one (1) storey to two (2) storeys,
2. Section 3.1.5.3 b) to increase the height of a boathouse from 4.5 metres to 5.5 metres,

Garden Shed

1. Section 3.1.2.11o acknowledge the location of an accessory building which is not part of the main building within the front yard.

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: Derryk Wolven
Sent: Thursday, May 6, 2021 1:05 PM
To: Charlotte Crockford
Subject: Re: Notice of Public Hearing for Minor Variance D20-2021-006, 2 Huntingdon Court Fenelon

Follow Up Flag: Follow up
Flag Status: Flagged

Although not a requirement of the minor variance, building would note that the proposed cantilevered covered deck will require engineering or conventional support (posts and footings). No representation of the deck and roof being cantilevered 1.2m into the 3m setback has been presented on the siteplan.

From: Charlotte Crockford
Sent: May 6, 2021 12:35:56 PM
To: Christina Sisson; Kim Rhodes; 'alanna.boulton@canada.ca'; Doug Elmslie; Susanne Murchison; Derryk Wolven; Anne Elmhirst
Subject: FW: Notice of Public Hearing for Minor Variance D20-2021-006, 2 Huntingdon Court Fenelon
Please ignore pdf application previously sent. Please see resubmitted application dated 20210421 attached.
This application is being re-advertised.

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

From: Charlotte Crockford
Sent: Thursday, May 6, 2021 12:27 PM
To: Christina Sisson ; Kim Rhodes ; 'alanna.boulton@canada.ca' ; Doug Elmslie ; Susanne Murchison ; Derryk Wolven ; Anne Elmhirst
Subject: Notice of Public Hearing for Minor Variance D20-2021-006, 2 Huntingdon Court Fenelon



Staff Memo

LeAnn Donnelly, Executive Assistant, Community Services

Date: April 7, 2021
To: Committee of Adjustment
From: LeAnn Donnelly, Executive Assistant, Community Services
Re: Minor Variance – Various Applications

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

D20-2021-001	37 Adelaide Street North, Lindsay
D20-2021-006	2 Huntingdon Court, Fenelon
D20-2021-015	Vacant Land Cross Creek, Ops
D20-2021-016	308 Cross Creek Road, Ops
D20-2021-019	17 Denfield Road, Lindsay
D20-2021-021	26 and 28 Sanderling Court, Fenelon

LeAnn Donnelly

LeAnn Donnelly
Executive Assistant, Community Services
705-324-9411 ext. 1300

KRCA File NO: PPLK-2666

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

**Regarding: Minor Variance Application
D20-2021-006
2 Huntingdon Court
Peter & Karen Marren and Garry Newhook**

Dear Ms. Crockford-Toomey,

Kawartha Conservation has completed review of the above noted Minor Variance Application submitted by Garry Newhook on behalf of Peter & Karen Marren. Kawartha Conservation has provided comments as per our MOU with the City of Kawartha Lakes to review the application with respect to natural heritage, watershed management, and natural hazards.

Our comments are as follows:

Application Purpose:

It is Kawartha Conservation's understanding that the purpose and effect of Minor Variance Application D20-2021-006 is to seek relief from the Township of Fenelon Zoning By-law to permit a boathouse with human habitation, increase the number of storeys from one to two, and increase the height of the boathouse from 4.5 metres to 5.5 metres.

Site Characteristics:

The subject property is adjacent to Sturgeon Lake. Kawartha Conservation regulates the shoreline of Sturgeon Lake and 15 metres from the high water mark.

**Applicable Kawartha Conservation Regulation and Policies and Applicable Provincial Plans:
Ontario Regulation 182/06 (as amended):**

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

Our Watershed Partners:

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

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

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

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

Development is defined as:

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

Recommendation:

A site visit was conducted on September 17, 2020 which confirmed that the proposed boathouse will be outside of the floodplain for Sturgeon Lake. Kawartha Conservation has no concern with the approval D20-2021-006 based on our consideration of natural heritage, natural hazards, and watershed management. A permit will be required prior to construction.

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

Sincerely,

Erin McGregor



Resources Planner Technician
Kawartha Conservation

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

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

Our Watershed Partners:

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

Byron and Jennifer Allin

840 Hanmore Court | Oshawa | ON | L1K 0C5 | 905-261-7181 | jen@qualitytruckrepair.ca

December 7, 2020

RE: TRAVIS AND KAREN MARREN

2 Huntingdon Court

Cameron, ON

K0M 1G0

APPENDIX " F "

to

REPORT COA2021-024

FILE NO. D70-2021-006

RECEIVED

DEC 16 2020

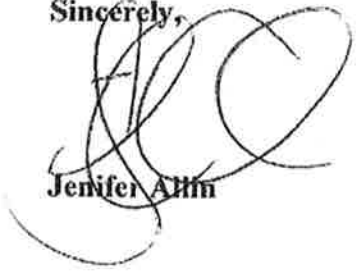
City of K...

To Whom It May Concern:

This letter is to inform you that we, Byron and Jennifer Allin, the current owners of 604 Longbeach Road, Cameron, On, K0M 1G0, which is the neighboring property to Travis and Karen Marren, have no issues or concerns with the new construction of a boathouse on the property of Travis and Karren Marren.

Should you require any further information, please do not hesitate in contacting either one of us. We can be reached at either the telephone number or email address listed above.

Sincerely,


Jennifer Allin

Boathouse

RECEIVED

DEC 16 2020

To Whom It may concern;

Brian and Jill Hoag residing at 6 Huntingdon Crt Cameron On Kom 1g0 have no objections or issues with are neighbors Travis and Karen Marren building a boathouse at 2 Huntingdon crt, Cameron On K0m 1go . If you need anything further we can be reached at 705-878-2083.

Sincerely

A handwritten signature in cursive script, appearing to read "Brian Hoag", with a long horizontal flourish extending to the right.

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Allan and Deborah Wilcox
Report Number COA2021-016

Public Meeting

Meeting Date: May 20, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 3 – Former Village of Fenelon Falls

Subject: The purpose and effect is to request relief from the following provisions in order to fulfill a condition of provisional Consent associated with a lot line adjustment as part of Consent File D03-2020-022:

1. Section 4.3.2 (a) to reduce the minimum lot area from 670 square metres to 398.6 square metres,
2. Section 4.3.2 (b) to reduce the minimum frontage requirement from 18 metres to 13.8 metres.

The variance is requested at 39 Elliot Street, former Village of Fenelon Falls (File D20-2021-009).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2021-016 Wilcox, be received;

That minor variance application D20-2021-009 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, D03-2020-022, lapses.

This approval pertains to the application as described in report COA2021-016. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: On February 24, 2021, the Director of Development Services, as delegated by Council, granted provisional consent for file

D03-2020-022 to sever approximately 172.9 square metres from 39 Elliot Street and add the lands to 35 Elliot Street, resulting in an approximately 537 square metre parcel. Condition 3 of the provisional consent approval requires a variance to the proposed retained parcel to recognize the reduced lot area and frontage for the resultant lot.

Upon reviewing the submitted application, staff determined that the resultant configuration of the benefitting lands, identified as 35 Elliot Street, would also be deficient in lot area, notwithstanding receipt of the severed lands, in accordance with the provisions of the Residential Type One (R1) Zone of the Village of Fenelon Falls Zoning By-law 89-25. A revised staff recommendation was issued on March 4, 2021.

As is common practice with variances required as conditions of provisional Consent, all associated properties that are subject to variances are typically heard at the same hearing for convenience. As opposed to hearing variance application D20-2021-009 at the March 18, 2021 meeting and the variance application for 35 Elliot Street at a subsequent hearing, Planning staff requested the Committee consider deferring the application for a period of not more than two months with the applications returning concurrently at the latest to the May 2021 meeting. The request for deferral was granted.

This application was deemed complete on February 19, 2021.

Proposal:	To facilitate a lot addition to an abutting residential property. The justification for the lot line adjustment is to address the encroachment of a driveway and gravel pad onto the abutting parcel and give the benefitting lot supplementary interior side yard space.
Owners:	Allan and Deborah Wilcox
Legal Description:	39 Elliot Street, Part Lot 106, Plan 25, former Village of Fenelon Falls, City of Kawartha Lakes
Official Plan:	Severed & Retained - Low Density Residential within the Village of Fenelon Falls Official Plan
Zone:	Severed & Retained - Residential Type One (R1) Zone within the Village of Fenelon Falls Zoning By-law 89-25
Site Size:	Severed – 172.9 square metres (1,861 square feet) Retained – 398.6 square metres (4,290.5 square feet)
Site Servicing:	Severed & Retained - Municipal water and sanitary system

Existing Uses: Severed – Vacant, gravel driveway
Retained - Residential

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

Rationale:

1) Are the variances minor in nature? Yes
And

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

The subject property is situated in a well-established residential neighbourhood composed of single and two-storey single detached dwellings. The majority of the dwellings within the immediate vicinity of the subject property are over eighty (80) years old and part of an older Plan of Subdivision (Plan 25). The present-day lot fabric was created as part of the aforementioned Plan of Subdivision.

The property is fully developed with a single detached dwelling, driveway and accessory buildings and structures. Both lots are also connected to full municipal servicing. For these reasons, the proposed reductions in lot area and frontage are not anticipated to adversely impact the character of the neighbourhood. Noteworthy is the fact that many of the neighbouring lots also possess similar area and frontage dimensions.

The proposed variance will address an encroachment issue relating to the location of a driveway and gravel pad by giving the benefitting lot at 35 Elliot Street supplementary interior side yard space

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 Type One (R1) Zone within the Village of Fenelon Falls Zoning By-law 89-25. The R1 zone permits a variety of residential uses, including single detached dwellings.

An intent of the minimum lot area and frontage standards in the By-law is to ensure carrying capacity and adequate spatial separation between a dwelling, well and septic system. The subject lands were created as part of a Registered Plan of Subdivision that predates the Village of Fenelon Falls Zoning By-law. Moreover, as both parcels are connected to Municipal servicing, the resultant lot area and frontage allows for appropriate servicing and spatial separation. It is also important to note that the Village of Fenelon Falls Zoning does not quantify absolute minimum lot area and frontage less than required through a separate provision for both serviced and unserved lots.

The proposed lot boundary changes do not appear to impact existing lot coverage compliance (23.2% resultant lot coverage for the subject lands) or generate any side yard setback complications.

The detached frame garage in the rear yard of the subject lands predates the Village of Fenelon Falls Zoning By-law 89-25 and was constructed in 1942 according to MPAC.

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 Fenelon Falls Secondary Plan is under appeal, the Village of Fenelon Falls Official Plan is in effect. The property is designated "Low Density Residential" within the Official Plan. The designation anticipates that the land within that designation will primarily be used for residential purposes and permits a variety of residential densities. The Official Plan supports the consent process with respect to lot additions. The single detached dwelling on the subject property is permitted within the designation.

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

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

Both residential parcels are serviced by Municipal water and sanitary sewer 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 Division (March 8, 2021): No concerns.

Building and Septic Division (March 4, 2021): No concerns.

Public Comments:

No comments have been received as of May 12, 2021.

Attachments:



Appendices A-D to
COA2021-016.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: D20-2021-009

D20-2021-009

APPENDIX " A "

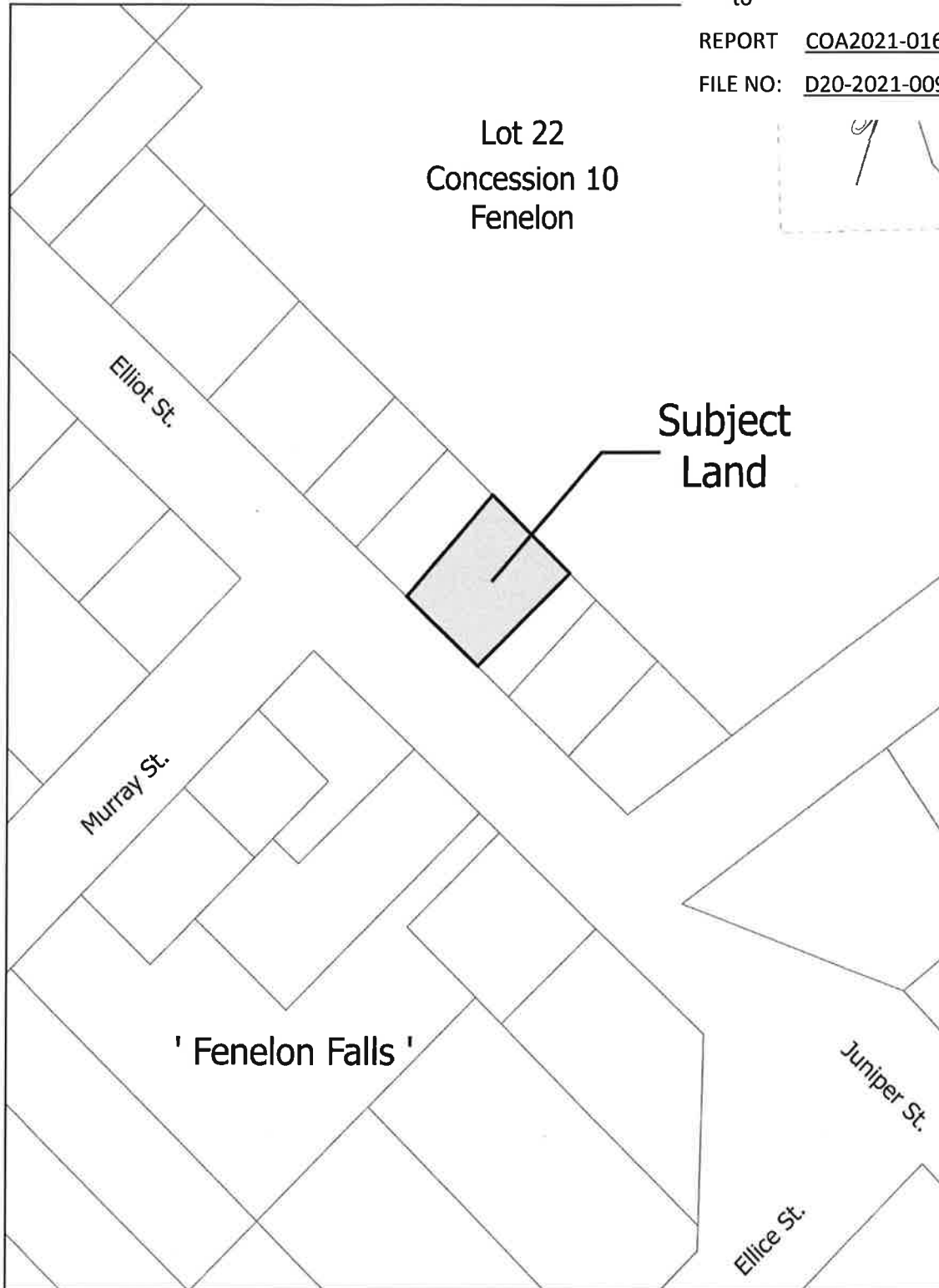
to

REPORT COA2021-016

FILE NO: D20-2021-009

Lot 22
Concession 10
Fenelon

Subject
Land





GEOMATICS
MAPPING

35 Elliot Street, former Village of Fenelon Falls



0.04

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
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Legend

☐ Property Roll Number

Notes

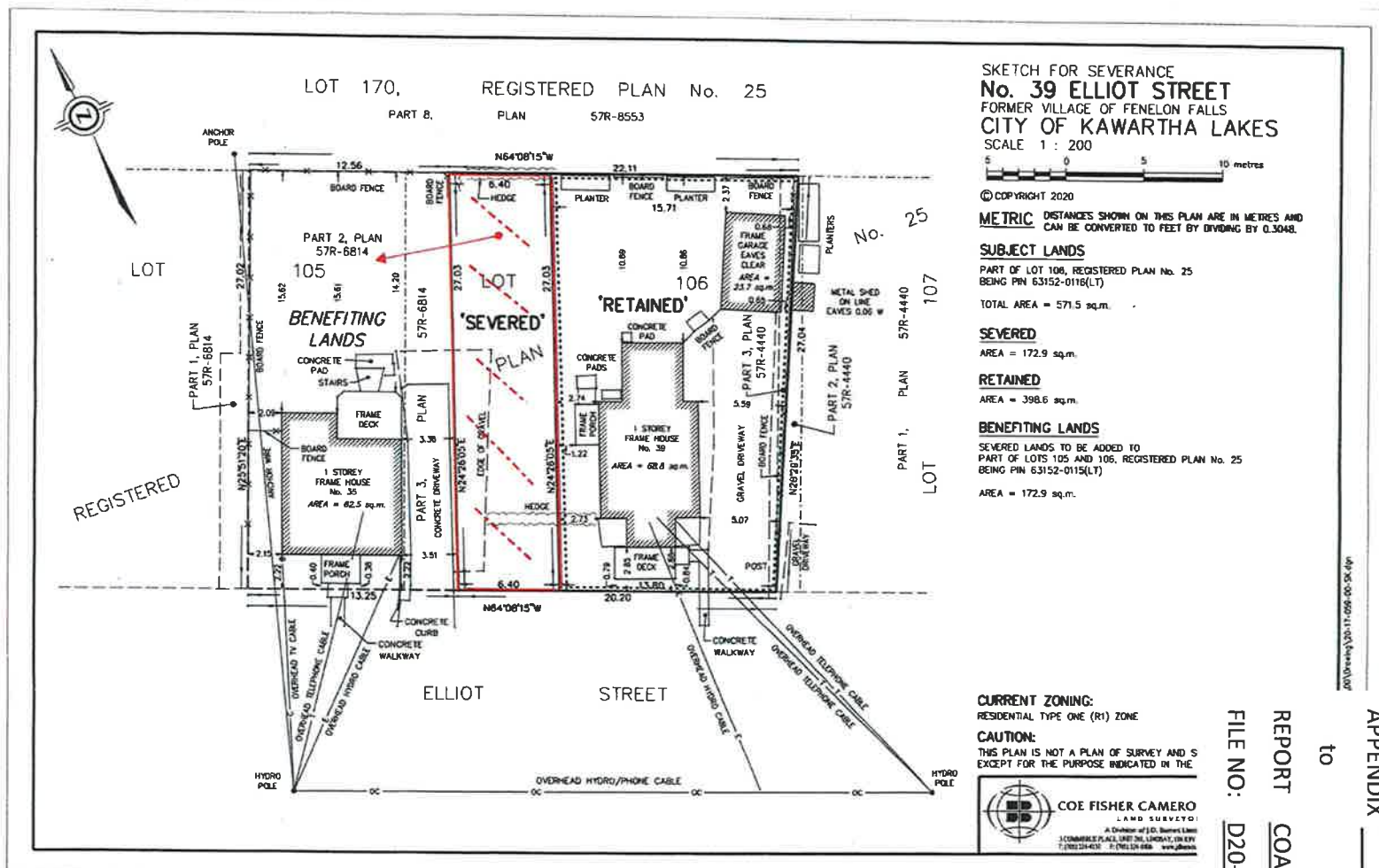
Notes

APPENDIX " B "

to

REPORT COA2021-016

FILE NO: D20-2021-009



Kent Stainton

From: Mark LaHay
Sent: Monday, March 8, 2021 11:04 AM
To: David Harding; Kent Stainton
Cc: Charlotte Crockford
Subject: FW: 20210308 D20-2021-009 - Engineering review

Importance: High

APPENDIX " D "
to

REPORT COA2021-016

FILE NO. D20-2021-009

FYI - file

From: Kim Rhodes
Sent: Monday, March 8, 2021 8:54 AM
To: Mark LaHay
Cc: Christina Sisson ; Kirk Timms ; Benjamin Courville
Subject: 20210308 D20-2021-009 - Engineering review
Importance: High

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-009
39 Elliot Street
Part Lot 106, Plan 100
Former Village of Fenelon Falls

It is the understanding by Engineering that the purpose and effect is to request relief from the following sections in order to fulfil a condition of provisional consent (File No. D03-2020-022) for a lot line adjustment:

1. Section 43.2(a) to reduce the minimum lot area required of the Residential Type One (R1) Zone for lots serviced by Municipal water supply and sanitary sewers from 670 square metres to 398.6 square metres;
2. Section 4.3.2(b) to reduce the minimum frontage required of the Residential Type One (R1) Zone for lots serviced by Municipal water supply and sanitary sewers from 18 metres to 13.8 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



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.

Kent Stainton

From: Derryk Wolven
Sent: Thursday, March 4, 2021 12:21 PM
To: Charlotte Crockford
Subject: RE: Notice of Public Hearing for Minor Variance D20-2021-009, 39 Elliot Street, Fenelon Falls

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

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



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Allan and Deborah Wilcox
Report Number COA2021-029

Public Meeting

Meeting Date: May 20, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 3 – Former Village of Fenelon Falls

Subject: The purpose and effect is to request relief from the following provisions in order to fulfill a condition of provisional Consent associated with a lot line adjustment as part of Consent File D03-2020-022:

1. Section 4.3.2 (a) to reduce the minimum lot area from 670 square metres to 537 square metres

The variance is requested at 35 Elliot Street, former Village of Fenelon Falls (File D20-2021-017).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2021-029 Wilcox, be received;

That minor variance application D20-2021-017 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, D03-2020-022, lapses.

This approval pertains to the application as described in report COA2021-029. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: On February 24, 2021, the Director of Development Services, as delegated by Council, granted provisional consent for file D03-2020-022 to sever approximately 172.9 square metres from 39 Elliot Street and add the lands to 35 Elliot Street, resulting in an approximately 537 square metre parcel. Condition 3 of the provisional consent approval requires a variance to the proposed retained parcel to recognize the reduced lot area and frontage for the resultant lot.

Upon reviewing the submitted application, staff determined that the resultant configuration of the subject lands would also be deficient in lot area, notwithstanding receipt of the severed lands, in accordance with the provisions of the Residential Type One (R1) Zone of the Village of Fenelon Falls Zoning By-law 89-25. A revised staff recommendation was issued on March 4, 2021.

As is common practice with variances required as conditions of provisional Consent, all associated properties that are subject to variances are typically heard at the same hearing for convenience. As opposed to hearing variance application D20-2021-009 at the March 18, 2021 meeting and the variance application for 35 Elliot Street at a subsequent hearing, Planning staff requested the Committee consider deferring the application for a period of not more than two months with the applications returning concurrently at the latest to the May 2021 meeting. The request for deferral was granted.

This application was deemed complete on March 19, 2021.

Proposal:	To facilitate a lot addition to the subject property. The justification for the lot line adjustment is to address the encroachment of a driveway and gravel pad and give the subject lot supplementary interior side yard space.
Owners:	Allan and Deborah Wilcox
Legal Description:	35 Elliot Street, Part Lot 105, Plan 25, former Village of Fenelon Falls, City of Kawartha Lakes
Official Plan:	Severed & Retained - Low Density Residential within the Village of Fenelon Falls Official Plan
Zone:	Severed & Retained - Residential Type One (R1) Zone within the Village of Fenelon Falls Zoning By-law 89-25
Site Size:	Severed – 172.9 square metres (1,861 square feet) resulting in an approximately 537 square metre (5,780 square feet) parcel Retained – 398.6 square metres (4,290.5 square feet)
Site Servicing:	Severed & Retained - Municipal water and sanitary system
Existing Uses:	Severed and Benefitting - Residential Retained - Residential
Adjacent Uses:	North: Commercial, Residential East, South, West: Residential

Rationale:

1) Are the variances minor in nature? Yes

And

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

The subject property is situated in a well-established residential neighbourhood composed of single and two-storey single detached dwellings. The majority of the dwellings within the immediate vicinity of the subject property are over eighty (80) years old and part of an older Plan of Subdivision (Plan 25). The present-day lot fabric was created as part of the aforementioned Plan of Subdivision.

The property is fully developed with a single detached dwelling and driveway. Both lots are also connected to full municipal servicing. For these reasons, the proposed reduction in lot area is not anticipated to adversely impact the character of the neighbourhood. Noteworthy is the fact that many of the neighbouring lots are comprised of similar lot area. The reduction in lot area from 670 square metres to 537 square metres will be imperceptible.

The proposed variance will address an encroachment issue relating to the location of an existing driveway and gravel pad on the subject lands, increasing the supplementary interior side yard space in the process.

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 Type One (R1) Zone within the Village of Fenelon Falls Zoning By-law 89-25. The R1 zone permits a variety of residential uses, including single detached dwellings.

An intent of the minimum lot area provision in the By-law is to ensure carrying capacity and adequate spatial separation between a dwelling, well and septic system. Lot area also ensures the maintenance of adequate landscaped open space for amenity space and storm water infiltration. The subject lands were created as part of a Registered Plan of Subdivision that predates the Village of Fenelon Falls Zoning By-law. Moreover, as both parcels are connected to Municipal servicing, the resultant lot area allows for appropriate servicing and spatial separation. It is also important to note that the Village of Fenelon Falls Zoning does not quantify absolute minimum lot area less than required through a separate provision for both serviced and unserviced lots.

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 Fenelon Falls Secondary Plan is under appeal, the Village of Fenelon Falls Official Plan is in effect. The property is designated “Low Density Residential” within the Official Plan. The designation anticipates that the land within that designation will primarily be used for residential purposes and permits a variety of residential densities. The Official Plan supports the consent process with respect to lot additions. The single detached dwellings on both the donating and benefitting parcels are permitted uses within the designation.

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

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

Both residential parcels are serviced by Municipal water and sanitary sewer 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 Division (May 7, 2021): No objections

Building and Septic Division (May 6, 2021): No concerns.

Public Comments:

No comments have been received as of May 12, 2021.

Attachments:



Appendices A-D for
COA2021-017.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: D20-2021-017

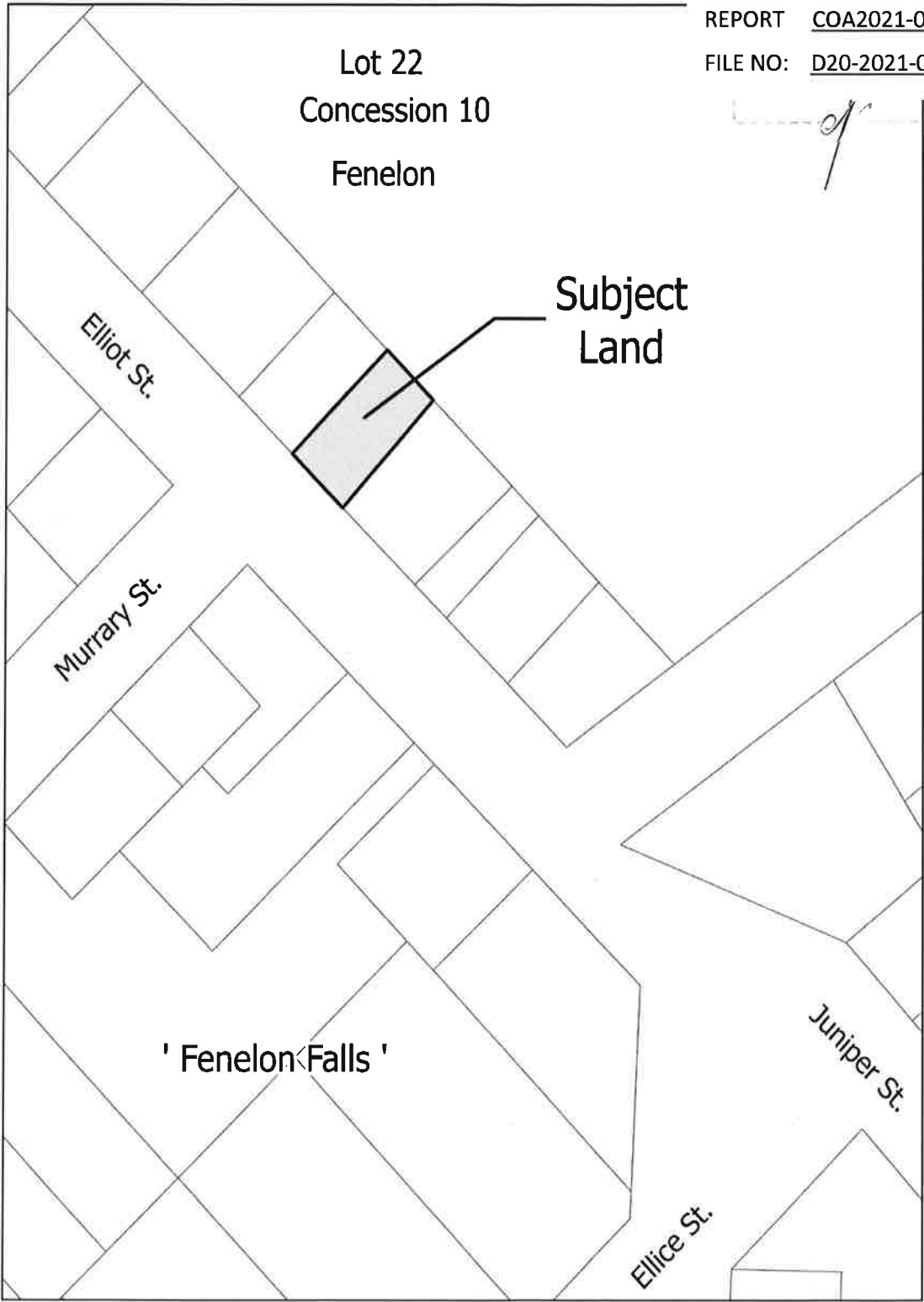
D20-2021-017

APPENDIX " A "

to

REPORT COA2021-029

FILE NO: D20-2021-017



35 Elliot Street, former Village of Fenelon Falls



Legend

☐ Property Roll Number

Notes

Notes

APPENDIX " B "

to

REPORT COA2021-029

FILE NO: D20-2021-017

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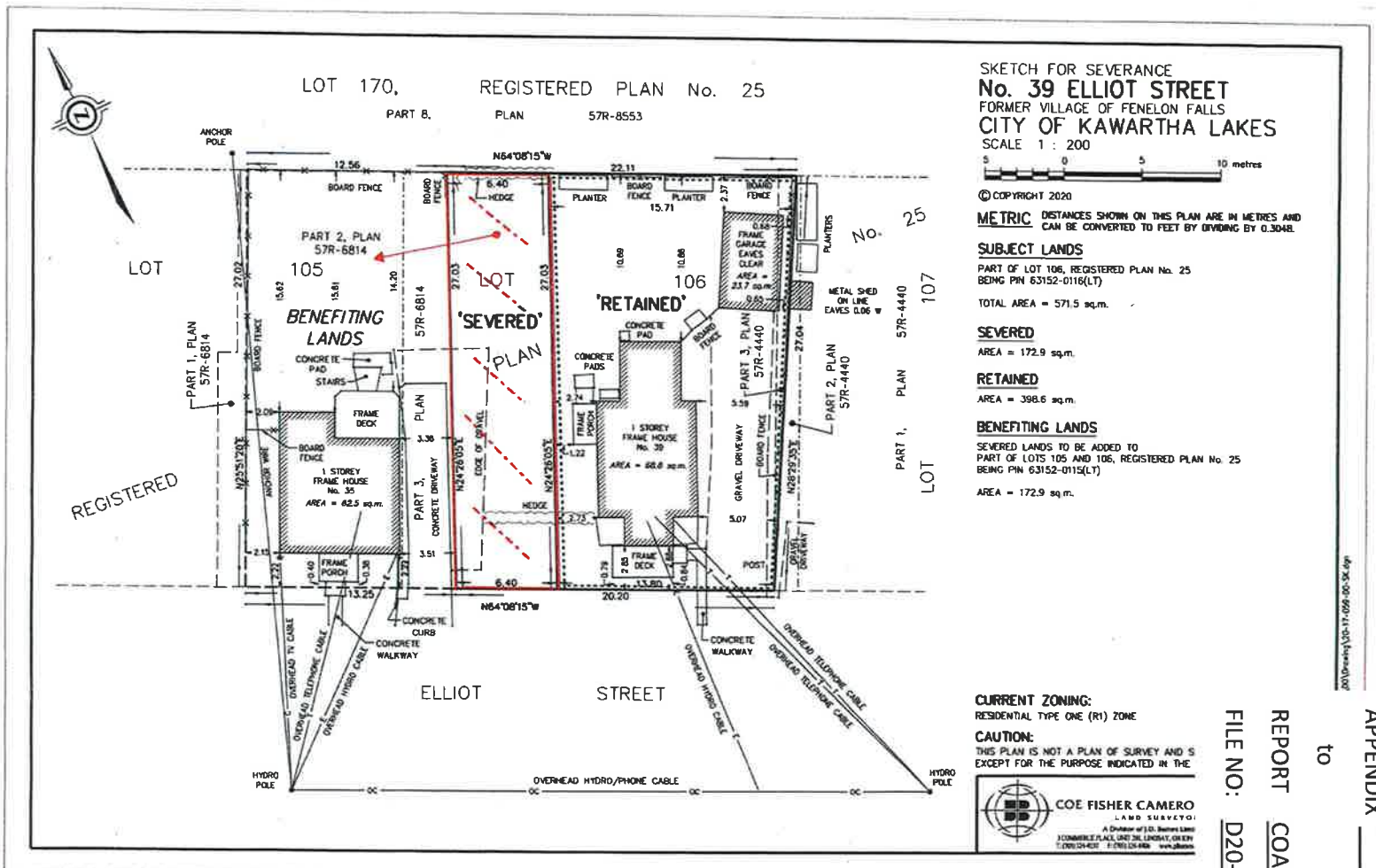
Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
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REPORT COA2021-029
FILE NO: D20-2021-017

APPENDIX " C "

Kent Stainton

From: Kim Rhodes
Sent: Friday, May 7, 2021 12:11 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Benjamin Courville
Subject: 20210507 D20-2021-017 - Engineering review

APPENDIX " D " to

Please see the message below from Christina Sisson:

REPORT COA2021-029

Good afternoon Mark – further to our engineering review of the following: FILE NO. D20-2021-017

Minor Variance – D20-2021-017
35 Elliot Street
Part Lot 105 and 106, Plan 100
Former Village of Fenelon Falls

It is the understanding by Engineering that the purpose and effect is to request relief from the following sections in order to fulfil a condition of provisional consent (File No. D03-2020-022) for a lot line adjustment:

1. Section 4.3.2(a) to reduce the minimum lot area required of the Residential Type One (R1) Zone for lots serviced by Municipal water supply and sanitary sewers from 670 square metres to 537 square 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



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.

Kent Stainton

From: Derryk Wolven
Sent: Thursday, May 6, 2021 1:00 PM
To: Charlotte Crockford
Subject: Re: Notice of Public Hearing for Minor Variance D20-2021-017, 35 Elliot Street, Fenelon

Follow Up Flag: Follow up
Flag Status: Flagged

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

From: Charlotte Crockford
Sent: May 6, 2021 12:47:20 PM
To: Christina Sisson; Kim Rhodes; Amber Hayter; Doug Elmslie; Susanne Murchison; Derryk Wolven
Subject: Notice of Public Hearing for Minor Variance D20-2021-017, 35 Elliot Street, Fenelon
Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-017, 35 Elliot Street, Fenelon.

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 – Mancini Homes Ltd.
Report Number COA2021-030

Public Meeting

Meeting Date: May 20, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 4 – Geographic Township of Woodville

Subject: The purpose and effect is to request relief from Section 8.2.1.3(c) to reduce the minimum exterior side yard from 7.5 metres to 6 metres to permit the construction of a single detached dwelling.

The variance is requested at 25 McCrae Crescent, former Village of Woodville (File D20-2021-018).

Author: David Harding, Planner II, RPP, MCIP

Signature: 

Recommendation:

Resolved That Report COA2021-030 Mancini Homes Ltd., be received;

That minor variance application D20-2021-018 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C and elevations in Appendix D submitted as part of Report COA2021-030, which shall be attached to and form part of the Committee's Decision; and
- 2) **That** the building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2021-030. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: A planning brief prepared by D.G. Biddle and Associates Limited dated March 31, 2021 was submitted in support of the proposal.

In order to construct the proposed model of home, relief from the zoning by-law is requested.

This application was deemed complete May 5, 2021.

Proposal: To permit the construction of a single detached dwelling.

Owner: Mancini Homes Ltd.

Applicant: Michael Fry – D.G. Biddle and Associates Limited

Legal Description: 25 McCrae Crescent, Lot 2, Plan 57M-801, former Village of Woodville, City of Kawartha Lakes

Official Plan: “Urban Settlement Area” within the City of Kawartha Lakes Official Plan

Zone: “Residential Type One (R1) Zone” within the Village of Woodville Zoning By-law 1993-9

Site Size: 1,408.91 square metres (4,622.4 square feet)

Site Servicing: Private individual septic system and municipal water supply

Existing Uses: Vacant Residential Land

Adjacent Uses: North, South, East, West: Residential/Residential Land under Development

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 plan of subdivision in the northwestern portion of Woodville. The 33 lot subdivision, known as Maple Hills, is currently in its construction phase. The subject property is a corner lot, bordering the road to the north and east. Dwellings have been constructed to the north and further west.

A single storey single detached dwelling with a raised basement is proposed, see Appendix D. As the elevations in the appendix demonstrate, the attached garage is proposed within the portion of the footprint which requires relief.

The proposal will not adversely impact the function of the property. The 1.5 metre reduction is also not anticipated to be perceptible due to the relatively low height of the building (single storey) and due to the fact that the wall utilising the

relief contains an attached garage use behind it instead of the higher intensity use habitable space generates.

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

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

The subject property is zoned “Residential Type One (R1) Zone” within the Village of Woodville Zoning By-law 1993-9. The R1 Zone permits a variety of low rise uses, including single detached dwellings.

The intent of the exterior side yard requirement within the R1 Zone is to ensure adequate spatial separation from the road allowance. This spatial separation forms a variety of functions.

One function is to minimize land use conflicts between the residential and road uses, as exterior side yards by their nature are more visible and less private in nature. However, in this situation, the land use conflict is minimized as the room/use that would utilise the relief is an attached garage, not habitable space.

A second function is to maintain a consistent building line for the built form facing/close to the road allowance. The exterior side yard and front yard setbacks within the R1 Zone are consistent. In this circumstance, the reduction is not substantial, nor is there any lot to the south of the subject property with a front yard facing east that would otherwise more fully shape and define the building line. This is due to the fact that the abutting lot to the south is a corner lot with a southern front yard facing Mancini Drive, and an exterior side lot line bordering McCrae Crescent to the east.

A third function is to maintain sufficient spatial separation for functions such as snow storage for the road and maintaining sight lines. The reduction is not anticipated to adversely affect the area available for snow storage. As analysed in point two above, there are no front yards to the immediate south or north on the same side of the street, so sightlines are not adversely affected for the purposes of vehicles exiting driveways.

All other zone provisions are met.

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

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

The property is designated “Urban Settlement Area” within the City of Kawartha Lakes Official Plan. Where water capacity within the municipal system is available, low density residential uses, primarily in the form of single detached dwellings, along with accessory uses are anticipated within this designation.

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

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

The property will be serviced by a private individual sewage system and municipal water.

Consultations:

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

Agency Comments:

Building Division (May 6, 2021): No concerns.

Development Engineering Division (May 7, 2021): No concerns.

Public Comments:

No comments received as of May 10, 2021.

Attachments:



Appendices A-E to
COA2021-030

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

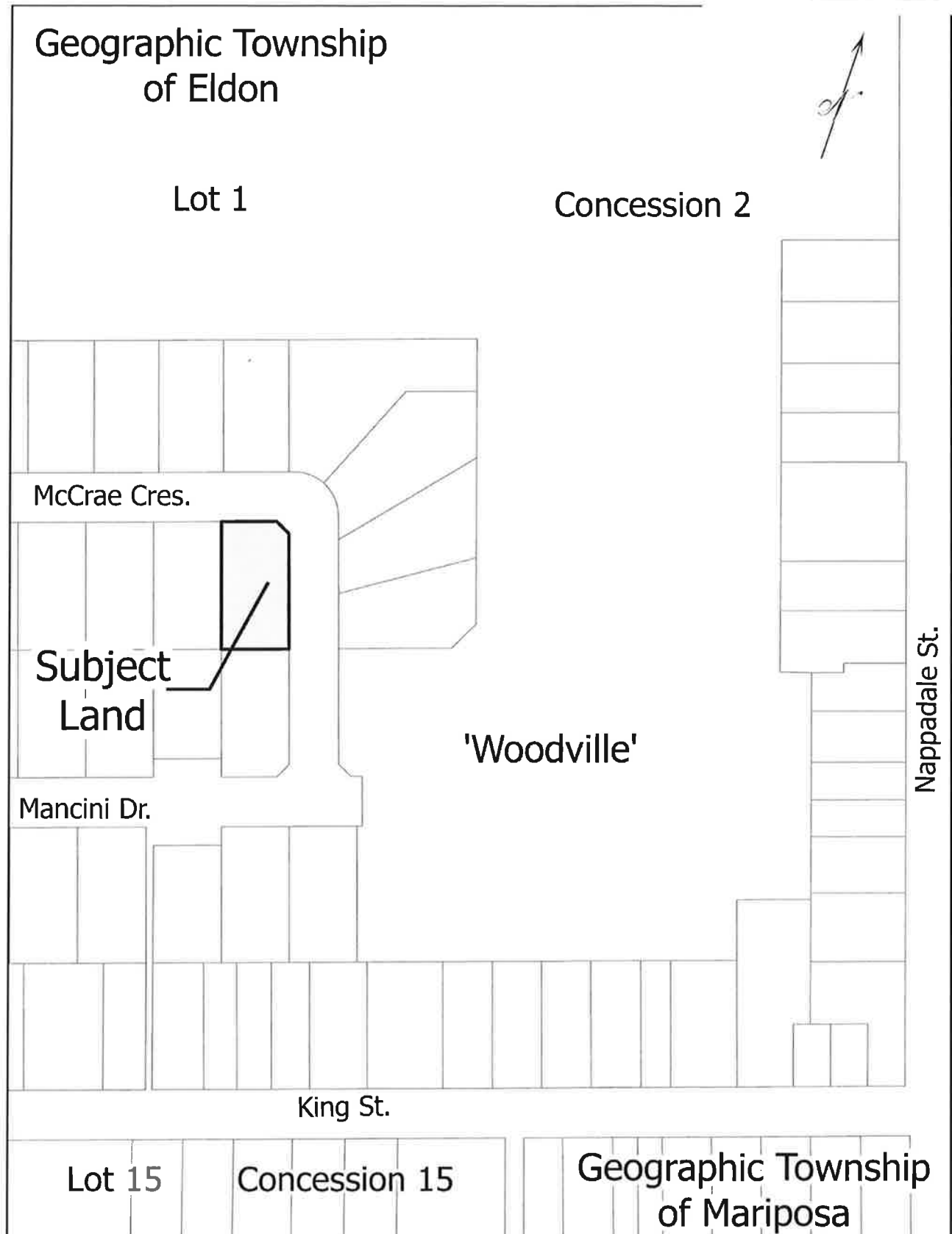
Phone:	705-324-9411 extension 1206
E-Mail:	dharding@kawarthalakes.ca
Department Head:	Richard Holy, Acting Director of Development Services
Department File:	D20-2021-018

to

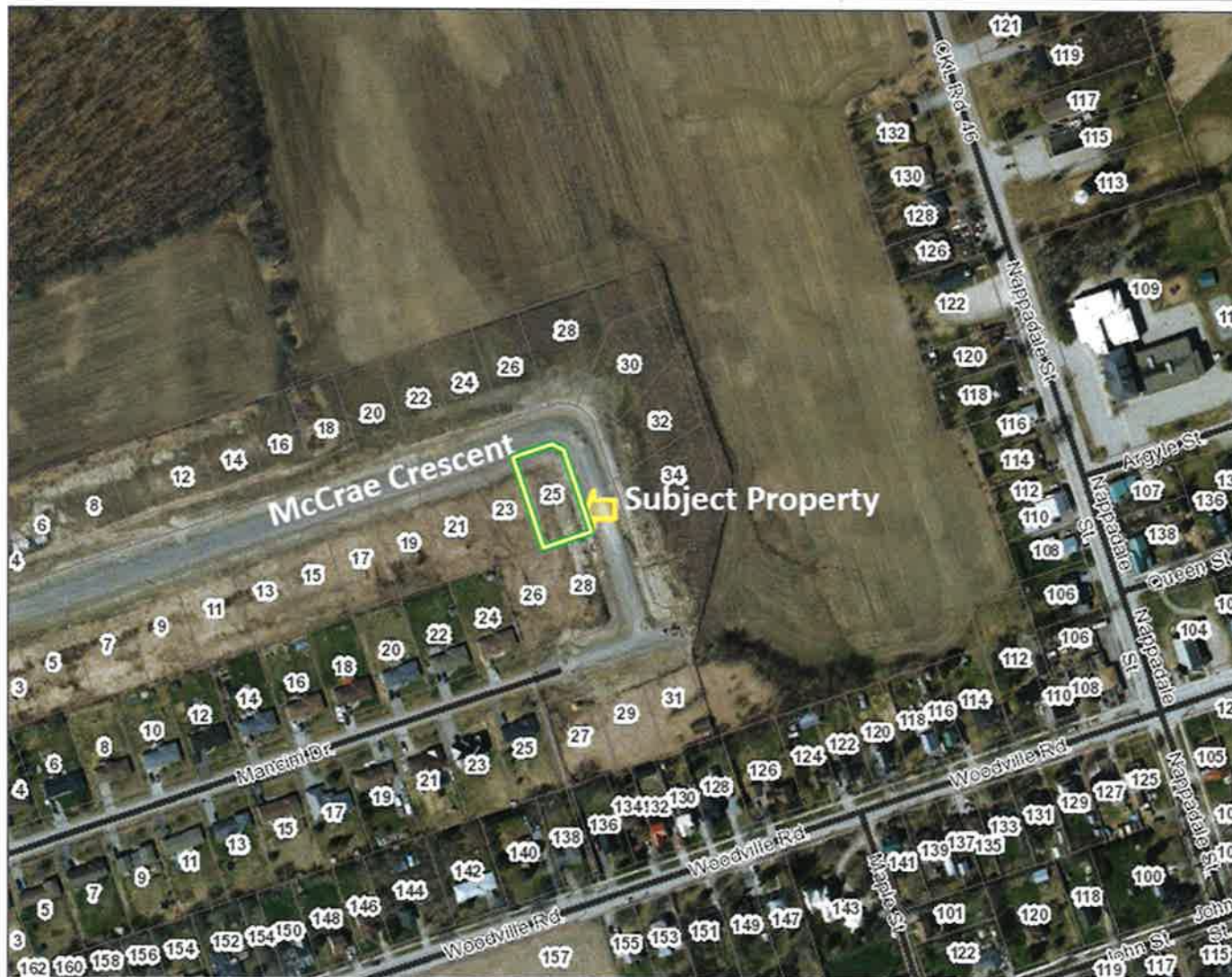
REPORT COA2021-030

FILE NO: D20-2021-018

D20-2021-018



25 McCrae Crescent, former Village of Woodville



0.22 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
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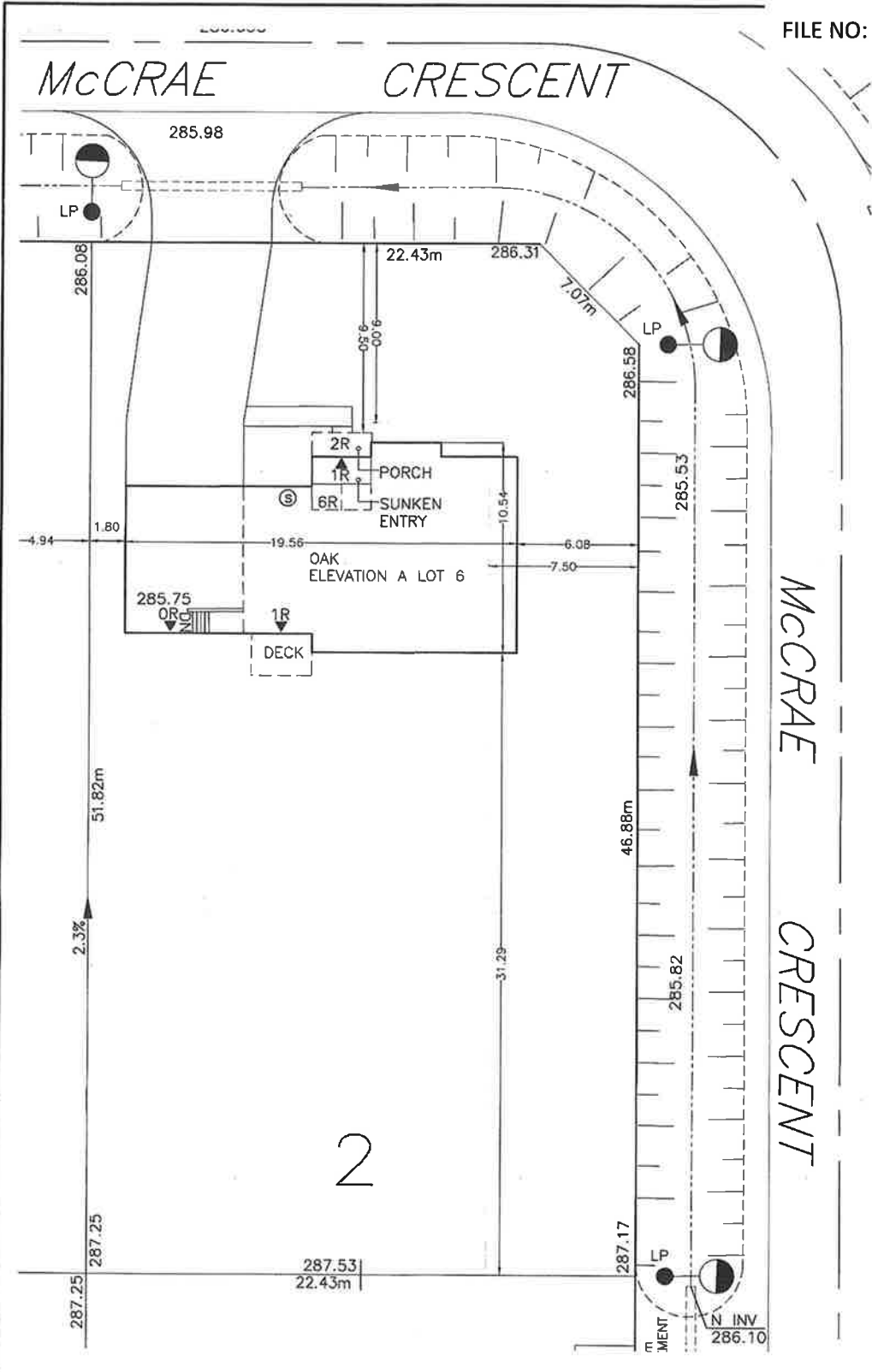
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APPENDIX " B "
to
REPORT COA2021-030
FILE NO: D20-2021-018

to

REPORT COA2021-030

FILE NO: D20-2021-018



APPENDIX " D "

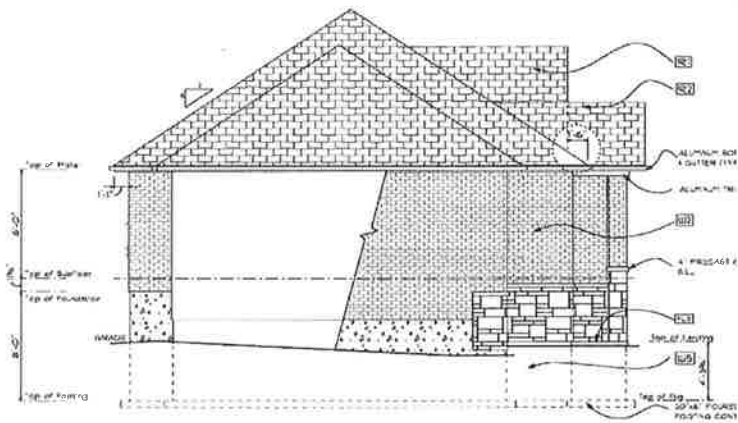
to

REPORT COA2021-030

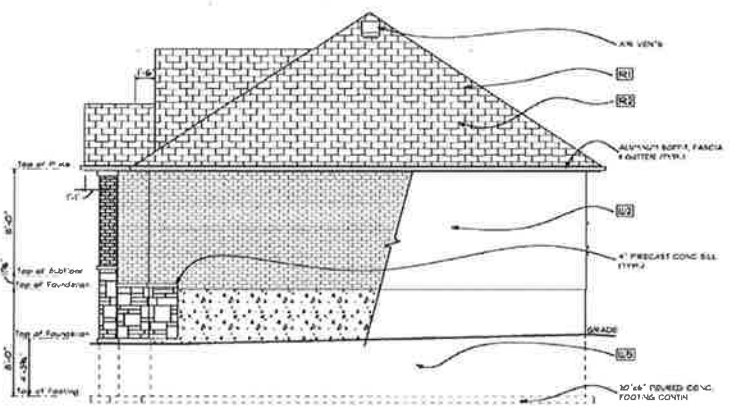
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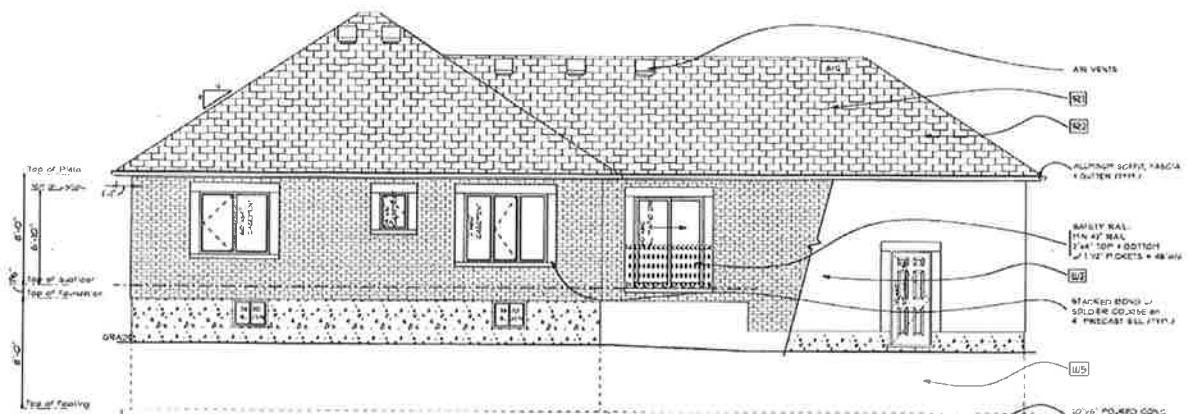
FRONT ELEVATION



LEFT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

GLAZE AREA =
SILL AREA = 114sqft

David Harding

From: Derryk Wolven
Sent: Thursday, May 6, 2021 12:57 PM
To: Charlotte Crockford
Subject: Re: Notice of Public Hearing for Minor Variance, D20-2021-018, 25 McCrae Crescent, Woodville.

Follow Up Flag: Follow up
Flag Status: Flagged

APPENDIX E
to
REPORT COA2021-030

Please be advised building division has no concern with the above noted application. FILE NO. D20-2021-018

From: Charlotte Crockford
Sent: May 6, 2021 12:53:51 PM
To: Christina Sisson; Kim Rhodes; Amber Hayter; Ron Ashmore; Susanne Murchison; Derryk Wolven
Subject: Notice of Public Hearing for Minor Variance, D20-2021-018, 25 McCrae Crescent, Woodville.
Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-018, 25 McCrae Crescent, Woodville.

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.

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David Harding

From: Kim Rhodes
Sent: Friday, May 7, 2021 12:12 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Benjamin Courville
Subject: 20210507 D20-2021-018 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-018
25 McCrae Crescent
Lot 2, Plan 57M-801
Former Village of Woodville

It is the understanding by Engineering that the purpose and effect is to request relief from Section 8.2.1.3(c) to reduce the minimum exterior side yard from 7.5 metres to 6 metres 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.

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Ann Palmer and Bryan Pierson
Report Number COA2021-032

Public Meeting

Meeting Date: May 20, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 8 – Geographic Township of Emily

Subject: The purpose and effect is to request relief from Section 12.3.6.1 d) to reduce the minimum side yard setback from 7.6 metres to 1.2 metres in order to facilitate the construction of an addition to an existing detached garage.

The variance is requested at 21 Ryan Road, geographic Township of Emily (File D20-2021-022).

Author: Kent Stainton, Planner II

Signature: 

Recommendations:

Resolved That Report COA2021-032 Palmer/Pierson, be received;

That minor variance application D20-2021-022 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendices C-D submitted as part of Report COA2021-032, 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 COA2021-032. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The owners applied for a pre-screening application associated with the addition to the detached garage and a pre-screening meeting was held on December 3, 2020.

This application was deemed complete on March 26, 2021.

Proposal: To permit the construction of an approximately 66 square metre (710.42 square feet) two-bay addition to an existing 67.5 square metre (726.56 square feet) two-bay detached garage.

Owners: Ann Palmer and Bryan Pierson

Legal Description: 21 Ryan Road, Part Lot 13, Concession 7; being Part 11 of RP 57R-4905, geographic Township of Emily, City of Kawartha Lakes

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

Zone: Rural Residential Type Three Exception Six (RR3-6) Zone within the Township of Emily Zoning By-law 1996-30

Site Size: 2,250.36 square metres (0.56 acres)

Site Servicing: Private individual well and private septic system

Existing Uses: Residential

Adjacent Uses:	North:	Residential, Pigeon River
	East:	Ryan Road, Agricultural, Woodland
	South:	Woodland, Residential
	West:	Pigeon River

Rationale:

1) Are the variances minor in nature? Yes
And

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

The subject property is situated in a quiet shoreline residential neighbourhood near the end of an extension of Ryan Road on the south side of the Pigeon River before it transitions into Pigeon Lake. The neighbourhood consists of secluded waterfront lots and backlots primarily comprised of one and two storey vacation and single detached dwellings.

The topography of the property is undulating with considerable variation. The dwelling is located at the highest point of the property. A 1.5 storey dwelling with a tiered wooden deck steps down the western side of the property before transitioning to manicured lawn and the shoreline. The southern section of the property is densely wooded with mixed deciduous forest.

The existing two-bay garage (constructed in 1997 according to MPAC) is located in the southeastern section of site and is constructed partially into the slope that rises to the west. Extending the garage to the north is impractical, as the entranceway to the property would be impeded and a separate detached garage would be challenging to construct, given the location of the septic bed in the front yard. The uneven grade also presents difficulties with respect to construction. As the section of Ryan Road to the north and east of subject lands is ultimately a dead-end, traffic is minimal and the garage complies with the front yard setback requirement.

The addition, which will essentially double the size of the existing garage, is required in order to facilitate the storage of two classic cars. The existing garage will continue to serve primarily as storage. As the garage is proposed as an addition to an existing detached garage, the exterior design and treatments will match the appearance of the existing detached garage as identified in Appendix D.

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

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

The property is zoned Rural Residential Type Three Exception Six (RR3-6) Zone within the Township of Emily Zoning By-law 1996-30. The RR3-6 zone requires an additional 0.1 metres pertaining to an interior side yard setback when compared to the requirements of the parent zone (RR3).

As mentioned, the woodland consisting of a variety of mature coniferous and deciduous trees is located in the southern portion of the lot. The increasing grade to the south provides additional screening of the garage from the neighbouring lot to the south mitigating any potential privacy concerns to the neighbouring property. By constructing into the slope, there are no massing or built form implications. The proposed 1.2-metre setback maintains access to the south of the proposed garage for building maintenance and lot drainage purposes.

The height of the proposed addition to the garage is compliant with the general provisions for accessory buildings. The proposed eave projections are also compliant with the Zoning By-law. As a result, the addition does not require to be setback further than the proposed 1.2 metres.

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

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

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

The proposed garage will be at least 30 metres away from the shoreline, satisfying Policy 3.11, which directs development away from the shoreline wherever possible and establishes a minimum water setback of 15 metres.

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

Other Alternatives Considered:

No alternatives are being considered through this application.

Servicing Comments:

The property is serviced by a private individual well and private 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:

Engineering and Corporate Assets Division (May 7th, 2021): No objections.

Building and Septic Division (May 6th, 2021): Building and Septic Division has no concerns with the application.

Building and Septic Division (May 7th, 2021): The Supervisor of Part 8 Sewage Systems notes that a site visit was completed to locate and assess the on-site sewage disposal system.

The sewage system was observed to be located in the roadside yard of the dwelling. The proposed garage addition was located outside the required clearance distance to the existing sewage system. In addition, the garage will not incorporate any habitable space or plumbing.

As such, the Building and Septic Division has no objections to the proposed garage addition as it relates to private on-site sewage disposal.

Kawartha Region Conservation Authority (April 19th, 2021): Kawartha Conservation has issued a permit (Permit #2021-132) under their Regulation in order to facilitate construction of the addition to the detached garage. The geotechnical component of the permit review was comprehensive and staff have no concerns with the variance.

Public Comments:

No comments received as of May 12, 2021.

Attachments:



Appendices A-E for
COA2021-032.pdf

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch (Site Plan)
Appendix D – Applicant's Drawings (Garage Elevations)
Appendix E – 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: D20-2021-022

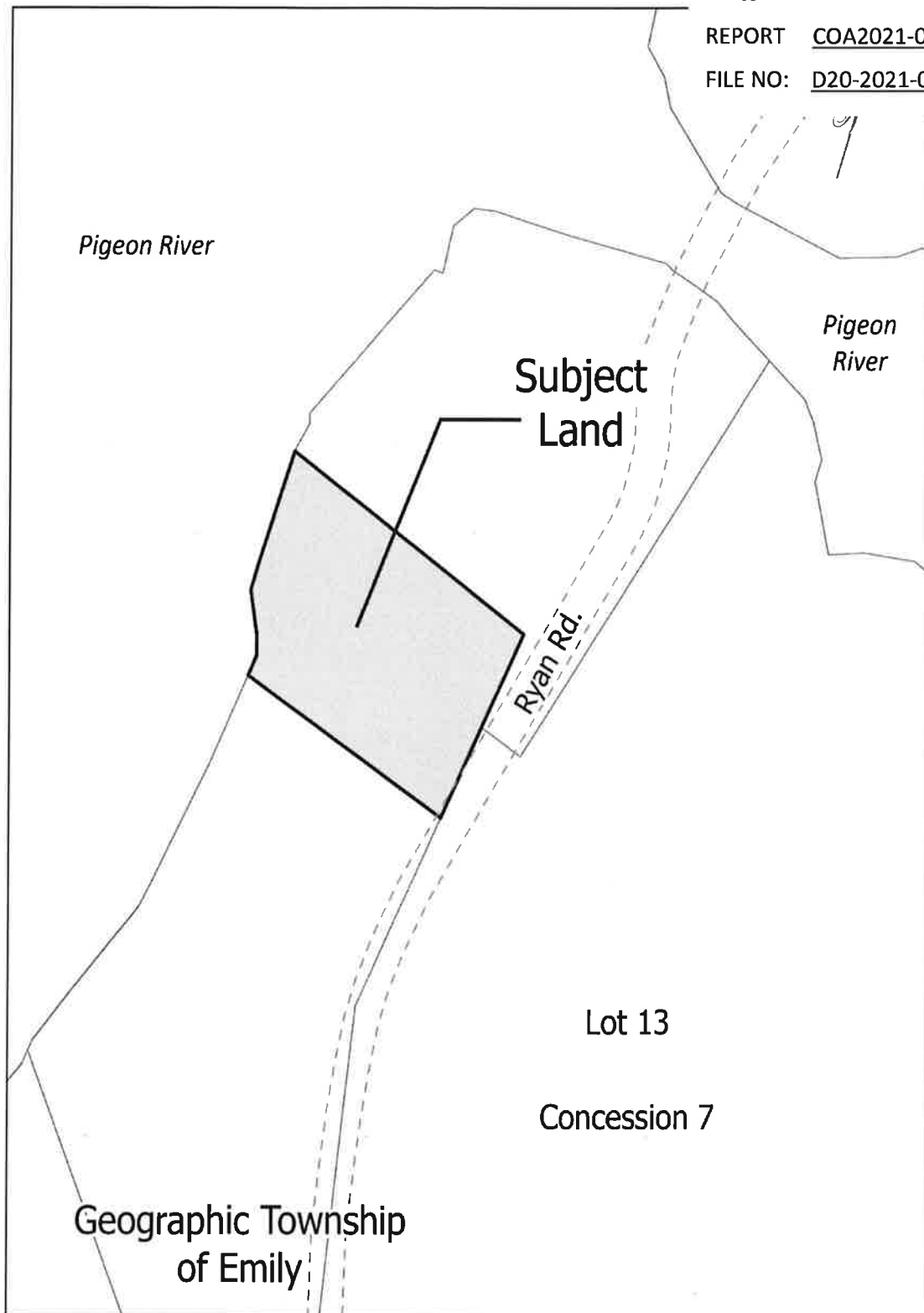
D20-2021-022

APPENDIX " A "

to

REPORT COA2021-032

FILE NO: D20-2021-022





Legend
☐ Property Roll Number

Notes
Notes

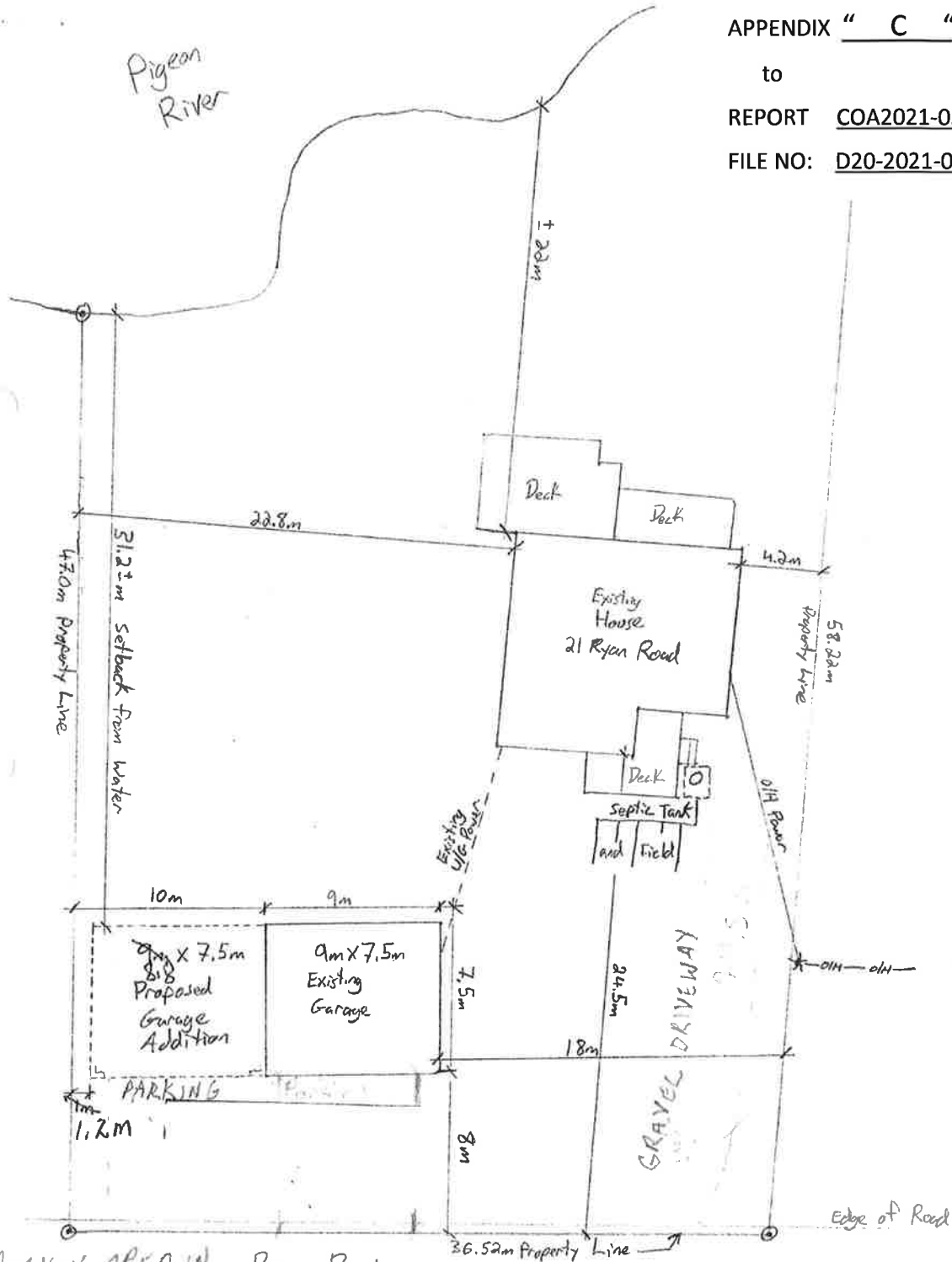
APPENDIX " B "
to
REPORT COA2021-032
FILE NO: D20-2021-022

APPENDIX " C "

to

REPORT COA2021-032

FILE NO: D20-2021-022



PARKING AREA IN FRONT OF EXISTING GARAGE
9m x 8m
PARKING AREA IN FRONT OF PROPOSED ADDITION 8.8m x APPROX 8m - GRAVEL

Scale: 1:250m

Lot 13 Concession 7 Part II, Plan 57R-4905

21 RYAN ROAD

ASPHALT SHINGLE TO MATCH EXISTING

Siding

TEXTURED BLOCK TO
MATCH EXISTING GARAGE

0.411

Peak

0.6

5.18

3.75

0.94

3.048

2.743

8.8

0.711

APPENDIX " D "

to

REPORT COA2021-032

FILE NO: D20-2021-022

Kent Stainton

From: Kim Rhodes
Sent: Friday, May 7, 2021 12:13 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Benjamin Courville
Subject: 20210507 D20-2021-022 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-022
21 Ryan Road
Part Lot 13, Concession 7
Geographic Township of Emily

APPENDIX "E"

to

REPORT COA2021-032

FILE NO. D20-2021-022

It is the understanding by Engineering that the purpose and effect is to request relief from Section 12.3.6.1 d) to reduce the minimum side yard setback from 7.6 metres to 1.2 metres in order to facilitate the construction of an addition to an existing detached garage.

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

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

Thanks,

Christina

Christina Sisson, P.Eng.
Supervisor, Development Engineering
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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Kent Stainton

From: Anne Elmhirst
Sent: Friday, May 7, 2021 6:46 PM
To: Charlotte Crockford
Subject: RE: Notice of Public Hearing for Minor Variance, D20-2021-022, 21 Ryan Road, Emily

Hello Charlotte,

I have received and reviewed the minor variance application D20-2021-022 to construct an addition onto the existing detached garage.

A site visit was completed to locate and assess the on-site sewage disposal system. The sewage system was observed to be located in the roadside yard of the dwelling. The proposed garage addition was located outside the required clearance distance to the existing sewage system. In addition, the garage will not incorporate any habitable space or plumbing.

As such, the Building and Septic Division has no objections to the proposed garage addition as it relates to private 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.

From: Charlotte Crockford
Sent: Thursday, May 6, 2021 1:00 PM
To: Christina Sisson ; Kim Rhodes ; Tracy Richardson ; Susanne Murchison ; Derryk Wolven ; Anne Elmhirst
Subject: Notice of Public Hearing for Minor Variance, D20-2021-022, 21 Ryan Road, Emily

Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-022, 21 Ryan Road, Emily

Many thanks

Charlotte Crockford
Administrative Assistant

Kent Stainton

From: Derryk Wolven
Sent: Thursday, May 6, 2021 3:45 PM
To: Charlotte Crockford
Subject: RE: Notice of Public Hearing for Minor Variance, D20-2021-022, 21 Ryan Road, Emily

Follow Up Flag: Follow up
Flag Status: Flagged

Building division has no concerns with the above noted application.

From: Charlotte Crockford
Sent: Thursday, May 6, 2021 1:00 PM
To: Christina Sisson ; Kim Rhodes ; Tracy Richardson ; Susanne Murchison ; Derryk Wolven ; Anne Elmhirst
Subject: Notice of Public Hearing for Minor Variance, D20-2021-022, 21 Ryan Road, Emily

Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-022, 21 Ryan Road, Emily

Many thanks

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



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Kent Stainton

From: Erin McGregor <emcgregor@kawarthaconservation.com>
Sent: Monday, April 19, 2021 2:29 PM
To: Nancy Ord
Subject: RE: Advance Circulation for KRCA comment - Application for Minor Variance, 21 Ryan Road, Emily (Palmer/Pierson)

Good afternoon Ann,

I wanted to let you know that we have waived review for this Minor Variance Application D20-2021-022. The applicant reached out to us indicating that they already have a permit from us for the proposed works which required a comprehensive review from our office. Since we already knew the proposed location, we have no concern with the variances. We have received the cheque – however it won't be deposited.

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

Tel: 705.328.2271 ext. 232
Fax: 705.328.2286

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

KawarthaConservation.com



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CONSERVATION**

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The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Inkersell and Battersby
Report Number COA2021-033

Public Meeting

Meeting Date: May 20, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 8 – Geographic Township of Emily

Subject: The purpose and effect is request relief from the following sections in order to permit the increase in height to a dwelling and permit a shed/greenhouse and shed on the property:

1. Section 13.2.1.3(e) to reduce the minimum water setback from 30 metres to 12.5 metres to permit an increase in height to the dwelling's north-facing wall, and permit an accessory building (greenhouse-storage shed),
2. Section 3.18.1.1(a) to reduce the minimum building setback from an Environmental Protection (EP) Zone from 15 metres to 12.5 metres to permit an increase in height to the dwelling and permit an accessory building (greenhouse-storage shed),
3. Section 3.1.2.2 to reduce the minimum side lot line setback for an accessory building from 1 metre to 0.45 metres to permit the greenhouse storage shed,
4. Section 3.1.3.1 to increase the accessory building maximum lot coverage from 8% to 8.06%; and
5. Section 3.1.3.3 to increase the maximum number of accessory buildings from 3 to 4.

The variances are requested at 15 Lila Court, geographic Township of Emily (File D20-2021-023).

Author: David Harding, Planner II, RPP, MCIP

Signature: 

Recommendations:

Resolved That Report COA2021-033 Inkersell and Battersby, be received;

That relief 3 sought in minor variance application D20-2021-023 be DENIED, as the application is not minor in nature, desirable and appropriate for the use of the

land, and is not in keeping with the general intent and purpose for the zoning by-law tests set out in Section 45(1) of the Planning Act.

That reliefs 1,2,4, and 5 sought in minor variance application D20-2021-023 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix "C" and elevations in Appendix "D" submitted as part of Report COA2021-033, which shall be attached to and form part of the Committee's Decision,
- 2) **That** the owners shall apply for and obtain a building permit from the Building Division for the storage shed and greenhouse-storage shed identified as accessory buildings 1 and 2 on the sketch in Appendix "C" of Report COA2021-033 and submit to the Secretary-Treasurer written confirmation from the Building Division that the permits have been issued and/or are not required,
- 3) **That** within a period of twenty-four (24) months after the date of the Notice of Decision, the owners submit photographic evidence to the satisfaction of the Secretary-Treasurer demonstrating that the greenhouse storage shed has been shifted west to maintain a side yard setback of 1.0 metre in compliance with Section 3.1.2.2 of the Zoning By-law, failing which this application shall be deemed to be refused; and
- 4) **That** the building construction related to the minor variances shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2021-033. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background:

The owners were pursuing a building permit for the alteration of a rear wall and roofline on their dwelling. They were directed to the pre-screening process. As a result of the pre-screening process, reliefs were identified for additional buildings on the property. Please see the Other Alternatives Considered section for an examination of options that were considered for some of the problematic buildings.

This application was deemed complete March 23, 2021.

Proposal: To permit structural alterations to the rear of a dwelling which will facilitate internal renovations, recognize a greenhouse-storage shed within the rear yard, and increase the number of permitted accessory buildings to recognize an additional shed located within the front yard.

Within the front yard, there is a single door detached garage (building #4) and storage shed (building #1). Within the interior side yard is a greenhouse-storage shed (building#2). The rear yard contains a boathouse (building #3).

The structural alterations to the dwelling involve changing the roof above a bedroom from a low sloped roof to a peaked roof, and placing new wall studs to support the roof change.

Owners: Susan Inkersell and William Battersby

Applicant: William Battersby

Legal Description: Lot 6, Plan 243, geographic Township of Emily, City of Kawartha Lakes

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

Zone: Limited Service Residential (LSR) Zone within the Township of Emily Zoning By-law 1996-30

Site Size: 1,153.06 square metres (12,411.4 square feet)

Site Servicing: Private individual well and septic system

Existing Uses: Shoreline Residential

Adjacent Uses: North: Pigeon River
South: Agricultural Lands
East, West: Shoreline Residential

Rationale: The owners submitted supporting documentation pertaining to a prior variance application, File A-11-2000, granted by the Township of Emily Committee of Adjustment on August 4, 2000, to permit an aluminum shed in approximately the same location as the currently proposed greenhouse-storage shed. Staff note that the shed permitted at that time was smaller, being approximately 6' x 8' (1.8 x 2.4 metres and likely had no eaves as continues to be common of small aluminum storage buildings. As the aluminum shed was removed, the variance for that accessory building no longer applies, which is why relief is being sought for the current building.

- 1) **Are the variances minor in nature? And**
- 2) **Is the proposal desirable and appropriate for the use of the land?**
 - A. For relief 3? **No**
 - B. For reliefs 1,2,4, and 5? **Yes**

The subject property is situated on a private road in a neighbourhood on the southern side of the Pigeon River. The neighbourhood is composed of residential and seasonal residential uses. The subject property is relatively wide and deep, with a gradual rise up from the road to the dwelling, followed by a steep slope down into Pigeon River. The dwellings within the neighbourhood are commonly situated upon this high point, which runs east-west parallel to the shoreline.

The water/EP Zone setback reductions will facilitate alterations to the existing single detached dwelling. The alterations will result in an increase in wall height of the north (water facing wall), but will not cause the building to project closer to the water. The building will remain a single storey. The greenhouse-storage shed is in-line with the existing dwelling, is situated within an existing deck area, and provides some storage for recreational water equipment which cannot be accommodated within the smaller and older boathouse to the north. The owners advise that outdoor recreation equipment stored in the boathouse, which was built into the slope and dates to circa 1955, gets mouldy. The greenhouse-storage shed is the only accessory building other than the boathouse within the rear yard. Storing shoreline-related recreational equipment within a building in close proximity to the shoreline also increases the functionality of the shoreline area and provides convenient storage opportunities.

The increase in total accessory building lot coverage by 0.06% is not anticipated to be perceptible, and the lot is sufficiently sized to absorb the 8% coverage currently permitted. Additionally, the inclusion of an additional accessory building on the lot does not detract from the primary residential use on the property as the dwelling continues to maintain visual prominence and the accessory buildings each have modest footprints. Topography also plays a role. Since there is a ridge running through the centre of the property, no more than three accessory buildings may be observed at any time.

However, the reduced side lot line setback provides challenges pertaining to providing adequate space for maintenance purposes. As the greenhouse-storage shed has eaves, it is anticipated that these eaves come in very close proximity to and may cross the lot line. Building Division and Development Engineering have also noted concern with the reduced setback. Staff recommend the building be slightly shifted west to comply with the 1 metre side yard setback the zone requires to address all concerns and avoid renovations to the building.

Due to the above analysis, the variances, with the exception of relief 3, 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?

A. For relief 3? No

B. For reliefs 1,2,4, and 5? Yes

The Limited Service Residential (LSR) Zone permits single detached dwellings.

Alterations are proposed to the rear wall and roof line of the dwelling. No additional works are being undertaken that would bring the dwelling closer to the shoreline. The functionality and size of the rear yard is not changing. The alterations will increase the functionality of the bedroom.

The greenhouse-storage building is a multi-purpose building which provides some storage for water-related outdoor recreational equipment that cannot be stored within the boathouse. Due to the nature of this storage function, the greenhouse-storage shed benefits from proximity to the shoreline.

The General Provisions introduce controls on the number and total lot coverage of accessory buildings on a property. The intent of those provisions are likely to ensure the dwelling, not accessory uses maintains prominence on the property from a footprint and visual perspective. The lot is sufficiently sized to absorb four accessory buildings, as they are each relatively modest in size, and therefore do not appear as the primary use in relation to the dwelling. Further, three of the accessory buildings are arranged one behind the other along the east side of the property. As the three buildings are situated at the side of the property, they also allow the dwelling to maintain visual prominence. The proposal allows for various storage functions to be carried out on the property which are either best suited to be contained outside of the dwelling or cannot be stored within the dwelling due to its more modest size.

However, the reduced side lot line setback for the greenhouse-storage shed provides challenges pertaining to providing adequate space for maintenance and lot grading and drainage purposes. The intent of the side yard setback is to provide for sufficient space for said purposes.

Staff recommend the building be slightly shifted west to comply with the 1 metre side yard setback the zone requires to address all concerns raised and avoid building alterations that would be required to satisfy Building Division with the proposed reduced proximity.

Therefore, the variances, with the exception of relief 3, maintain the general intent and purpose of the Zoning By-Law.

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

Yes

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

The intent of the Official Plan, particularly policy 3.11, is that development should be located 30 metres from the shoreline where possible. When it is not possible, development shall be located no less than 15 metres from the

shoreline to provide a sufficient buffer of landscaped open space between the water and built form to improve water quality and habitat.

As the greenhouse-storage shed is positioned directly behind the boathouse, and stores outdoor recreation equipment which cannot be located within the older boathouse, and is upon an existing lot of record, impacts are minimized to the extent possible.

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

Other Alternatives Considered:

During the pre-screening process, there was an additional structure with a roof to the south of the greenhouse-storage shed. The structure was in close proximity to the lot line. This additional structure was removed in order to reduce the total number of accessory buildings and address the non-compliance issue with respect to the reduced side yard setback.

Servicing Comments:

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

Consultations:

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

Agency Comments:

Building Division (May 6, 2021): Concerns with the proposed greenhouse storage shed. A building positioned that close to the lot line will require a 45 minute rating. Moving the building so that it is 0.6 metres from the side lot line will remove this requirement.

Development Engineering Division (May 11, 2021): No objection in general, though an increased side yard setback for the greenhouse storage shed is preferred.

Kawartha Region Conservation Authority (May 11, 2021): No concerns.

Public Comments:

Jason and Kristen Babcock of 17 Lila Court have submitted a letter of support.

Attachments:



Appendices A-G to
COA2021-033

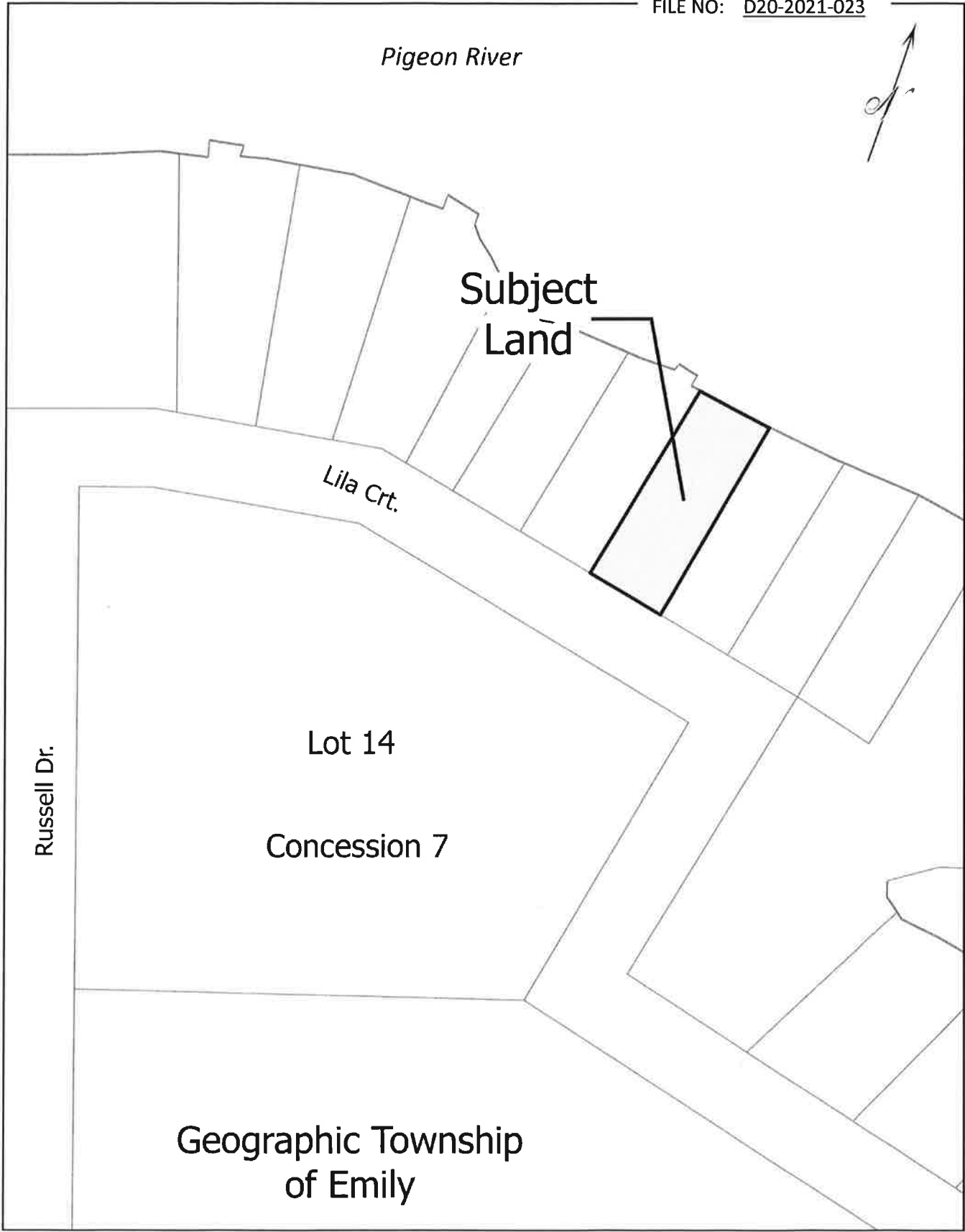
Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch

Appendix D – Applicant's Elevations
Appendix E – Department and Agency Comments
Appendix F – Owners' Letter of Reasons
Appendix G – Public Comment

Phone: 705-324-9411 extension 1206
E-Mail: dharding@kawarthalakes.ca
Department Head: Richard Holy, Acting Director of Development Services
Department File: D20-2021-023

D20-2021-023

to
REPORT COA2021-033
FILE NO: D20-2021-023





GEOMATICS
MAPPING

15 Lila Court, geographic Twp. of Emily



0.06

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



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APPENDIX " B "

to

REPORT COA2021-033

FILE NO: D20-2021-023

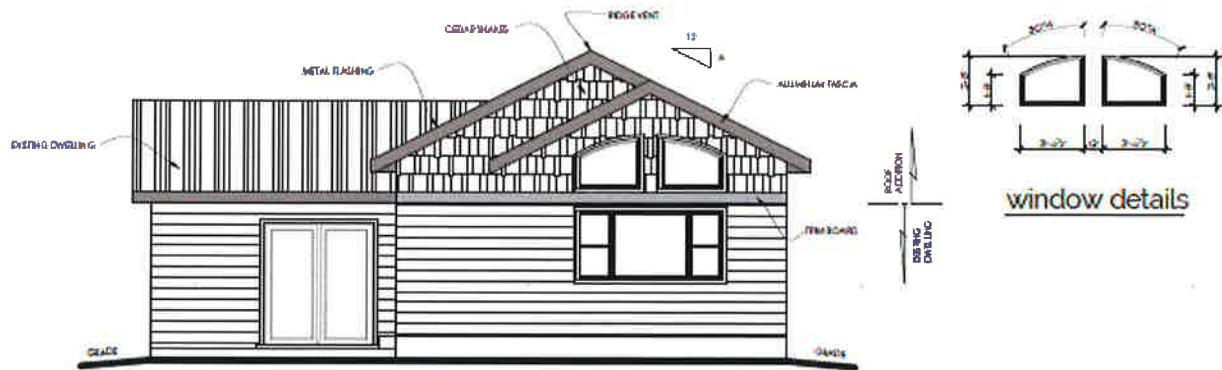
to
REPORT COA2021-033
FILE NO: D20-2021-023



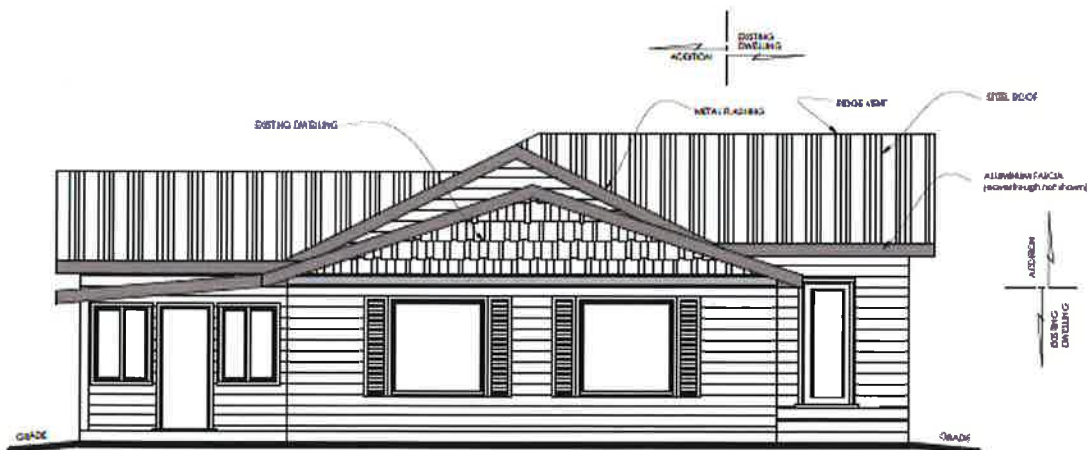
to

REPORT COA2021-033

FILE NO: D20-2021-023



lakeside elevation



east elevation

David Harding

From: Derryk Wolven
Sent: Thursday, May 6, 2021 3:25 PM
To: Charlotte Crockford
Subject: RE: Notice of Public Hearing for Minor Variance, D20-2021-023, 15 Lila Court, Emily

Follow Up Flag: Follow up
Flag Status: Flagged

Please be advised that the accessory building located at .4m from the property line requires a 45 minute rating. (9.10.14.5 of OBC)
A setback of .6m would have no implications.

APPENDIX " E "
to
REPORT CoA2021-033
FILE NO. D20-2021-023

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



From: Charlotte Crockford
Sent: Thursday, May 6, 2021 1:07 PM
To: 'Erin McGregor' ; Christina Sisson ; Kim Rhodes ; 'alanna.boulton@canada.ca' ; Tracy Richardson ; Susanne Murchison ; Derryk Wolven
Subject: Notice of Public Hearing for Minor Variance, D20-2021-023, 15 Lila Court, Emily

Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-023, 15 Lila Court, Emily.

Many thanks

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



David Harding

From: Mark LaHay
Sent: Friday, May 7, 2021 2:38 PM
To: David Harding; Kent Stainton
Subject: FW: 20210507 D20-2021-023 - Engineering review

FYI - file

From: Kim Rhodes
Sent: Friday, May 7, 2021 2:23 PM
To: Mark LaHay
Cc: Charlotte Crockford ; Christina Sisson ; Kirk Timms ; Benjamin Courville
Subject: 20210507 D20-2021-023 - Engineering review

From: Kim Rhodes
Sent: Thursday, May 6, 2021 1:15 PM
To: Christina Sisson <csisson@kawarthalakes.ca>; Kirk Timms <ktimms@kawarthalakes.ca>; Benjamin Courville <bcourville@kawarthalakes.ca>
Subject: 20210507 D20-2021-023 - Engineering review - MEMO DRAFTED

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-023
15 Lila Court
Lot 6, Plan 243
Geographic Township of Emily

It is the understanding by Engineering that the purpose and effect is to request relief from the following sections in order to permit the increase in height to a dwelling and permit a shed/greenhouse and shed on the property:

1. Section 13.2.1.3(e) to reduce the minimum water setback from 30 metres to 12.5 metres to permit an increase in height to the dwelling and permit an accessory building (greenhouse storage shed),
2. Section 3.18.1.1(a) to reduce the minimum building setback from an Environmental Protection (EP) Zone from 15 metres to 12.5 metres to permit an increase in height to the dwelling and permit an accessory building (greenhouse storage shed),
3. Section 3.1.2.2 to reduce the minimum side lot line setback for an accessory building from 1 metre to 0.45 metres to permit the greenhouse storage shed,
4. Section 3.1.3.1 to increase the accessory building maximum lot coverage from 8% to 8.06%; and
5. Section 3.1.3.3 to increase the maximum number of accessory buildings from 3 to 4.

We do note that the greenhouse storage shed has a side lot line setback of 0.45 metres which is not preferred, however we acknowledge it is an existing situation and therefore 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.

KRCA File NO: PPLK-2418

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

**Regarding: Minor Variance Application
D20-2021-023
15 Lila Court, Emily
Susan Inkersell and William Battersby**

Dear Ms. Crockford,

Kawartha Conservation has completed review of the above noted Minor Variance Application submitted by Susan Inkersell and William Battersby. Kawartha Conservation has provided comments as per our MOU with the City of Kawartha Lakes to review the application with respect to Natural Heritage, Watershed Management, and Natural Hazards.

Our comments are as follows:

Application Purpose:

It is Kawartha Conservation's understanding that the purpose and effect of Minor Variance Application D20-2021-023 is to seek relief from the Township of Emily Zoning By-law 1996-30 in order to permit the increase in height to a dwelling and permit a shed/greenhouse and shed on the property:

- Section 13.2.1.3(e) to reduce the minimum water setback from 30 metres to '12.5 metres to permit an increase in height to the dwelling and permit an accessory building (greenhouse storage shed),
- Section 3.18.1.1(a) to reduce the minimum building setback from an Environmental Protection (EP) Zone from 15 metres to 12.5 metres to permit an increase in height to the dwelling and permit an accessory building (greenhouse storage shed),
- Section 3.1.2.2 to reduce the minimum side lot line setback for an accessory building from 1 metre to 0.45 metres to permit the greenhouse storage shed,
- Section 3.1.3.1 to increase the accessory building maximum lot coverage from 8% to 8.06%; and
- Section 3.1.3.3 to increase the maximum number of accessory buildings from 3 to 4.

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

Our Watershed Partners:

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

Site Characteristics:

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

Natural Heritage Features:

- Shoreline of Pigeon River. Kawartha Conservation regulates the shoreline of Pigeon River and 15 metres from the high-water mark.

Natural Hazards:

- There may be flooding and/or erosion hazards.

Water Resources:

Subject property is within the boundary of the Pigeon Lake Management Plan.

Applicable Kawartha Conservation Regulation and Policies

Ontario Regulation 182/06 (as amended):

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

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

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

Development is defined as:

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

The applicant obtained a permit from our office for a 3.73 metre x 3.73 metre shed (Permit # 2021-090).

Recommendation:

Kawartha Conservation has no concern with the approval of D20-2021-023. I trust this meets your information requirements at this time. Should you have any questions, please contact the undersigned.



Sincerely,

Erin McGregor

Resources Planner Technician
Kawartha Conservation

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

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

Our Watershed Partners:

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(page 2 of 3)

3.2 Reasons:

1. Building #5 Residence purchased with variance set back approved with initial purchase 1999. Building permit is for changing waterside bedroom roof from a low sloped roof to a peaked roof. Construction of new roof requires changing wall studs from 2" x 4" studs to 2" x 6" studs. Replacing these studs will not bring wall closer to the waterside, 2" difference will be accommodated on interior bedroom floor area. From the high-water mark to the foundation of residence building #5 has an elevation rise above water level of 4.15m, as well as the current 12.5m horizontal distance from the high-water mark. There is also a retaining wall at the waterfront preventing any erosion from high water levels.

2. Building #2 Greenhouse was constructed a further distance from waterfront as previously Approved Variance dated August 2000 for smaller tin shed with initial property purchase July 1999. From the high-water mark to the foundation of the greenhouse building #2 has an elevation rise above water level of 3.96m, as well as the current 12.5m horizontal distance from the high-water mark. Kawartha Conservation streamlined permit has been acquired for the current location of the greenhouse building #2. Contractor reviewed potential movement of greenhouse building #2 back 2.5m from high-water mark using a crane and due to the position of the powerline between the garage and the greenhouse prevents crane access. The repositioning of the greenhouse not using a crane was also evaluated and since the lake side slope at the foundation would risk having the greenhouse potentially fall to the water side during an attempt to move 2.5m back from the water and up 0.35m in elevation. There is also a retaining wall at the waterfront preventing any erosion from high water levels.

3. Seeking relief to increase the number of permitted accessory buildings to 4 with respect to our minimal lot coverage increase 8.0% to 8.06%. (Accessory Building #1 – Storage Shed, Building #2 – Greenhouses Storage Shed, Building #3 Boathouse, Building #4 Garage.) We are seeking the increase in accessory building number from 3 to 4 buildings as we do not have a basement for storage and only have a limited cold crawlspace on a small portion of our home. Our home living space is only 94.87 m² (1021 ft²), hence the need for accessory building storage space. This is a cold and not waterproof crawlspace. As well, our boathouse is unsuitable storage as it is quite damp most of the year. Items often get moldy if stored in this Boathouse Building #3. We utilize Storage Shed #1, Greenhouse Storage Shed #2 and our one car Garage Building #4 for outdoor recreation equipment (SUP Boards, lifejackets, fishing gear, etc.) and beekeeping supplies. We are recreational beekeepers and store our beekeeping equipment in the garage and in ½ of Storage Shed #1.

APPENDIX " G "
to
REPORT COA 2021-033
FILE NO. D20-2021-023

Attachment#10 (1 page)

Jason & Kristen Babcock
17 Lila Court
Omemee, ON
K0L 2W0

Phone# 905 441-4723 (Jason)

Re: Minor Variance Application for 15 Lila Court

To Whom it May Concern:

As per section 3.1.2.2 of the Comprehensive Zoning By-law "Location".

We have been informed by William Battersby and Susan Inkersell that their current location of the Building #2 Greenhouse Storage shed does not meet the 1.0 metre shared side lot line. William and Susan have informed us that the current distance from the side lot line is 0.45 metres. They have discussed this with us and we have no issue with the Greenhouse remaining in its current location. The building is aesthetically pleasing and does not block our water view in any way. We want this letter to be included in the support for their review of their Variance request.

Jason Babcock  Date: MARCH 18/2021

Kristen Babcock  Date: MARCH 18/2021

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Davis

Report Number COA2021-034

Public Meeting

Meeting Date: May 20, 2021

Time: 1:00 pm

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

Ward: 4 – Geographic Township of Mariposa

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

1. Section 3.1.2.1 to permit an accessory building (detached garage) within the front yard whereas a side or rear yard location is required,
2. Section 8.2.1.4 to increase the maximum permitted lot coverage from 5% to 9.6%; and
3. Section 3.18.5.1(a) to reduce the minimum building setback from the Environmental Protection (EP) Zone from 15 metres to 2.1 metres.

The variance is requested at 1193 Salem Road, geographic Township of Mariposa (File D20-2021-024).

Author: David Harding, Planner II, RPP, MCIP

Signature: 

Recommendation:

Resolved That Report COA2021-034 Davis, be received;

That minor variance application D20-2021-024 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix 'C' and elevation in Appendix 'D' submitted as part of Report COA2021-034, which shall be attached to and form part of the Committee's Decision;
- 2) **That** within a period of twenty-four (24) months after the date of the Notice of Decision the owner shall provide photographic evidence to the Secretary-Treasurer that the temporary storage shelter within the front yard 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 COA2021-034. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The owner proposes to demolish the existing 7.62 x 7.62 metre (25' x 25') detached garage, constructed circa 1966, and replace it with a larger 9.14 x 12.19 metre (30' x 40') detached garage.

This application was deemed complete March 29, 2021.

Proposal: To permit a new detached garage.

Owner: Thomas Davis

Legal Description: South Part Lot 20, Concession 6, geographic Township of Mariposa, City of Kawartha Lakes

Official Plan: "Prime Agricultural" within the City of Kawartha Lakes Official Plan

Zone: "Agricultural (A1) Zone" within the Township of Mariposa Zoning By-law 94-07

Site Size: 2,022.66 square metres (0.49 acre)

Site Servicing: Private individual well and septic system

Existing Uses: Residential

Adjacent Uses: North, South, East: Agricultural
West: Mariposa Brook

Rationale:

1) Are the variances minor in nature? Yes

And

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

The subject property is situated in an agricultural area. The Mariposa Brook and its forested floodplain is to the west. There are other rural residential lots along the road, but they are not in the area immediately surrounding the subject property. The property is narrow and deep, containing a modest single detached dwelling set back from the road.

The detached garage is proposed to provide additional storage on the lot for various vehicles and household items, but in particular will store a vintage bus that is approximately 30' (9.1 metres) long which has been converted into a motorhome. Most of these items and vehicles are currently stored within the front yard outdoors or within a temporary shelter. The owner has advised that the temporary shelter will be removed once the garage is constructed.

The front yard of the dwelling has a more utilitarian nature. The front yard is used for the storage of items and vehicles, as is evident from the presence of the existing detached garage and parking pad to its east. Having a storage use within this area continues to provide between the parking area, storage area, and dwelling, and maintains the rear yard as open amenity space.

The larger garage will be situated further back from the front lot line, which will assist in mitigating its increased mass, while also providing additional maneuvering room between the driveway entrance and garage door. Appendix "D" provides an elevation of the garage face proposed to face the road along with the cladding treatments, consisting of stone along the bottom of the building to break up the façade and add visual interest.

The lot is sufficiently sized to accommodate the proposed increase to lot coverage.

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 "Agricultural (A1) Zone" within the Township of Mariposa Zoning By-law 94-07. The A1 Zone permits dwellings on existing lots of record not exceeding 1 hectare in area that were not created by consent to utilise the RR1 setback provisions for the construction of a single detached dwelling. However, the 5% maximum lot coverage provision of the A1 Zone continues to apply.

As the zoning by-law permits the utilisation of the RR1 Zone setback provisions on a rural residential lot within the A1 Zone, it is reasonable to permit a higher lot coverage, as the rural residential lot by its nature is going to be smaller, and thus development of a reasonably sized dwelling and/or accessory building will likely require relief if the lot is not sufficiently large. The increase in lot coverage permits the lot to be used residentially, and is not anticipated to adversely affect the use of the property or character of the area.

The property is narrow and deep, and the dwelling is set well back from the road at about 36 metres. While there is some room between the dwelling and side lot lines for vehicles, the sewage system occupies a large portion of the rear yard, which would make it difficult to construct a garage, maneuver vehicles, and due to the curvature of the brook would actually bring the built form closer to the water. There is also an existing parking pad to the east of the current garage.

The environmental restrictions within the General Provisions appear to have been written on the premise that the EP Zone represents the extent of water or other environmental feature of significance. The function of Section 3.18.5 is therefore to provide a minimum buffer around the feature of interest, and require review where encroachment into the buffer is proposed. In this case, it is the brook which is the feature of interest. The EP Zone is extended to the lands on either side of Mariposa Brook. As the sketch in Appendix "C" reveals, the minimum water setback is exceeded, as 19 metres is proposed between the garage and edge of the brook. The KRCA have reviewed the proposal and have confirmed that a permit for the garage project has been issued. Therefore, the intent of the zoning by-law is being met as the minimum water setback requirement is being exceeded.

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 (Official Plan). The designation recognizes the existence of older rural residential lots created across the agricultural landscape.

Section 3.11 permits buildings and structures to be up to 15 metres from the water on existing lots of record provided development is directed away from the water to the extent possible. The garage exceeds the minimum water setback requirement by proposing 19 metres.

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

Other Alternatives Considered:

Through the pre-screening process the footprint of the garage was shifted north in order to provide additional maneuvering space between the driveway and garage door for the larger vehicle(s) to be stored within the garage.

Servicing Comments:

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

Consultations:

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

Agency Comments:

Building Division (May 6, 2021): No comments.

Development Engineering Division (May 7, 2021): No objection.

Kawartha Region Conservation Authority (May 11, 2021): No concerns

Public Comments:

No comments received as of May 11, 2021.

Attachments:



Appendices A-E to
COA2021-034

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

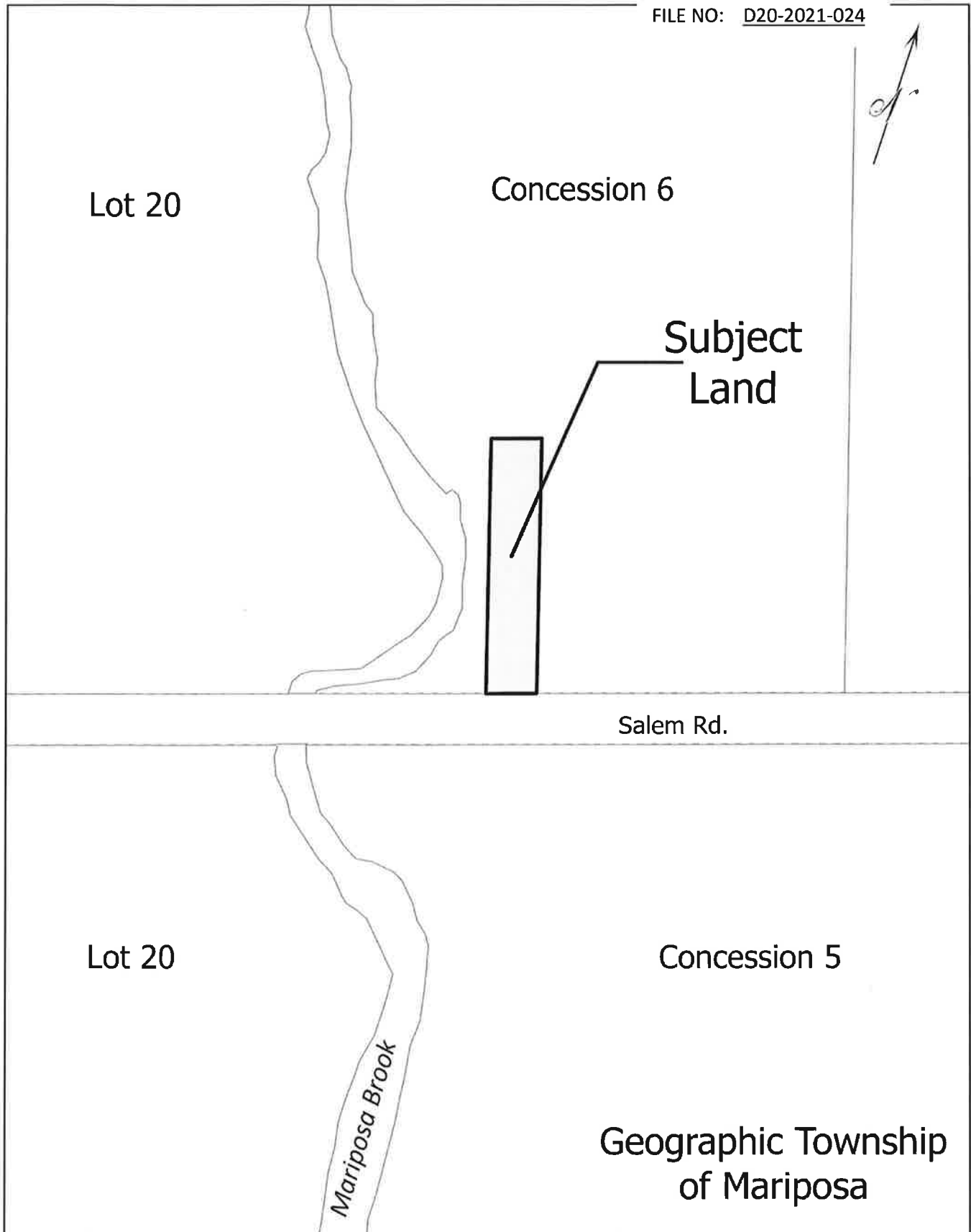
Phone: 705-324-9411 extension 1206
E-Mail: dharding@kawarthalakes.ca
Department Head: Richard Holy, Acting Director of Development Services
Department File: D20-2021-024

D20-2021-024

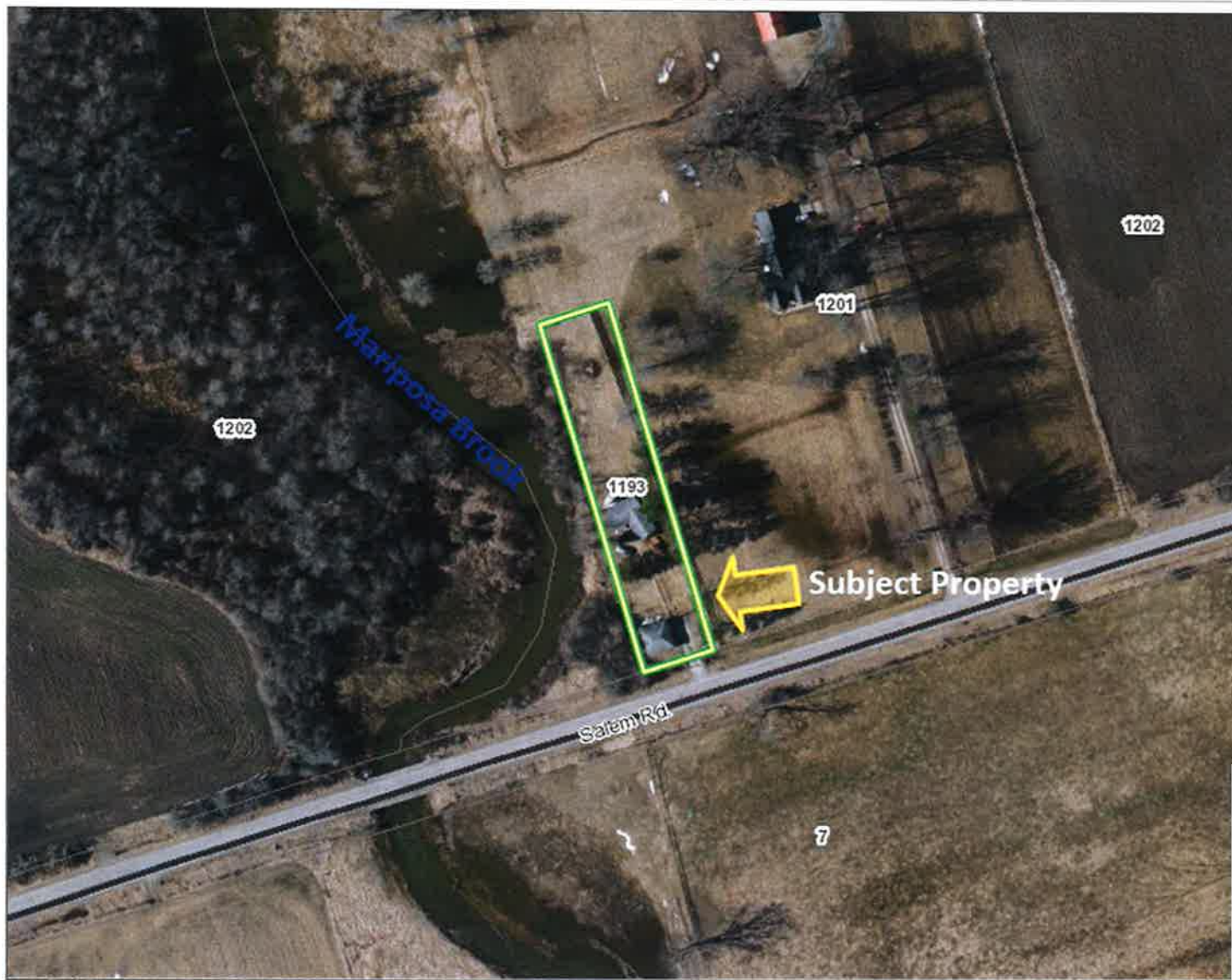
to

REPORT COA2021-034

FILE NO: D20-2021-024



1193 Salem Road, geographic Twp. of Mariposa



0.11 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



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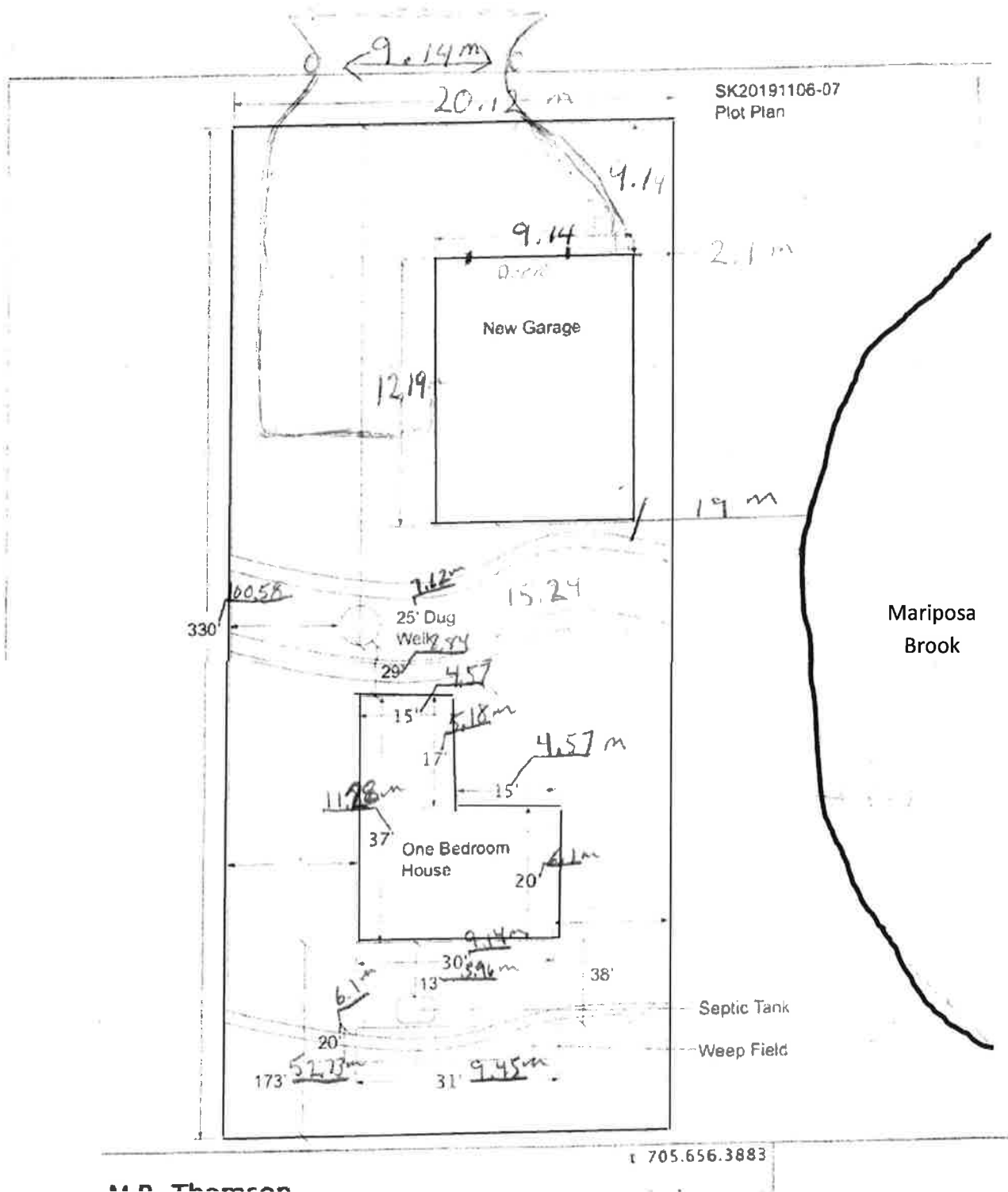
APPENDIX " B "
to
REPORT COA2021-034
FILE NO: D20-2021-024

to

REPORT COA2021-034

FILE NO: D20-2021-024

Salem Road

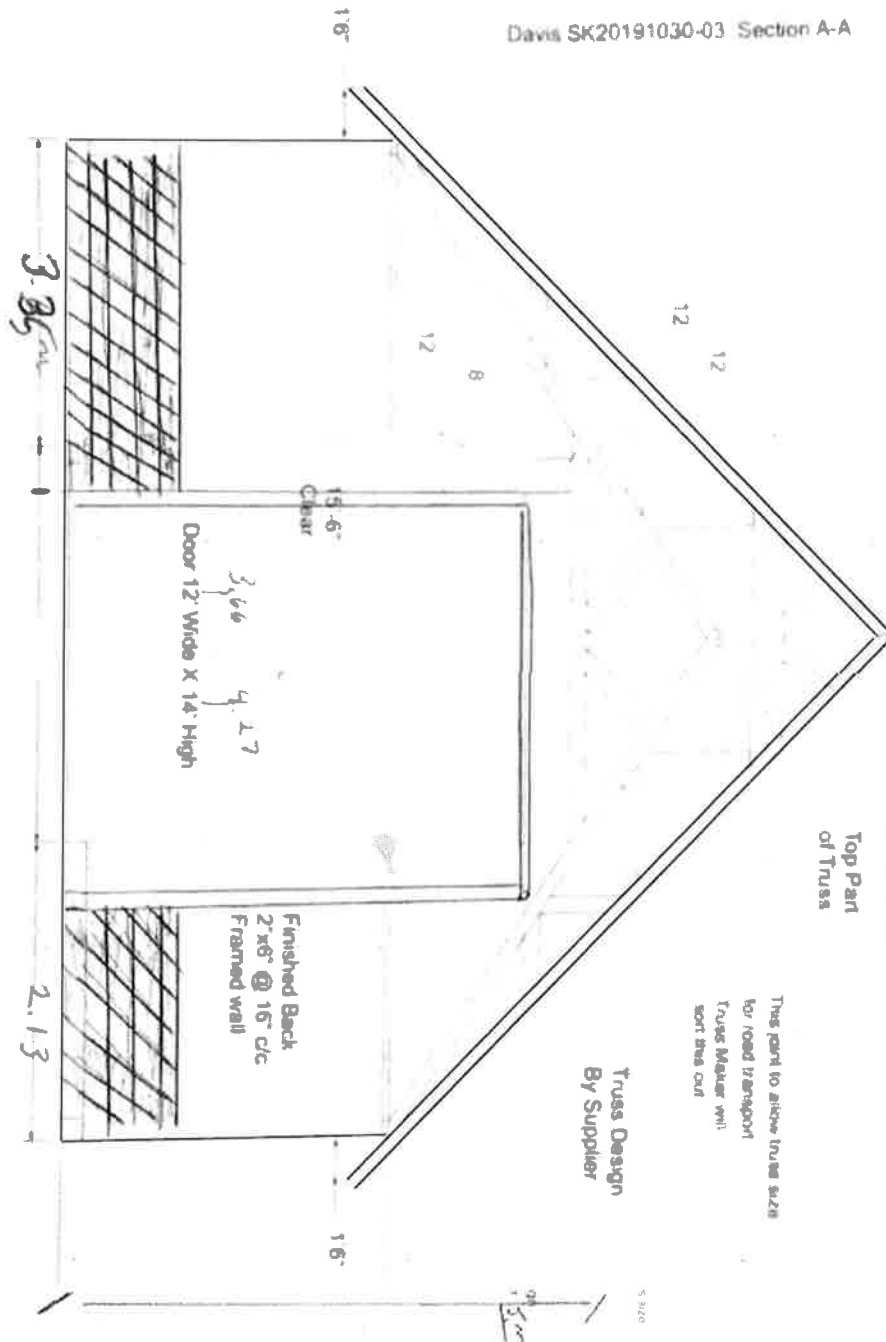


APPENDIX “ D ”

to

REPORT COA2021-034

FILE NO: D20-2021-024



David Harding

From: Derryk Wolven
Sent: Thursday, May 6, 2021 1:22 PM
To: Charlotte Crockford
Subject: Re: Notice of Public Hearing for Minor Variance, D20-2021-024, 1193 Salem Road, Mariposa

Follow Up Flag: Follow up
Flag Status: Flagged

APPENDIX " E
to
REPORT COA 2021-034
FILE NO. D20-2021-024

Building has no concern with the above noted application.

From: Charlotte Crockford
Sent: May 6, 2021 1:12:28 PM
To: 'Erin McGregor'; Christina Sisson; Kim Rhodes; 'alanna.boulton@canada.ca'; Andrew Veale; Susanne Murchison; Derryk Wolven
Subject: Notice of Public Hearing for Minor Variance, D20-2021-024, 1193 Salem Road, Mariposa
Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-024, 1193 Salem Road, Mariposa.

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

David Harding

From: Kim Rhodes
Sent: Friday, May 7, 2021 12:14 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Benjamin Courville
Subject: 20210507 D20-2021-024 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-024
1193 Salem Road
South Part Lot 20, Concession 6
Geographic Township of Mariposa

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

1. Section 3.1.2.1 to permit an accessory building (detached garage) within the front yard whereas a side or rear yard location is required,
2. Section 8.2.1.4 to increase the maximum permitted lot coverage from 5% to 9.6%; and
3. Section 3.18.5.1(a) to reduce the minimum building setback from the Environmental Protection (EP) Zone from 15 metres to 2.1 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



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.

KRCA File NO: PPLK-10059

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

**Regarding: Minor Variance Application
D20-2021-024
1193 Salem Road, Mariposa
Tom Davis**

Dear Ms. Crockford,

Kawartha Conservation has completed review of the above noted Minor Variance Application. submitted by Tom Davis. Kawartha Conservation has provided comments as per our MOU with the City of Kawartha Lakes to review the application with respect to Natural Heritage, Watershed Management, and Natural Hazards.

Our comments are as follows:

Application Purpose:

It is Kawartha Conservation's understanding that the purpose and effect of Minor Variance Application D20-2021-024 is to request relief from the Township of Mariposa Zoning By-law 94-07 in order to permit the construction of a detached garage:

- Section 3.1.2.11o permit an accessory building (detached garage) within the front yard whereas a side or rear yard location is required,
- Section 8.2.1.4 to increase the maximum permitted lot coverage from 5% to 9.6%; and
- Section 3.18.5.1(a) to reduce the minimum building setback from the Environmental Protection (EP) Zone from 15 metres to 2.1 metres.

Site Characteristics:

No natural heritage features are mapped on the property, but it is within the area of interference of an adjacent wetland.

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

Our Watershed Partners:

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

Applicable Kawartha Conservation Regulation and Policies

Ontario Regulation 182/06 (as amended):

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

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

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

Development is defined as:

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

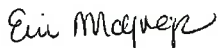
The applicant has obtained a permit from our office for the construction of the garage (Permit # 2020-016).

Recommendation:

Kawartha Conservation has no concern with the approval of D20-2021-024. I trust this meets your information requirements at this time. Should you have any questions, please contact the undersigned.

Sincerely,

Erin McGregor



Resources Planner Technician
Kawartha Conservation

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

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

Our Watershed Partners:

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

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Pollard

Report Number COA2021-035

Public Meeting

Meeting Date: May 20, 2021

Time: 1:00 pm

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

Ward: 1 – Geographic Township of Bexley

Subject: The purpose and effect is to request relief from Section 12.2.1.3 (b) to reduce the minimum interior side yard from 1.2 metres to 1.1 metres to permit the construction of a single detached dwelling.

The variance is requested at 39 Lakeview Cottage Road, geographic Township of Bexley (File D20-2021-025).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2021-035 Pollard, be received;

That minor variance application D20-2021-025 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix 'C' submitted as part of Report COA2021-035, which shall be attached to and form part of the Committee's Decision; and
- 2) **That** the building construction related to the minor variance shall be completed within a period of 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 COA2021-035. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: The surveyor's as constructed site plan confirmed that the foundation wall of the dwelling had been placed 0.09 metres too close to the south side lot line. The applicant advises that the foundation was placed in relation to the surveyor's benchmark, which was slightly south of the lot line.
This application was deemed complete April 16, 2021.

Proposal: To recognize a single detached dwelling.

Owner: Richard Pollard

Applicant: Emmett Yeo

Legal Description: 39 Lakeview Cottage Road, Lot 6 Lakeview Cottages, Plan 179, Part Lot 14, Range NWB, geographic Township of Bexley, City of Kawartha Lakes

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

Zone: "Rural Residential Type Three (RR3) Zone" within the Township of Bexley Zoning By-law 93-09

Site Size: 727 square metres (7,825.3 square feet)

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

Existing Uses: Shoreline Residential

Adjacent Uses: North, South: Shoreline Residential
East: Balsam Lake
West: Shoreline Residential Backlots

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 shoreline residential neighbourhood on the northwest side of Balsam Lake. The shoreline residential lots are on the east side of the road, and the residential backlots are on the west side. The lots on both sides appear to have been developed with a mix of seasonal and permanent dwellings.

The two storey dwelling under construction is slightly closer to the south lot line than permitted. Its southeastern corner is a bit closer to the lot line (1.11 metres) than its southwestern corner (1.17 metres).

The built form is not anticipated to cause any adverse massing impacts on the dwelling to the south, which has windows on its north-facing wall, as the degree

of encroachment into the south interior side yard is minimal, and is not anticipated to be perceptible.

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

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

The subject property is zoned "Rural Residential Type Three (RR3) Zone" within the Township of Bexley Zoning By-law 93-09. The RR3 zone permits single detached dwellings.

The interior side yard requirements are staggered, with a 3 metre requirement on one side and a 1.2 metre requirement on the other side. The wider side is anticipated to function in a way that allow vehicles to park beside the dwelling, and to allow for sufficient space for larger vehicles/items to pass between the front and rear yards such as boats, water toys, and construction equipment for shoreline/sewage/well work. The reduction is not impacting the intended function of this larger side yard.

The smaller side yard is sized to allow sufficient room to maintain the side of the dwelling and provide for adequate lot grading and drainage. The minimal reduction is not anticipated to cause adverse impacts for potential maintenance as it is not anticipated to be perceptible nor has Development Engineering raised any concerns.

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

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

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

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

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

The dwelling is served by a private individual sewage system and lake-based water supply.

Consultations:

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

Agency Comments:

Building Division (May 6, 2021): The building is required to have a 45 minute fire resistance ratings as per 9.10.15.5 of the Ontario Building Code.

Development Engineering Division (May 7, 2021): No objections.

Public Comments:

No comments received as of May 11, 2021.

Attachments:



Appendices A-D to
COA2021-035

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Department and Agency Comments

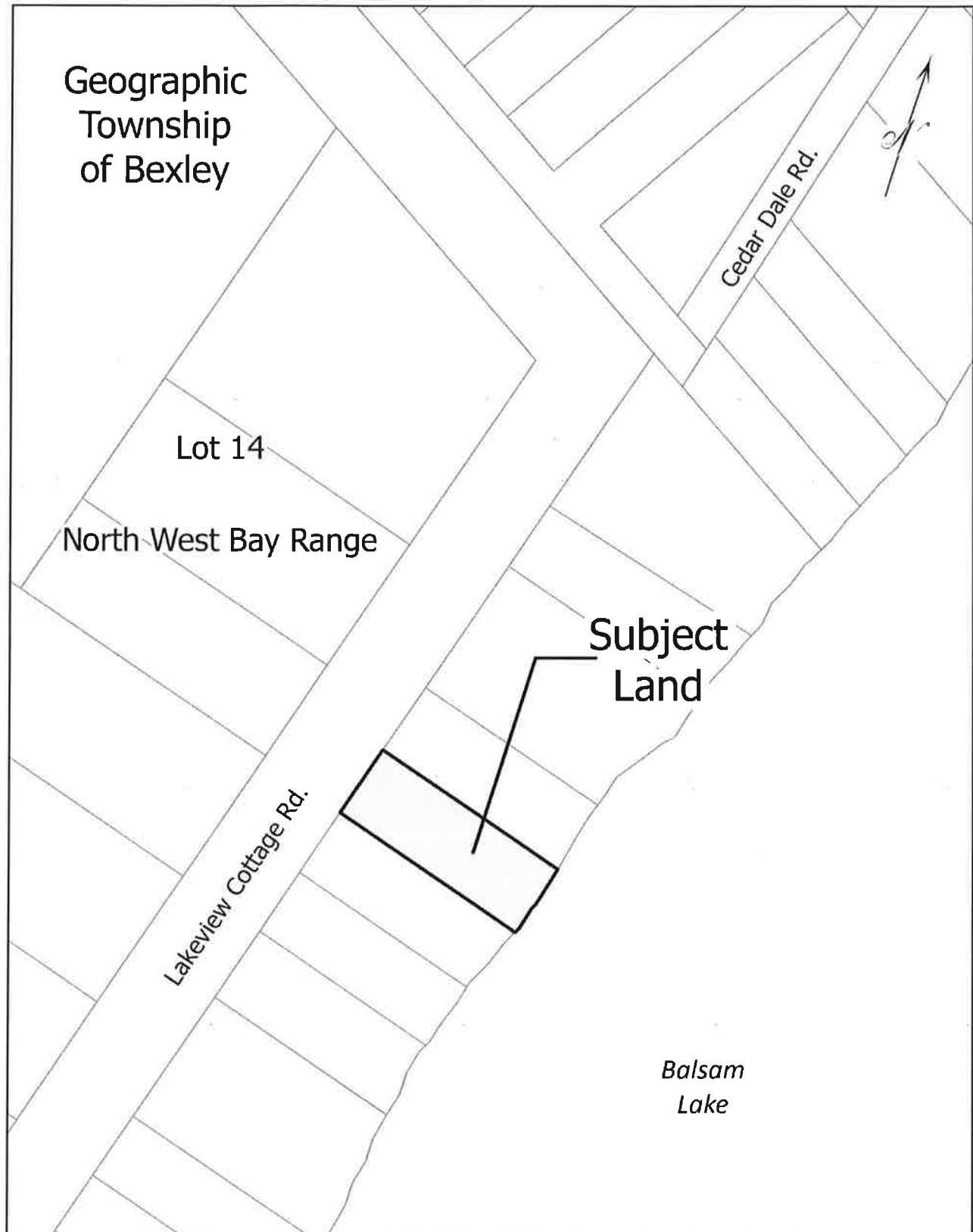
Phone:	705-324-9411 extension 1206
E-Mail:	dharding@kawarthalakes.ca
Department Head:	Richard Holy, Acting Director of Development Services
Department File:	D20-2021-025

to

REPORT COA2021-035

FILE NO: D20-2021-025

D20-2021-025



39 Lakeview Cottage Road, geographic Twp. of Bexley



0.07

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



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APPENDIX " B "
to
REPORT COA2021-035
FILE NO: D20-2021-025



David Harding

From: Derryk Wolven
Sent: Thursday, May 6, 2021 1:31 PM
To: Charlotte Crockford
Subject: Re: Notice of Public Hearing for Minor Variance D20-2021-025, 39 Lakeview Cottage Road, Bexley

APPENDIX D

Follow Up Flag: Follow up
Flag Status: Flagged

to
REPORT COA2021-035

Building is required to have a 45minute fire resistance rating as per 9.10.15.5 of OBC. FILE NO. D20-2021-025

From: Charlotte Crockford
Sent: May 6, 2021 1:19:55 PM
To: Christina Sisson; Kim Rhodes; 'alanna.boulton@canada.ca'; Emmett Yeo; Susanne Murchison; Derryk Wolven
Subject: Notice of Public Hearing for Minor Variance D20-2021-025, 39 Lakeview Cottage Road, Bexley
Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-025, 39 Lakeview Cottage Road, Bexley.

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

David Harding

From: Kim Rhodes
Sent: Friday, May 7, 2021 12:15 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Benjamin Courville
Subject: 20210507 D20-2021-025 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-025
39 Lakeview Cottage Road
Lot 6 Lakeview Cottages, Plan 179, Part Lot 14, Range NWB
Geographic Township of Bexley

It is the understanding by Engineering that the purpose and effect is to request relief from Section 12.2.1.3 (b) to reduce the minimum interior side yard from 1.2 metres to 1.1 metres 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.

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Michelle Thompson
Report Number COA2021-036

Public Meeting

Meeting Date: May 20, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 1 – Geographic Township of Eldon

Subject: The purpose and effect is to request relief from the following provisions in order to permit the construction of an addition to an existing detached dwelling as well as a new partially enclosed deck:

Detached Dwelling

1. Section 13.2.1.3 a) to reduce the minimum front yard setback from 7.5 metres to 4.1 metres,

Deck

2. Section 3.1.3.1 to increase the maximum lot coverage for all accessory buildings and structures, excluding outdoor swimming pools, from 10% to a maximum of 100 square metres for a lot within the Limited Service Residential (LSR) Zone to 103.91 square metres.

The variances are requested at 27 North Taylor Road, geographic Township Eldon (File D20-2021-026).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2021-036 Thompson, be received;

That minor variance application D20-2021-026 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketches in Appendices C-D submitted as part of Report COA2021-036, 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 COA2021-036. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background:	<p>The applicant initially proposed a reduced front yard setback back associated with the construction of a new ground floor addition (mudroom) through a pre-screening application submitted in February 2021.</p> <p>Through the pre-screening process, an additional relief pertaining to the maximum lot coverage for accessory buildings and structures was identified.</p> <p>The application was deemed complete on April 2, 2021.</p>
Proposal:	<p>To construct a 5.95 square metre (64 square feet) addition to an existing shoreline residential dwelling along with a 46.29 square metre (498.26 square feet) partially enclosed wooden deck.</p>
Owner:	<p>Michelle Thompson</p>
Legal Description:	<p>27 North Taylor Road, Part Lot 52, North of Portage Road Range, geographic Township of Eldon, City of Kawartha Lakes</p>
Official Plan:	<p>Waterfront within the City of Kawartha Lakes Official Plan</p>
Zone:	<p>Limited Service Residential (LSR) Zone within the Township of Eldon Zoning By-law 94-14</p>
Site Size:	<p>1,340 square metres (14,423.64 square feet)</p>
Site Servicing:	<p>Private individual well and private septic system</p>
Existing Uses:	<p>Shoreline Residential</p>
Adjacent Uses:	<p>North: Mitchell Lake South: Rural Residential, North Taylor Road, Portage Road West: Shoreline Residential East: Shoreline Residential</p>

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 an island in Mitchell Lake, east of where Canal Lake flows into Mitchell Lake at Portage Road. Many of the dwellings along North Taylor Road in this neighbourhood were constructed prior to the 1970's and are smaller in size and height. Many are less than 185 square metres in area. The subject property and the property to the east, 31 North Taylor Road, are older one-storey dwelling units. The property to the west at 25 North Taylor Road is a two-storey, newer build. It is anticipated that this neighbourhood will experience a change in built-form over time trending towards larger, higher dwellings. The dwelling is being raised to accommodate a basement that will effectively double the Gross Floor Area (GFA) of the existing dwelling and provide a walkout to the rear yard. The proposed partially enclosed deck will effectively serve as an extension of the main floor and provide additional amenity space.

The topography of the front yard slopes to the north and towards the front of the dwelling from the road. Since the owner intends on raising the dwelling to accommodate a basement, the addition (mudroom) will be level with the grade once raised. The ground then plateaus where the existing cottage is before sloping towards the shoreline. There is a boathouse that was constructed in 1965 (according to MPAC) that is currently under construction and is being shifted to the east to comply with the side yard setback requirement for boathouses. A detached garage constructed in 2004 (according to MPAC) is located immediately to the east of dwelling.

The front yard is screened from the west by a row of conifers delineating the western property line and cedar hedge is planted running parallel to the front lot line. Both vegetative buffers assist in concealing any intrusion presented through the small addition to the front yard. Moreover, there is no uniform established building line for the front yards along North Taylor Road and the encroachment is minor enough to blend in with this trend.

As the dwelling does not currently have a front entrance, the addition will enable direct access from the driveway. As mentioned, the construction of the partially enclosed deck will increase the rear yard amenity space by offering a level place to enjoy the waterfront views.

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 Limited Service Residential (LSR) Zone in the Township of Eldon Zoning By-law 94-14. The LSR Zone permits both single detached dwellings as well as vacation dwellings.

The intent of the front yard setback is to provide separation between the road and residential uses; however, North Taylor Road does not appear to experience a lot of traffic due to the proximity to the arterial Portage Road. There are no anticipated land use compatibility issues presented to the front yard-to-road interface, as more than four (4) metres exists between the limit of the addition to the front property line and there is a cedar hedge present delineating the approximate limit of the front lot line. Through raising the dwelling, the prominence of the south face of the dwelling will be increased; however, the addition will not impose onto the streetscape.

The General Provisions set a maximum coverage of 10% for accessory buildings or structures to a maximum of 100 square metres in the LSR Zone. On smaller residential properties, the provision can substantially restrict the ability to construct sufficiently sized buildings or structures. The proposal complies with the total maximum lot coverage provision within the LSR Zone category and is less than the percentage threshold for accessory coverage at 7.75%. The deck is also compliant with the water yard setback. The small increase of 3.91 square metres over the maximum 100 square metre provision is negligible, as the increased lot coverage does not impair the area of available landscaped amenity space or the appearance of the property. There is ample spatial separation between the boathouse, deck and detached garage.

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

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

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

The proposed addition and wooden deck will be at least 30 metres away from the shoreline, satisfying Policy 3.11, which directs development away from the shoreline wherever possible and establishes a minimum water setback of 15 metres.

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

Other Alternatives Considered:

No alternatives were considered through this application.

Servicing Comments:

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

Consultations:

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

Agency Comments:

Engineering and Corporate Assets Division (May 7th, 2021): No objections.

Building and Septic Division (May 6th, 2021): Building and Septic Division has no concerns with the application.

Building and Septic Division (May 7th, 2021): The Supervisor of Part 8 Sewage Systems notes that a site visit was conducted to review the proposal and location of the construction as it relates to the sewage system. A sewage system installation permit has been issued for this property under file E-15-95. The sewage system is located at a clearance distance to the dwelling that it will not be hindered by the proposal. As well, the proposal will not cause a capacity or component issue for the existing sewage system.

As such, the Building and Septic Division has no objection to the proposed minor variance as it relates to private on-site sewage disposal.

Public Comments:

No comments received as of May 12, 2021

Attachments:



Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch
Appendix D – Applicant's Drawings (Elevations)
Appendix E - 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:	D20-2021-026

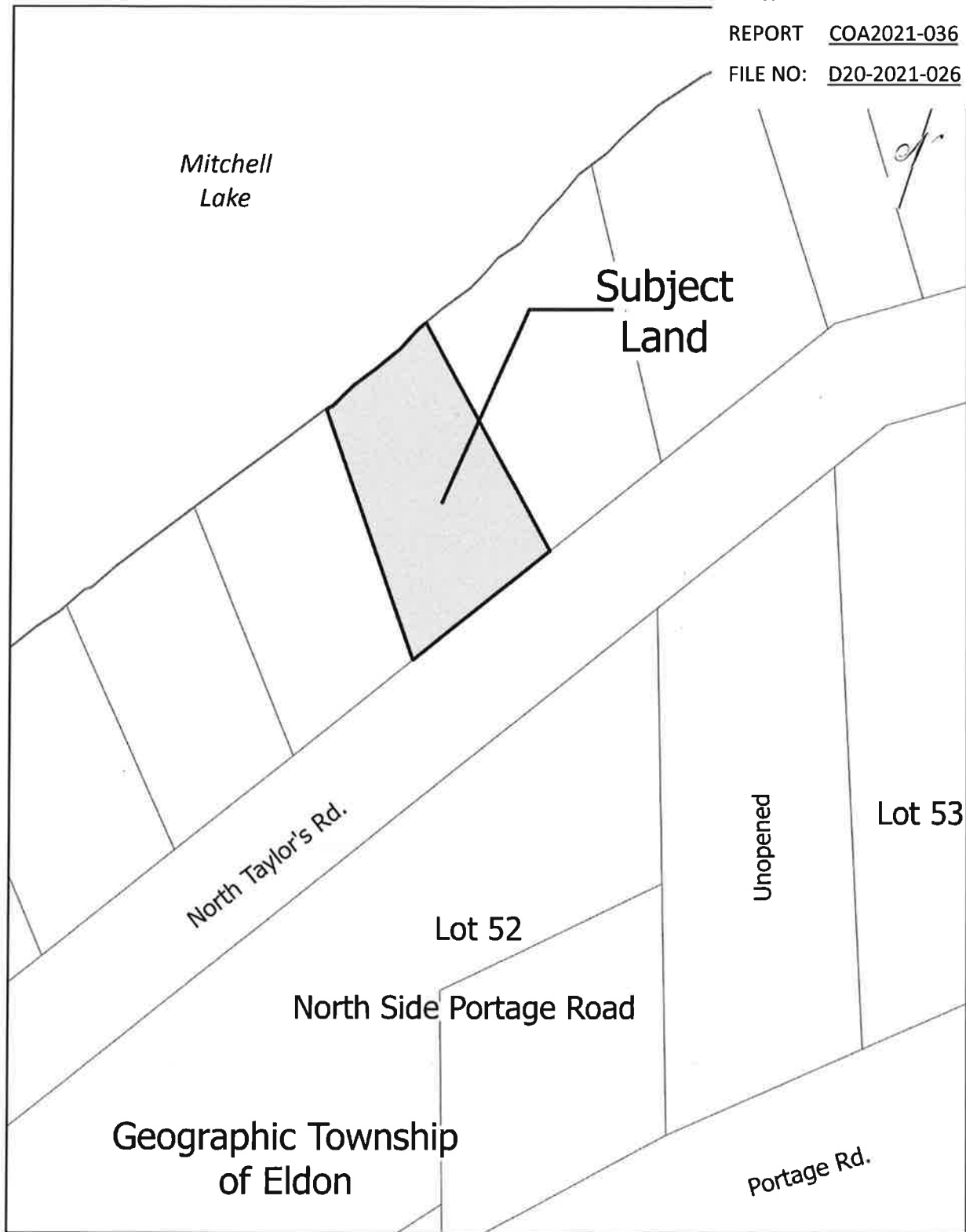
D20-2021-026

APPENDIX " A "

to

REPORT COA2021-036

FILE NO: D20-2021-026





Legend

☐ Property Roll Number

Notes

Notes

APPENDIX " B "
to
REPORT COA2021-036
FILE NO: D20-2021-026

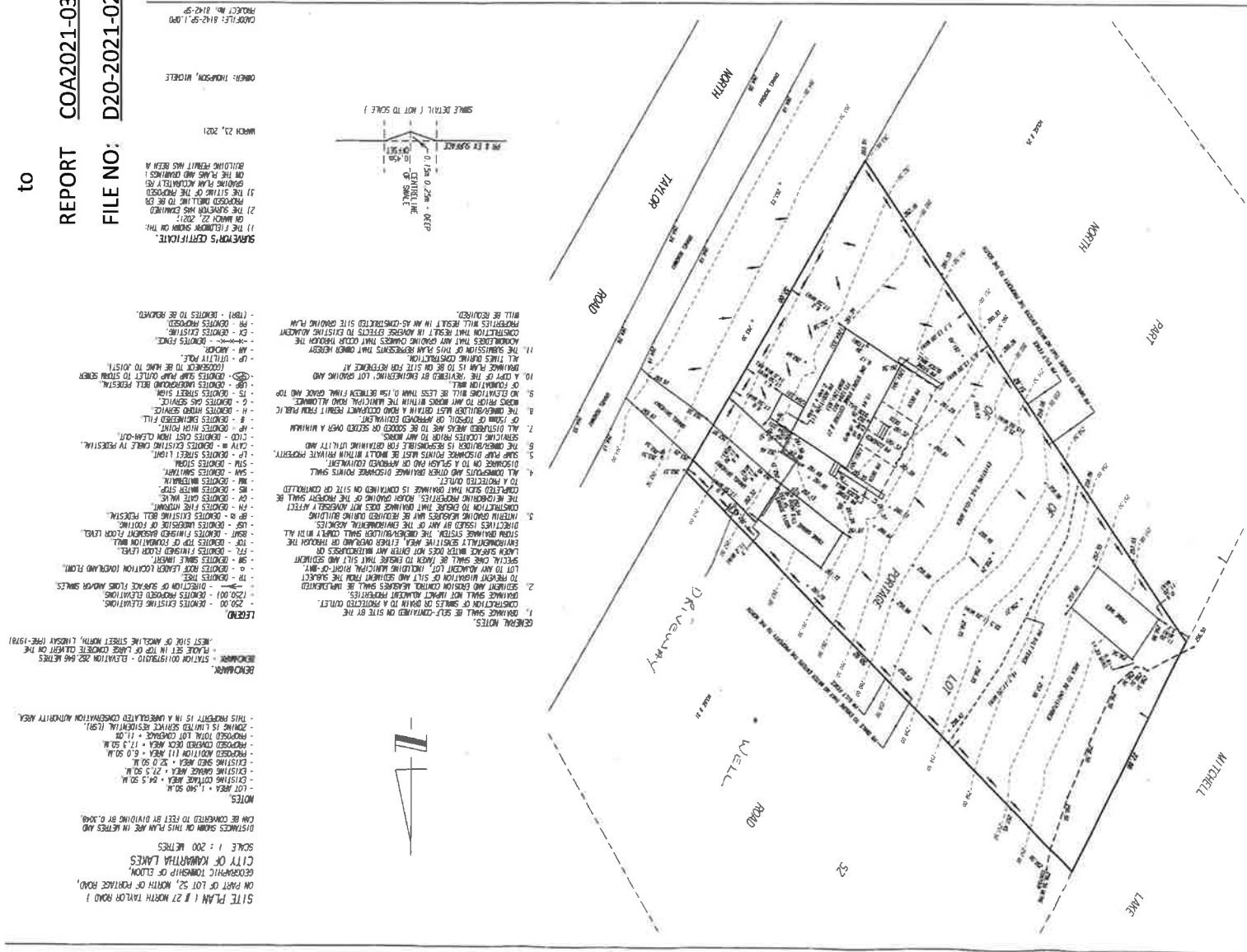
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WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes

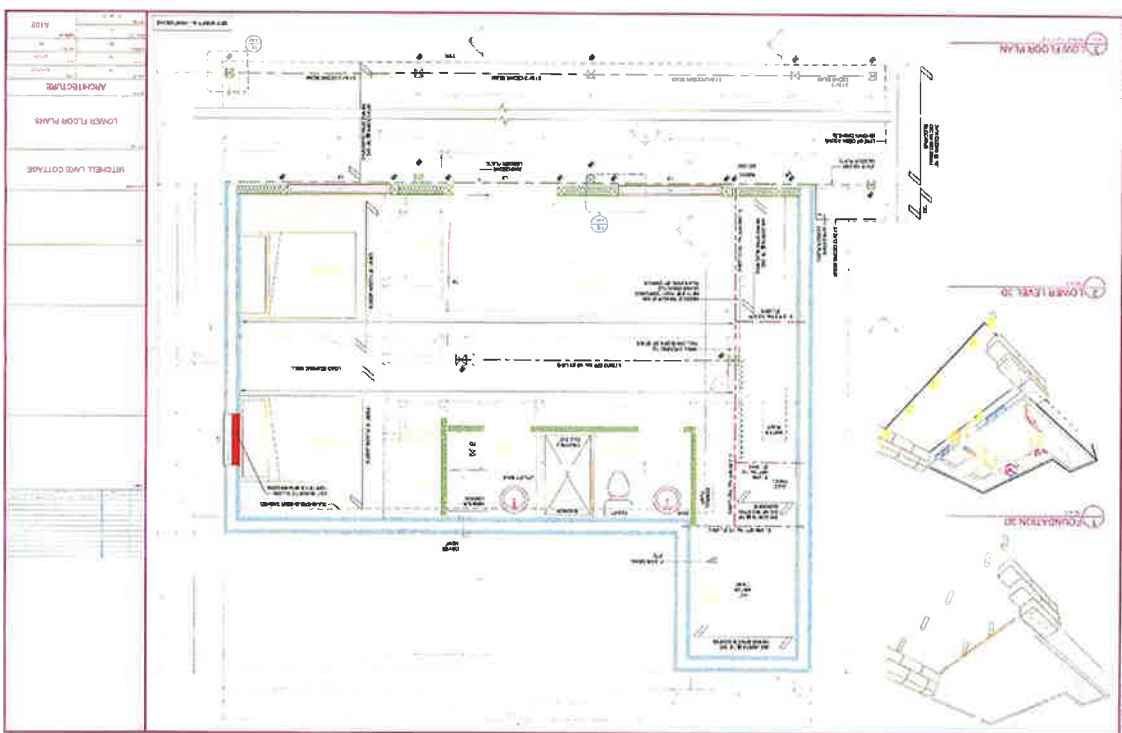
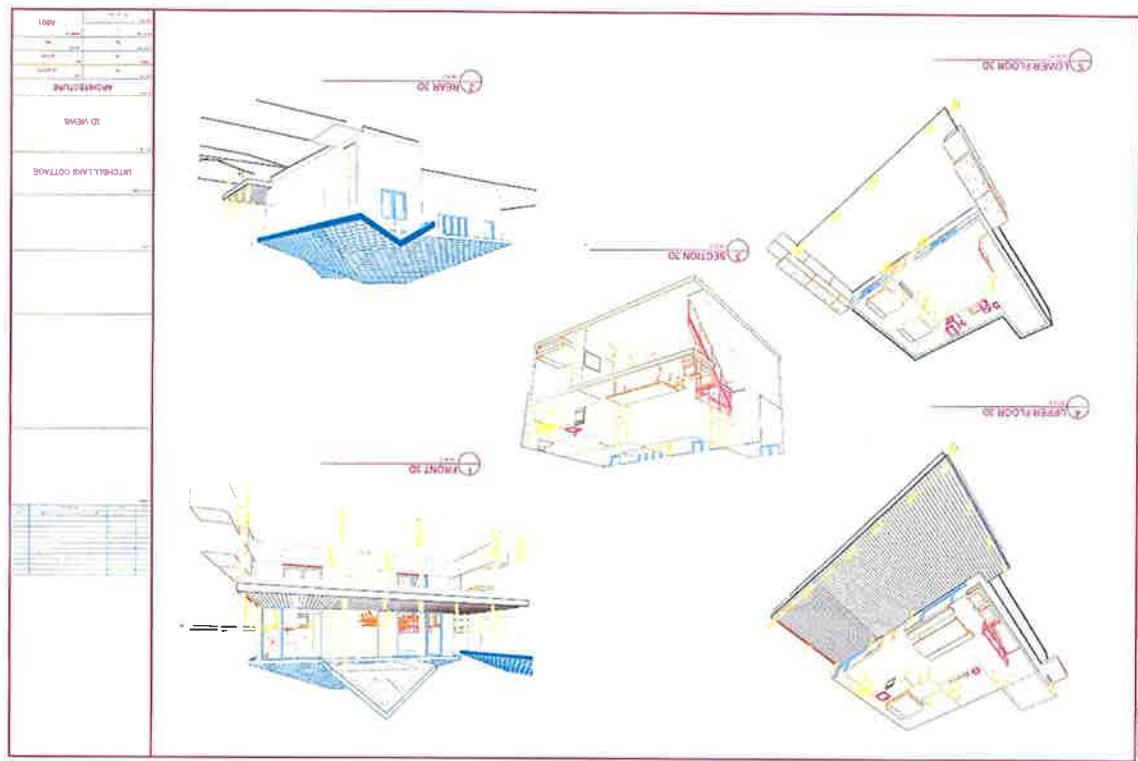


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REPORT	<u>COA2021-036</u>
FILE NO:	<u>D20-2021-026</u>





Kent Stainton

From: Kim Rhodes
Sent: Friday, May 7, 2021 12:15 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Benjamin Courville
Subject: 20210507 D20-2021-026 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-026
27 North Taylor Road
Part of Lot 52, Range North of Portage Road
Geographic Township of Eldon

APPENDIX " E "
to
REPORT COA 2021-036
FILE NO. D20-2021-026

It is the understanding by Engineering that the purpose and effect is to request relief from the following provisions in order to permit the construction of an addition to an existing detached dwelling as well as a new partially enclosed deck:

Detached Dwelling

1. Section 13.2.1.3 a) to reduce the minimum front yard setback from 7.5 metres to 4.1 metres,
2. Section 13.2.1.7 to reduce the minimum Gross Floor Area (minimum per dwelling unit) from 74 square metres to 70.5 square metres,

Deck

1. Section 3.1.3.1 to increase the maximum lot coverage for all accessory buildings and structures, excluding outdoor swimming pools, from 10% to a maximum of 100 square metres for a lot within the Limited Service Residential (LSR) Zone to 103.91 square 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

Kent Stainton

From: Anne Elmhirst
Sent: Friday, May 7, 2021 7:35 PM
To: Charlotte Crockford
Subject: RE: Notice of Public Hearing for Minor Variance D20-2021-026, 27 North Taylor Road, Eldon

Hello Charlotte,

I have received and reviewed the application for minor variance D20-2021-026 for 27 North Taylor Road to permit a reduced front yard setback, a reduced gross floor area and an increased maximum lot coverage for accessory structures.

A site visit was conducted to review the proposal and location of the construction as it relates to the sewage system. A sewage system installation permit has been issued for this property under file E-15-95. The sewage system is located at a clearance distance to the dwelling that it will not be hindered by the proposal. As well, the proposal will not cause a capacity or component issue for the existing sewage system.

As such, the Building and Septic Division has no objection to the proposed minor variance as it relates to private 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.

From: Charlotte Crockford
Sent: Thursday, May 6, 2021 1:26 PM
To: Christina Sisson ; Kim Rhodes ; 'alanna.boulton@canada.ca' ; Emmett Yeo ; Susanne Murchison ; Derryk Wolven ; Anne Elmhirst ; 's.filson@lsrca.on.ca'
Subject: Notice of Public Hearing for Minor Variance D20-2021-026, 27 North Taylor Road, Eldon

Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-026, 27 North Taylor Road, Eldon.

Many thanks

Kent Stainton

From: Derryk Wolven
Sent: Thursday, May 6, 2021 1:40 PM
To: Charlotte Crockford
Subject: Re: Notice of Public Hearing for Minor Variance D20-2021-026, 27 North Taylor Road, Eldon

Follow Up Flag: Follow up
Flag Status: Flagged

Building division has no concern with the above noted application.

From: Charlotte Crockford
Sent: May 6, 2021 1:26:14 PM
To: Christina Sisson; Kim Rhodes; 'alanna.boulton@canada.ca'; Emmett Yeo; Susanne Murchison; Derryk Wolven; Anne Elmhirst; 's.filson@lsrca.on.ca'
Subject: Notice of Public Hearing for Minor Variance D20-2021-026, 27 North Taylor Road, Eldon
Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-026, 27 North Taylor Road, Eldon.

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 – Karen Burgess
Report Number COA2021-037

Public Meeting

Meeting Date: May 20, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 1- Geographic Township of Bexley

Subject: The purpose and effect is to request relief from Section 13.2.1.3 e) to reduce the minimum water setback from 15 metres to 8.52 metres in order to permit the construction of a one-storey replacement dwelling and attached wooden deck.

The variance is requested at 93 Shadow Lake Road 53, geographic Township of Bexley (File D20-2021-027).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2021-037 Burgess, be received;

That minor variance application D20-2021-027 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketches in Appendices C - D submitted as part of Report COA2021-037, 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 owner shall submit to the Secretary-Treasurer photographic evidence confirming that the existing garden shed to the northeast of the existing cottage 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 COA2021-037. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The applicant submitted a pre-screening application for review of a replacement dwelling and associated wrap-around deck involving a reduced water setback in December of 2020.

Through the pre-screening process, the location of the septic system was changed and an alternative configuration for the wrap-around deck and northern roofline was agreed upon.

The application was deemed complete on April 9, 2021.

Proposal: To construct a 177.48 square metre (1,910.48 square feet) replacement dwelling with a 59.73 square metre (643 square feet) wrap-around wooden deck.

Owner: Karen Burgess

Legal Description: 93 Shadow Lake Road 53, Part Lot 26, Gull River Range, Geographic Township of Bexley, City of Kawartha Lakes

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

Zone: Limited Service Residential (LSR) Zone within the Township of Bexley Zoning By-law 93-09.

Site Size: 1,553.74 square metres (16,724.32 square feet).

Site Servicing: Private lake draw and private septic system

Existing Uses: Shoreline residential

Adjacent Uses: North: Silver Lake, Shoreline residential
East: Gull River
South: Shoreline Residential, Rural
West: Shoreline Residential, Shadow Lake Road 53

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 on the southwestern shore of Silver Lake adjacent to the outlet to the Gull River. The property is accessed via a private easement for a right-of-way known as Shadow Lake Road 53. The neighbourhood is composed of seasonal as well as year-round residential uses. The subject property is the second-last lot on Shadow Lake Road 53. Single

storey and two-storey dwelling designs are found within the 8-10 waterfront lots along the private road.

The subject property is shaped like a parallelogram, lacking substantial width. An elevated single storey dwelling constructed in 1957 (according to MPAC) with a wrap-around wooden deck is located in the northeastern section of the property before the land slopes towards the shoreline. An accessory storage building is located to the west of the current dwelling and is proposed to remain following construction of the new-build. The replacement sewage system is proposed between the dwelling and Shadow Lake Road 53. Well-developed vegetative buffers comprised of cedar hedges and individual cedar trees demarcate the eastern and western property boundaries between the neighbouring properties. The screening also maintains privacy between the lots on either side of subject lands.

The footprint of the proposed replacement dwelling ensures the proposed wrap-around deck does not project further into the water setback, but allows for a sufficient size to transition between the main floor and the water yard. This minimal projection ensures as much area is preserved as possible for infiltration as well as amenity purposes.

The proposal ensures the maximum separation between the sewage system and shoreline possible. Further, the proposed one-storey design ensures a low profile in keeping with the established built form of nearby dwellings. This built form is more appropriate and in-character with the neighbourhood than a 2-3 storey dwelling.

The variance allows for the continued use of the lot with a footprint that recognizes, to the extent possible, the septic system and shoreline setbacks.

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

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

Yes

The subject property is zoned Limited Service Residential (LSR) Zone in the Township of Bexley Zoning By-law 93-09. Single detached and vacation dwellings are permitted within the zone category.

The intent of the water setback is to protect built form from natural hazards, and protect and enhance the ecological function of waterbodies by creating a buffer between built form and water for the establishment of vegetation. The setback reduction preserves as much of a buffer as possible given the configuration of the lot. Conformity with policies pertaining to buffer maintenance is discussed within the Official Plan test. Overall, the requirement for a new, advanced wastewater treatment system combined with its location results in a net benefit for Silver Lake and its ecosystem.

The presence of the existing accessory building prevents the dwelling from being situated further south in the lot without requiring relief from the interior

side yard requirements or presenting potential drainage impacts to the adjacent residential properties.

Upon conducting the site visit associated with the variance application, Planning staff identified a small garden shed located to the northeast of the single detached dwelling on the property that is non-compliant with the general provisions of the Zoning By-law. The owner has agreed to remove the garden shed during construction of the new dwelling. A condition is recommended in order to ensure the garden shed is entirely removed from the property.

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

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

Yes

The property is designated Waterfront within the City of Kawartha Lakes Official Plan. Residential uses are anticipated within this designation.

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

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

A. The 30 metre water setback cannot be met.

The property is 29.82 metres wide at the shoreline. In order to accommodate a driveway with adequate parking, the existing accessory building and the new septic system without presenting potential drainage implications to adjacent properties, staff is of the opinion that this condition is met.

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

The proposal acknowledges the extent of the existing encroachment towards the shoreline considering the constraints placed by the accessory shed, septic system footprint and driveway/parking on the subject lands.

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

The proposal attempts to direct the built form away from the shoreline and is an improvement over the original submission. Enhancement of the vegetation protection zone is a possibility instead of strictly a manicured lawn towards the shoreline. Kawartha Conservation encourages the owner to maintain a naturally vegetated shoreline through their comments found in Appendix E.

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

The lot drainage and grading plan shows this criterion is met.

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

The proposal acknowledges the existing limit of development within the water setback and does not encroach or expand further towards the shoreline. A lateral expansion is required in order to accommodate the septic system and lessen the vertical built form within the water setback.

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

The lot has insufficient width to comply with the water setbacks for both the dwelling and septic system. The intent of the policy is not to extinguish the residential use, but to improve upon shoreline setbacks when development or redevelopment occurs. Limited opportunity remains to further enhance the shoreline setback without increasing the overall height of the building or bringing the sewage system closer to the shoreline. A taller building presents a more prominent built form, contrary to the designation's other policies that encourage low profile development. Through placing the new sewage system between the shoreline and the dwelling would also direct leachate to run towards the lake, which is counter to the buffering policy to lessen environmental impacts.

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

Other Alternatives Considered: Through the pre-screening application, the applicant proposed a configuration in which the deck would encroach into the water setback further than the footprint of the existing deck. The configuration was modified so that the no encroachment was proposed.

A subsequent review of the elevation drawings revealed that the roofline projected past the limit of the deck footprint in a cantilevered manner. The roofline has been revised (see Appendix D) so that there is no projection past the footprint of the deck.

Servicing Comments: The property is serviced by a water line (lake draw) 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:

Engineering and Corporate Assets Department (May 7, 2021): No objections.

Building and Septic Division (May 7, 2021): No concerns. A lot grading and drainage plan will be required as part of the Building permit process.

Building and Septic Division – Part 8 Sewage Systems (May 7, 2021): A sewage system permit to install has been issued for this property. The sewage system is being located at the rear property line on the roadside of the lot. The proposed water setback will support servicing of the property with a private sewage disposal system.

As such, the Building and Septic Division has no objection to the proposed minor variance as it relates to private on-site sewage disposal.

Kawartha Region Conservation Authority (May 11, 2021): Kawartha Conservation has no concerns with the variance. The replacement dwelling should be at least 0.3 metres above the Regulatory Flood Elevation for Shadow Lake (no elevation was provided). Due to the reduced setback, Kawartha Conservation encourages the applicant to maintain a naturally vegetated shoreline. No permits are required as the property is outside of Kawartha Conservation's jurisdiction.

Public Comments: Comments from Darlene and Dana Brant of 89 Shadow Lake Road 53 were received on April 8, 2021 in support of the application as part of the complete application package. The comments can be found in Appendix F of the report.

Attachments:



Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch (Site Plan)
Appendix D – Applicant's Drawings (Elevations)
Appendix E – Department and Agency Comments
Appendix F – Public Comments

Phone: 705-324-9411 extension 1367
E-Mail: kstainton@kawarthalakes.ca
Department Head: Richard Holy, Acting Director of Development Services
Department File: D20-2021-027

D20-2021-027

APPENDIX " A "

to

REPORT COA2021-037

FILE NO: D20-2021-027

Geographic T
of Somerville

Lot 48

Broken Front Concession

Silver
Lake

Lot 26

Subject
Land

Shadow Lake Rd.. 53

Shadow Lake
Rd.. 28

Lot 25

Gull River Range

Geographic Township
of Bexley

93 Shadow Lake Road 53, Geographic Township of Bexlev



Legend

☐ Property Roll Number

Notes

Notes

APPENDIX " B "

to

REPORT COA2021-037

FILE NO: D20-2021-027

0.07

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



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

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

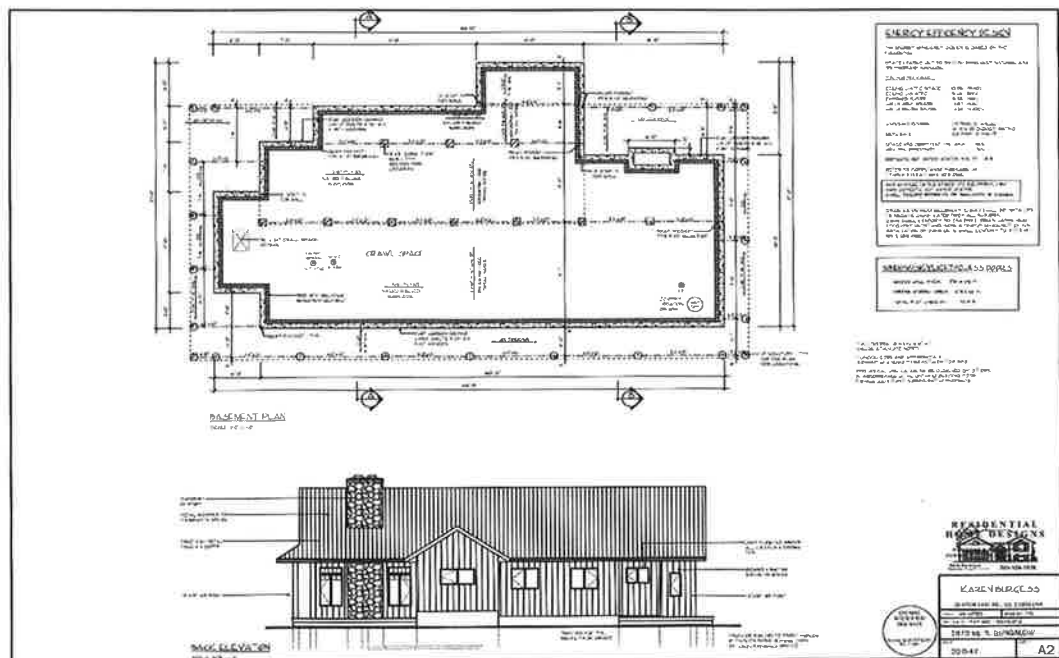
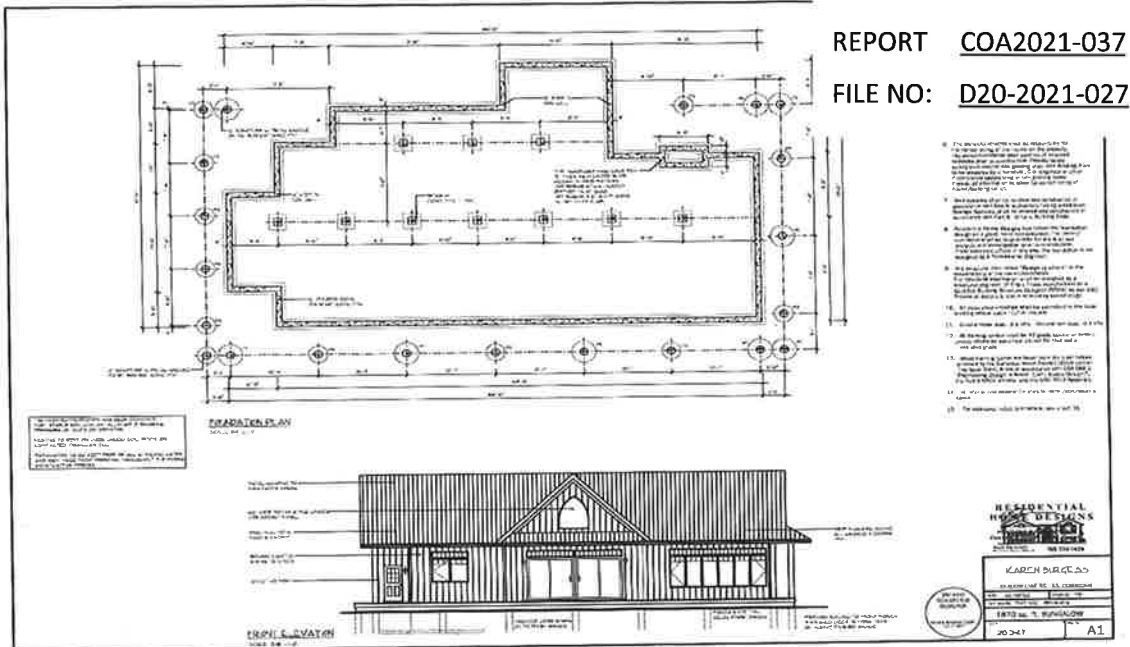


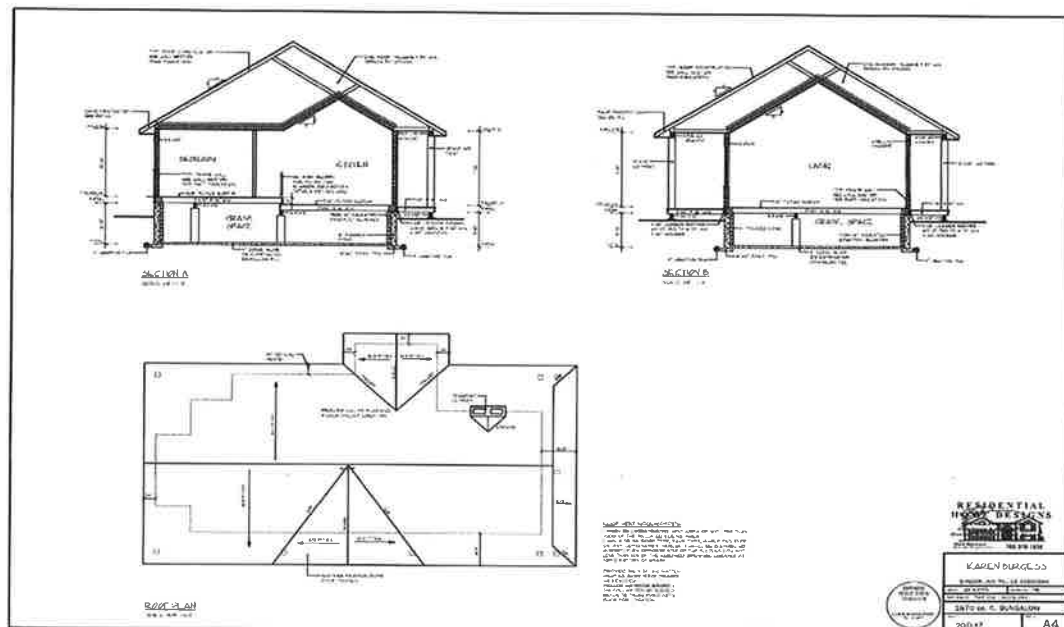
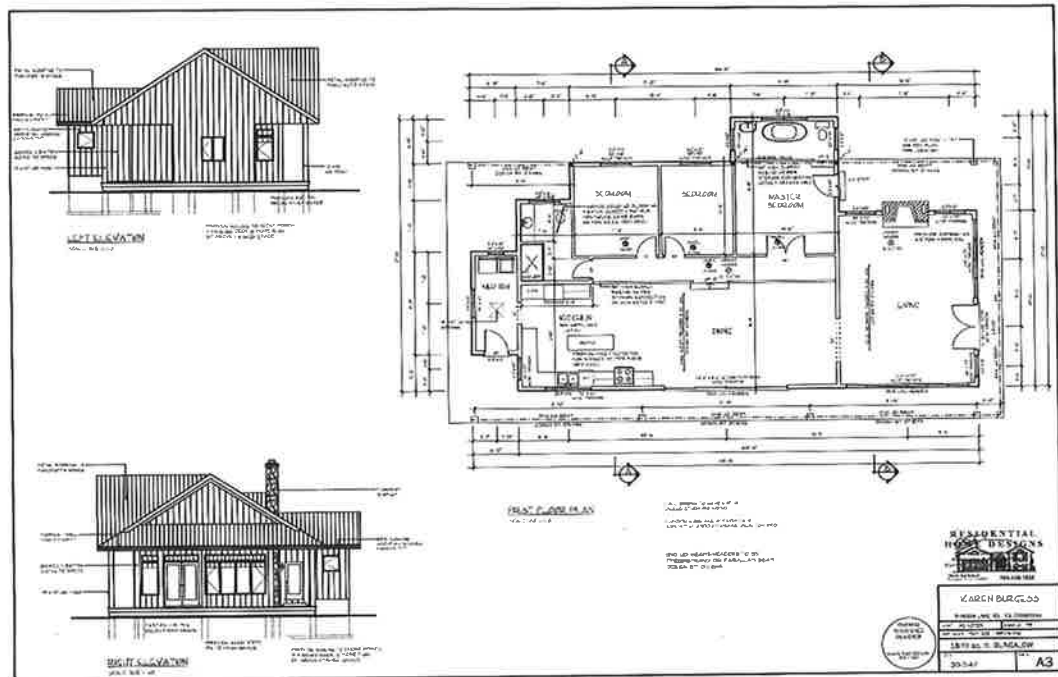
APPENDIX " D "

to

REPORT **COA2021-037**

FILE NO: **D20-2021-027**





KRCA File NO: PPLK-10465

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

APPENDIX " E "
to
REPORT COA 2021-037
FILE NO. D20-2021-027

**Regarding: Minor Variance Application
D20-2021-027
95 Shadow Lake Road 53, Bexley
Karen Burgess**

Dear Ms. Crockford,

Kawartha Conservation has completed review of the above noted Minor Variance application submitted by Karen Burgess. Kawartha Conservation has provided comments as per our MOU with the City of Kawartha Lakes to review the application with respect to Natural Heritage, Watershed Management, and Natural Hazards.

Our comments are as follows:

Application Purpose:

It is Kawartha Conservation's understanding that the purpose and effect of Minor Variance Application D20-2021-027 is to seek relief from the Township of Bexley Zoning By-law 93-09 to reduce the minimum water setback from 15 metres to 8.52 metres in order to permit the construction of a one-storey replacement dwelling and attached wooden deck.

Site Characteristics:

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

Natural Heritage Features:

- Shoreline of Shadow Lake

Natural Hazards:

- There may be flooding and/or erosion hazards.

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

Our Watershed Partners:

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

Water Resources:

Subject property is within the boundary of the Shadow Lake Management Plan.

Applicable Kawartha Conservation Regulation and Policies

Ontario Regulation 182/06 (as amended):

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

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

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

Development is defined as:

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

Subject property is outside of Kawartha Conservation's jurisdiction. No permits will be required pursuant to Ontario Regulation 182/06.

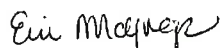
Recommendation:

Kawartha Conservation has no concern with the approval of D2-2021-027. The replacement dwelling should be at least 0.3 metres above the regulatory flood elevation of Shadow Lake. Due to the reduced setback, Kawartha Conservation encourages the applicant to maintain a naturally vegetated shoreline.

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

Sincerely,

Erin McGregor



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

Our Watershed Partners:

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

Resources Planner Technician
Kawartha Conservation

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

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

Our Watershed Partners:

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

Kent Stainton

From: Anne Elmhirst
Sent: Friday, May 7, 2021 7:45 PM
To: Charlotte Crockford
Subject: RE: Notice of Public Hearing for Minor Variance D20-2021-027, 93 Shadow Lake, Bexley.

Hello Charlotte,

I have received and reviewed the minor variance application D20-2021-027 for 93 Shadow Lake Road 53 to request relief from the water setback.

A sewage system permit to install has been issued for this property. The sewage system is being located at the rear property line on the roadside of the lot. The proposed water setback will support servicing of the property with a private sewage disposal system.

As such, the Building and Septic Division has no objection to the proposed minor variance as it relates to private 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.

From: Charlotte Crockford
Sent: Thursday, May 6, 2021 1:42 PM
To: 'Erin McGregor' ; Christina Sisson ; Kim Rhodes ; Emmett Yeo ; Susanne Murchison ; Derryk Wolven ; Anne Elmhirst
Subject: Notice of Public Hearing for Minor Variance D20-2021-027, 93 Shadow Lake, Bexley.

Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-027, 93 Shadow Lake, Bexley.

Many thanks

Charlotte Crockford
Administrative Assistant

Kent Stainton

From: Derryk Wolven
Sent: Friday, May 7, 2021 1:02 PM
To: Charlotte Crockford
Subject: RE: Notice of Public Hearing for Minor Variance D20-2021-027, 93 Shadow Lake, Bexley.

Please be advised building division has no concerns with the above noted application. Lot grading and drainage plan will be required for the project.

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



From: Charlotte Crockford
Sent: Thursday, May 6, 2021 1:42 PM
To: 'Erin McGregor' ; Christina Sisson ; Kim Rhodes ; Emmett Yeo ; Susanne Murchison ; Derryk Wolven ; Anne Elmhirst
Subject: Notice of Public Hearing for Minor Variance D20-2021-027, 93 Shadow Lake, Bexley.

Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-027, 93 Shadow Lake, Bexley.

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.

Kent Stainton

From: Kim Rhodes
Sent: Friday, May 7, 2021 12:24 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Benjamin Courville
Subject: 20210507 D20-2021-027 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-027
93 Shadow Lake Road 53
Part Lot 26, Gull River Range
Geographic Township of Bexley

It is the understanding by Engineering that the purpose and effect is to request relief from Section 13.2.1.3 e) to reduce the minimum water setback from 15 metres to 8.52 metres in order to permit the construction of a one-storey replacement dwelling and attached wooden deck.

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

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

Thanks,

Christina

Christina Sisson, P.Eng.
Supervisor, Development Engineering
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.

Karen Burgess

From: Darlene Brant <darlene.brant@hotmail.com>
Sent: March 13, 2021 8:56 PM
To: kstainton@kawarthalakes.ca
Cc: Karen Burgess
Subject: #91 Shadow Lake 53 Road, Coboconk, ON

RECEIVED

APR - 8 2021

City of Kawartha Lakes
Development Services
Planning Division

Dear Mr. Stainton, we are next door neighbours of Karen Burgess, who has asked us to contact you to confirm she has made us aware of the build she is planning for the above noted property, including sharing her architectural drawings with us, and has kept us informed at each stage of her progress. We have no reservations about her plans as they now stand.

If you have any questions or require any additional information, please do not hesitate to contact us directly.

Best Regards,

Darlene and Dana Brant
#89 Shadow Lake 53 Road,
Coboconk, ON
Home: 905-294-4151
Darlene cell: 416-458-4716
Dana cell: 647-290-5212

APPENDIX "F"
to

REPORT COA 2021-037

FILE NO. D20-2021-027

Sent from my iPhone