The Corporation of the City of Kawartha Lakes

Minutes

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

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1. Call to Order

Chair Robertson called the meeting to order at 1:04pm.

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

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

Staff, K. Stainton, Planner II, D. Harding, Planner II, M. LaHay, Acting Secretary-Treasurer and L. Barrie, Acting-Manager of Planning were in attendance via electronic participation.

2. Administrative Business

2.1 Adoption of Agenda

2.1.1 COA2021-005.2.1.1

May 20, 2021
Committee of Adjustment Agenda

CA2021-039
Moved By S. Strangway
Seconded By B. Archer

That the agenda for May 20, 2021 meeting be approved.

Carried

2.2 Declaration of Pecuniary Interest

Councillor Yeo declared pecuniary interest being the applicant for Report COA2021-035, 39 Lakeview Cottage Road (Item 4.1.6).

2.3 Adoption of Minutes

2.3.1 COA2021-004.2.3.1

April 15, 2021
Committee of Adjustment Minutes

CA2021-040
Moved By S. Richardson
Seconded By D. Marsh

That the minutes of the previous meeting held April 15, 2021 be adopted as printed.

Carried

3. Deferred Applications

3.1 Minor Variances

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

Mr. Stainton summarized Report COA2021-024, to request relief in order to facilitate the construction of a two-storey boathouse and acknowledge the location of a garden shed within the front yard.

Mr. Stainton noted that the application was originally scheduled for the April 15, 2021 meeting. The supervisor of Part 8 Sewage Systems could not support the application as the proposal as referenced in Report COA2021-024. The Committee granted a deferral on April 15, 2021 to return to the May 20, 2021 meeting.

Agency comments received from Development Engineering (May 7, 2021) and Community Services (April 7, 2021): noted no objections.

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 issued a permit #2020-268 for the proposal and has no concerns with the proposed variances.

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 7, 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 no objections to the proposed minor variance as it relates to private on-site sewage disposal.

Public comments were received in support from:
Brian and Jill Hoag, 6 Huntingdon Court (December 16, 2020).
Jennifer and Byron Allin, 604 Long Beach Road (December 7, 2020 and December 16, 2020).

Mr. Stainton noted that relief 3 requested for the garden shed meets the four tests of the minor variance. However reliefs 1 and 2, relating to the boathouse do not meet any of the four tests of the minor variance. Staff respectfully recommends denial of the reliefs pertaining to the additional storey as well as the increase in height proposed for the two-storey boathouse.

The Committee noted there are a number of two-storey boathouse in the neighbourhood and asked if they had been approved in the last 5 years. Staff responded by saying they could not attest to any boathouses being approved in the last 5 years. One was approved in 2012 and was contrary to staff's recommendation. There may have been an issue with respect to the knowledge of the Official Plan. At that time the new Official Plan came out. Current decisions need to be based on the current policies and regulations in-place.

The Committee followed up by asking if any were approved in the last 8 years. Staff confirmed that they are aware of only two, two-storey boathouses that legally obtained permits on that stretch of shoreline.

The Committee noted that most of the agency comments received have no

concerns or objections. Staff noted the only concern raised was through the Building Plans Examiner with respect to the cantilever of the deck, which has since been removed.

The applicant, Mr. Newhook was present and attended via electronic participation and presented his rebuttal, received May 20, 2021 in the morning which was forwarded to Committee members and staff immediately. The photos were received May 19, 2021 late afternoon, which were also forwarded to members and staff.

The Committee thanked Mr. Newhook for his presentation and confirmed to Mr. Newhook that the members did indeed receive the rebuttal and photographs, although the photographs were not able to be incorporated into the slideshow or displayed. Each of the Committee members and staff received a copied of the documents.

The Committee continued to say we have polices regarding boathouses, which is understood and yet Mr. Newhook noted there are all kinds of two-storey boathouse on Sturgeon Lake and Balsam Lake with owners coming forward to improve their properties. The Committee continued by saying that what is proposed is very attractive from the shoreline and fits in. Mr. Strangway put forward a proposal to approve the application with the two-storey boathouse.

The Chair stated to staff that in the past, generally with respect to additional conditions to applications whereby we do not permit habitable space within boathouses, however we have been told through the Provincial Policy Statement we are not to add conditions as there is a lack of housing whereby they were going to accept habitable space in boathouse. Referring to the Additional Residential Units, there has been polices and regulations in place through the Official Plan Amendment and Zoning By-Law Amendment that we are restricting that kind of habitation. The Chair asked for further clarification. Staff responded by saying the intent of the policy and regulations that were brought forward through the Official Plan Amendment as well as the amendment to the Zoning By-Law are to enable ARUs, however structures and restrictions on when those units can established in the case of water setbacks and hazard lands, the City does not permit ARUs.

The Committee asked for clarification on the motion as to whether it is as printed as the planner recommended. The Chair asked Member Strangway to clarify as we have a denial for Sections 1 and 2 of the report with respect to the boathouse.

Member Strangway responded by saying I would like to approve all sections of the report including 3.1.5.3 and 3.1.5.3 (b).

Mr. Stainton suggested he would craft a recommendation with appropriate conditions. The Chair stated if we amend the report to grant approval for all the reliefs and that they meet the four tests of the minor variance, would that mean a requirement to add conditions? Mr. Stainton replied correct and that he had prepared an alternate set of conditions. Mr. Stainton read the conditions.

No further questions from the Committee or other persons.

CA2021-041
Moved By S. Strangway
Seconded By D. Marsh

That reliefs 1-3 sought for the two-storey boathouse and garden shed in the front yard in minor variance application D20-2021-006 be GRANTED, as the reliefs do meet the tests set out in Section 45(1) of the Planning Act.

Conditions:

1) **That** the building construction for the two-storey boathouse 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 COA2021-024, which shall be attached to and form part of the Committee's Decision,

2) **That** within 24 months after the date of the Notice of Decision the owners shall submit to the Secretary-Treasurer photographic evidence confirming that the building identified on Appendix C to Report COA2021-024 as 'Shed to be Removed' has been removed,

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 COA2021-024. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Carried

3.1.2 COA2021-016

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

Mr. Stainton summarized Report COA2021-016, to request relief in order to fulfill a condition of consent associated with a lot line adjustment as part of Consent File D03-2020-022.

On February 24, 2021 the Director of Development Services as delegated by Council, granted provisional consent for file D03-2020-022 to sever 172.9 square metres from 39 Elliot Street and add the lands to 35 Elliot Street resulting in a 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 review of the application submitted, staff determined that the resultant configuration of the benefiting lands, identified as 35 Elliot Street, would also be deficient in lot area. 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. Staff requested deferring the application along with 35 Elliot Street to the May 20, 2021 meeting to be heard concurrently. The request for deferral was granted.

Mr. Stainton brought to the Committees attention Appendix B in the report and that it pertains to the adjacent property, 35 Elliot Street, and that staff and

members were provided with the correct Appendix B showing 39 Elliot Street.

Agency comments were received from Development Engineering Division (March 8, 2021) and Building and Septic Division (March 4, 2021): noting no concerns.

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

The Committee referred to Appendix B and asked staff if there is land to give to 35 Elliot Street as there are two sheds currently situated between them or are they being removed. Staff replied that they have been removed.

No further questions from the Committee or other persons.

CA2021-042
Moved By B. Archer
Seconded By Councillor Yeo

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.

Carried

3.2 Consents

4. New Applications

4.1 Minor Variances

4.1.1 COA2021-029

Kent Stainton, Planner II
File Number: D20-2021-017
Location: 35 Elliot Street
Part Lot 105 and 106, Plan 100
Former Village of Fenelon Falls
Owner: Deborah Wilcox
Applicant: Deborah Wilcox

Mr. Stainton summarized Report COA2021-029, to request relief in order to fulfill a condition of provisional consent associated with a lot line adjustment as part of Consent File D03-2020-022.

On February 24, 2021 the Director of Development Services as delegated by Council, granted provisional consent for file D03-2020-022 to sever 172.9 square metres from 39 Elliot Street and add the lands to 35 Elliot Street resulting in a 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.

As is common practice with variance as a condition of provisional consent, all associated properties that are subject to variances are typically heard at the same hearing for convenience. Staff requested deferring both application D20-2021-009 and D20-2021-017 to the May 20, 2021 meeting to be heard concurrently. The request for deferral was granted.

Agency comments were received from Development Engineering Division (May 7, 2021): noted no objections and Building and Septic Division (May 6, 2021): noted no concerns.

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

There were no questions from the Committee or other persons.

CA2021-043
Moved By S. Richardson
Seconded By Councillor Yeo

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.

Carried

4.1.2 COA2021-030

David Harding, Planner II, RPP, MCIP
File Number: D20-2021-018
Location: 25 McCrae Crescent
Lot 2, Plan 57M-801
Former Village of Woodville
Owner: Mancini Homes Limited
Applicant: Michael Fry

Mr. Harding summarized Report COA2021-030, to request relief to reduce the minimum exterior side yard to permit the construction of a single detached dwelling. In order to construct the proposed model of home, relief from the by-law is requested.

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

The Committee asked staff if there was a dwelling already built on Lot 28, south of 25 McCrae. Staff replied that the lot is vacant. The Committee then asked whether the dwelling constructed at Lot 28 will be required to comply with the zoning by-law. Staff replied that the dwelling must comply unless a variance is granted.

Ms. Prescott, Junior Planner for D.G. Biddle and Associates Limited was present via electronic participation and gave an overview of the proposal.

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

CA2021-044
Moved By B. Archer
Seconded By D. Marsh

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.

Carried

4.1.3 COA2021-032

Kent Stainton, Planner II
File Number: D20-2021-022
Location: 21 Ryan Road
Part Lot 13, Concession 7
Geographic Township of Emily
Owners: Bryan Pierson and Ann Palmer
Applicants: Bryan Pierson and Ann Palmer

Mr. Stainton summarized Report COA2021-032, to request relief to permit the construction of a 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.

Agency comments from Engineering and Corporate Assets Division (May 7, 2021) noted no objections.

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

Building and Septic Division (May 7, 2021): The supervisor of Part 8 Sewage Systems notes that a site visit was completed to locate and assess an 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 19, 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.

The applicant, Ms. Palmer was present via electronic participation and spoke to the Committee and thanked staff.

There were no questions from the Committee or other persons.

CA2021-045
Moved By S. Strangway
Seconded By S. Richardson

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.

Carried

4.1.4 COA2021-033

David Harding, Planner II, RPP, MCIP
File Number: D20-2021-023
Location: 15 Lila Court
Lot 6, Plan 243
Geographic Township of Emily
Owners: Susan Inkersell and William Battersby
Applicants: Susan Inkersell and William Battersby

Mr. Harding summarized Report COA2021-033, to permit structural alterations to the rear of a dwelling which will facilitate internal renovations by recognizing the reduced water and EP Zone setback, recognize a greenhouse-storage shed with a reduced water and EP Zone setback, increase the accessory building lot coverage, and increase the number of permitted accessory buildings to recognize an additional shed located in-front of the dwelling.

In-front of the dwelling is a single door detached garage (building No.4) and storage shed (building No. 1). Within the interior side yard is a greenhouse-storage shed (building No. 2). The rear yard contains a boathouse (building No. 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.

During the pre-screening process, there was an additional structure with a roof to the south of the greenhouse-storage shed. The 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.

Staff cannot support the variance for the reduced yard setback of 0.45 metres for the greenhouse-storage shed on the basis of being too small to perform maintenance on that side of the building. The building must be evaluated as a proposed, not an existing building, and compliance can be achieved. Staff clarified that Development Engineering preferred a 1.2 metre setback, but was willing to recognize the existing situation. Staff added that a further conversation was had with the Building and Septic Division, and their office has clarified that the building would comply with code requirements in its current location if the interior of the wall facing the lot line was covered with drywall.

As a result, staff respectfully recommends the application be granted for all the other variances except relief 3 as it 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 of the zoning by-law.

The Committee asked whether the Building and Septic Division is satisfied with the 0.45 metre setback for the greenhouse-storage shed if the east wall is dry walled. Staff replied that is correct.

The Committee asked Staff how will the owners rectify this issue with the greenhouse. Staff replied it depends on the approach the Committee wants to take. From the aspect of the Building Division, the code can be satisfied if the interior eastern wall is dry walled.

The Committee commented, whether staff were concerned with the reduced side yard provided for maintenance purposes. Staff confirmed yes, there is concern. Staff reiterated that Development Engineering is not happy with the proposal but is willing to accept it as the building has existed for a longer period of time.

The Committee followed up by asking what the purpose of dry walling the eastern interior wall. Staff replied that it has to do with the fire rating.

The applicant, Mr. Battersby was present and spoke to the Committee. He stated that the greenhouse was built for storage. Originally there was a tin shed in that

general location in 1999. When the greenhouse was built Mr. Battersby made sure the distance from the waterfront was the same distance as the residence and the same distance from the lot line as the aluminum shed it replaced. Mr. Battersby believed that he was putting the greenhouse-storage shed in a suitable place. During the pre-screening it was suggested that the greenhouse be moved 2.5 metres south. A contractor identified that there were power lines between the home and the garage and that a hoist wouldn't be able to get under the building without being impacted by power lines. Mr. Battersby further stated that the greenhouse could not be moved as the foundation is built on 4 x 4 timbers, and the walls and floor are attached to sonotubes at each corner of the building. The floor was built so strong to store motorcycles. He expressed concern that moving the building would undermine its stability and the stability of the slope it is on. He stated that the alternative would be to remove 21 ½" of wall and roof to bring the building into compliance. Mr. Battersby expressed his willingness to drywall the interior wall to satisfy the Building and Septic Division's fire rating concerns.

Mr. Battersby thanked staff and stated he found the pre-screening process invaluable to the application process.

The Committee motioned to approve all the variances as well as add a condition that the eastern wall be dry walled to fulfill the Building and Septic Division's requirements.

The Chair asked staff if they are satisfied with the condition as a result of the motion on the floor. Mr. Harding responded by saying he recommends deleting the proposed Condition 3 in the staff report and substituting it with the new Condition 3 to drywall the eastern wall of the greenhouse to the satisfaction of the Building and Septic Division.

No further questions from the Committee or other persons.

Moved By Councillor Yeo
Seconded By D. Marsh

That 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 and Septic Division that the permits have been issued and/or are not required;

3) **That** the owner drywall the east wall of the greenhouse-storage shed to the satisfaction of the Building and Septic Division; 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.

At 2:51pm the Chair called for a 5 minute break. The Chair called the meeting to order at 2:56pm

Carried

4.1.5 COA2021-034

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

Mr. Harding stated that new correspondence in opposition to the application was received May 12 and 19, 2021 from Colleen Twomey, resident of 1201 Salem Road. Correspondence was also provided from Ms. Twomey's solicitor, James

R. Webster, on May 18, 2021. These comments were included in Committee's amended agenda package.

Mr. Harding stated that many of the concerns were addressed through a phone call with Ms. Twomey last week, or were not relevant to the application. There is one point of interest in particular pertaining to the heritage designation of Ms. Twomey's parcel. Staff had a conversation with the Heritage Officer, Emily Turner this morning. The Heritage Officer has confirmed that 1201 Salem Road is a designated property under the Heritage Act. The Heritage Officer stated that there is merit in having the Heritage Committee review this proposal to determine whether or not there are any adverse impacts to the heritage attributes of the listed property.

In light of this new information, Mr. Harding changed his recommendation, asking the application be deferred for a period of not more than two months to allow the Heritage Committee to review the proposal and provide comment before the Committee makes a decision.

The applicant, Mr. Davis was present via electronic participation and agreed with the proposal to defer the application.

Ms. Twomey and Mr. Webster were present via electronic participation.

CA2021-047
Moved By Councillor Yeo
Seconded By S. Richardson

That Minor Variance application D20-2021-024 be deferred for a period of not more than 2 months, returning at the latest to the July 15, 2021 meeting, to allow the Heritage Committee time to review the application.

Carried

4.1.6 COA2021-035

David Harding, Planner II, RPP, MCIP
File Number: D20-2021-025
Location: 39 Lakeview Cottage Road
Lot 6 Lakeview Cottages, Plan 179, Part Lot 14, Range NWB
Geographic Township of Bexley
Owner: Richard Pollard
Applicant: Emmett Yeo

The Chair noted that Councillor Yeo had a pecuniary interest. Councillor Yeo excused himself as a member of the Committee as he is the applicant for this file.

Mr. Harding summarized Report COA2021-035, to request relief to reduce the minimum interior side yard from 1.2 metres to 1.1 metres to permit the construction of a single detached dwelling.

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

The applicant, Emmett Yeo, was present and thanked the staff and Committee.

There were no questions from the Committee or other persons.

CA2021-048
Moved By S. Strangway
Seconded By D. Marsh

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.

Carried

4.1.7 COA2021-036

Kent Stainton, Planner II
File Number: D20-2021-026
Location: 27 North Taylor Road
Part of Lot 52, Range North of Portage Road
Geographic Township of Eldon
Owner: Michelle Thompson
Applicant: Michelle Thompson

Mr. Stainton summarized Report COA2021-036, to request relief in order to permit the construction of an addition to an existing detached dwelling as well as a new partially enclosed deck.

Agency comments received from Engineering and Corporate Assets Division (May 7, 2021): noted no objections.

Building and Septic Division (May 6, 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, Building and Septic Division has no objection to the proposed minor variance as it relates to private on-site sewage disposal.

Comments were received after the writing of the report from Lake Simcoe Region Conservation Authority (May 16, 2021), noting that the property is outside of their jurisdiction. However the property is subject to the Lake Simcoe Protection Plan. L.S.R.C.A. is satisfied from a watershed management perspective that the proposal is consistent with the Natural Hazard Policies of PPS and in conformity with other Provincial Policies and Lake Simcoe Protection Plan. The proposal will not constitute a residential intensification as a new residential use within any hazard lands.

Therefore the application meets the four tests of a minor variance.

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

The applicant, Ms. Thompson was present and spoke to the Committee and thanked staff for their assistance throughout the process.

There were no questions from the Committee or other persons.

CA2021-049
Moved By B. Archer
Seconded By D. Marsh

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.

Carried

4.1.8 COA2021-037

Kent Stainton, Planner II
File: D20-2021-027
Location: 93 Shadow Lake Road 53
Part Lot 26, Gull River Range
Geographic Township of Bexley
Owner: Karen Burgess
Applicant: Karen Burgess

Mr. Stainton summarized Report COA2021-037, to request relief 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.

Agency Comments were received from Engineering and Corporate Assets Department (May 7, 2021): noted 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. No Objections.

Kawartha Region Conservation Authority (May 11, 2021): K.R.C.A. 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, as no elevation exists). 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 were received from Darlene and Dana Brant of 89 Shadow Lake Road 53 (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.

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

Ms. Burgess was present and spoke to the Committee and thanked staff, mentioning the pre-screening was a very helpful process.

There were no questions from the Committee or other persons.

CA2021-050
Moved By D. Marsh
Seconded By B. Archer

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.

Carried

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

CA2021-051
Moved By S. Richardson
Seconded By S. Strangway

That the meeting be adjourned at 3:35pm.

Carried

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Mark LaHay, Acting Secretary-Treasurer