

The Corporation of the City of Kawartha Lakes

Agenda

Committee of Adjustment Meeting

COA2021-006

Thursday, June 17, 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

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

To request to speak to public meeting reports on this agenda please email cofa@kawarthalakes.ca and reference the report number in your email. Following receipt of your email you will receive instructions from the City Clerk's Office how to participate in the meeting electronically. Otherwise, please provide written comments by email to cofa@kawarthalakes.ca and reference the report number in the subject line.

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

1.	Call to Order	
2.	Administrative Business	
2.1.	Adoption of Agenda	
2.1.1.	COA2021-006.2.1.1 June 17, 2021 Committee of Adjustment Agenda	
2.2.	Declaration of Pecuniary Interest	
2.3.	Adoption of Minutes	
2.3.1.	COA2021-005.2.3.1 May 20, 2021 Committee of Adjustment Minutes	5 - 26
3.	New Applications	
3.1.	Minor Variances	
3.1.1.	Memorandum D20-2021-029 Kent Stainton, Planner II File Number: D20-2021-029 Location: Vacant Land on an unassumed road allowance Part Lots 16 and 17, Concession 10 Geographic Township of Somerville Owner: Steven Harjula Applicant: Steven Harjula	
3.1.2.	COA2021-039 Kent Stainton, Planner II File Number: D20-2021-030 Location: 68 Cedartree Lane Lot 89, Plan 626 Former Village of Bobcaygeon Owner: Barbara King and Bela Albert Applicant: Barbara King and Bela Albert	27 - 36

3.1.3.	COA2021-040	37 - 46
	<p>Kent Stainton, Planner II File Number: D20-2021-031 Location: 88 Alcorn Drive Lot 70, Plan 57M-802 Former Town of Lindsay Owner: Donna Banks Applicant: Mark Wilson of MVW Construction</p>	
3.1.4.	COA2021-041	47 - 58
	<p>Kent Stainton, Planner II File Number: D20-2021-032 Location: 19 Clover Court Lot 32, Plan 494, Part Lot 9, Concession 14 Geographic Township of Somerville Owners: Erik Orava, Sarah Benn-Orava, Marshall Henkle, Ellie Benn Applicant: Erik Orava</p>	
3.1.5.	COA2021-042	59 - 68
	<p>David Harding, Planner II, RPP, MCIP File Number: D20-2021-033 Location: 210 and 212 Sturgeon Glen Road Part Lot 18, Concession 10 Geographic Township of Fenelon Owners: Gary and Mary Tew Applicant: Paul A. Rabinovitch</p>	
3.1.6.	COA2021-043	69 - 84
	<p>David Harding, Planner II, RPP, MCIP File Number: D20-2021-034 Location: 17 North Water Street Part Lot 15, Gull River Range, Lot 5, Plan 46 Geographic Township of Bexley Owner: Josephine Harlow Applicant: Josephine Harlow</p>	

David Harding, Planner II, RPP, MCIP
File Number: D20-2021-035
Location: 123 East Street
Part Block C, Plan 70, Part 1, 57R-1441
Former Village of Bobcaygeon
Owner: City of Kawartha Lakes c/o. Craig Shanks, Director of Community Services
Applicant: Narges Dehghani

3.2. Consents

4. Deferred Applications

4.1. Minor Variances

4.2. Consents

5. Other Business

6. Correspondence

7. Next Meeting

The next meeting will be Thursday, July 15 at 1:00 p.m. in Council Chambers, City Hall.

8. Adjournment

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

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

1. **Call to Order**

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.

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.

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.

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.

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.

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 – D.G. Biddle and Associates Limited

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.

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.

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
 Applicant: 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 1/2" 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

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.

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.

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.

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.

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.

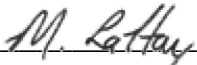
- 8. **Adjournment**

CA2021-051

Moved By S. Richardson

Seconded By S. Strangway

That the meeting be adjourned at 3:35pm.



Mark LaHay, Acting Secretary-Treasurer

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Barbara King and Bela Albert
Report Number COA2021-039

Public Meeting

Meeting Date: June 17, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 2 – Former Village of Bobcaygeon

Subject: The purpose and effect is to request relief from Section 5.2 (f) to increase the maximum lot coverage from 30% to 35.9% to permit the construction of a single detached dwelling and attached covered deck.

The variance is requested at 68 Cedartree Lane, former Village of Bobcaygeon (File D20-2021-030)

Author: Kent Stainton, Planner II

Signature: 

Recommendations:

Resolved That Report COA2021-039 King/Albert, be received;

That minor variance application D20-2021-030 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C and generally in accordance with the elevations in Appendix D submitted as part of Report COA2021-039, which shall be attached to and form part of the Committee's Decision; and
- 2) **That** the building construction related to the minor variances shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2021-039. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background:	The applicant underwent a pre-screening associated with the application for which a meeting was held to discuss the proposal on April 1, 2021. The application was deemed complete on April 15, 2021.
Proposal:	To construct a new 197 square metre (2,120.5 square feet) 1.5 storey detached dwelling with attached 2-car garage and a 38 square metre (409 square feet) covered deck in the rear yard.
Owners:	Barbara King and Bela Albert
Legal Description:	68 Cedartree Lane, Lot 89, Plan 626, former Village of Bobcaygeon, City of Kawartha Lakes
Official Plan:	Urban within the Victoria County Official Plan (VCOP)
Zone:	Urban Residential Type One (R1) Zone within the Village of Bobcaygeon Zoning By-law 16-78
Site Size:	655.2 square metres (7,052.5 square metres)
Site Servicing:	Municipal Water and Sanitary Systems
Existing Uses:	Vacant Land (Residential)
Adjacent Uses:	North: Vacant Lands (future residential) South, East, 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 an in-fill lot situated in a quiet residential neighbourhood containing single detached dwellings. The subject property appears to be the last vacant residential lot within the neighbourhood. As a result, the subject property is surrounded by single detached dwellings consisting primarily of bungalows with walkout basements. There is cedar forest to the south of the lot, which is associated with a residential lot on nearby Riverside Drive. The built form in the neighbourhood takes advantage of sloping terrain from north-to-south resulting in 1.5 storey designs. As a result of the topography and rocky terrain, the rear yard is unusable; hence, the incorporation of amenity space in the form of the attached covered deck to the rear.

The proposal will allow for a dwelling with additional living space and a two-car garage to be created. As the rear yard is not conducive to constructing utilitarian storage buildings, the additional space is sought in the form of an extra bay on the garage. The rear yard setback will be in excess of 8.4 metres

from the covered deck projection. The minimum required is 7.5 metres. The rear yard transitions into an area regulated by Kawartha Conservation, which is unsuitable for development.

The proposed increase in lot coverage is not anticipated to be perceptible, as the scale of built form will not change when viewed from Cedartree Lane in conjunction with the adjacent residential lots.

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

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

The subject property is within the “Urban Residential Type One (R1) Zone” within the Village of Bobcaygeon Zoning By-law 16-78. The R1 Zone permits single detached dwellings and accessory uses.

The lot coverage requirement ensures a sufficient degree of landscaped open space is maintained and to control more technical aspects of development such as storm water management. The side yard setbacks proposed comply with the Zoning By-law in order to ensure the safe conveyance of runoff. The Development Engineering Division has advised they have no concerns with the proposal. Also, adequate outdoor amenity space is being created in the form of the covered deck.

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?
Yes

As the Bobcaygeon Secondary Plan part of the City of Kawartha Lakes Official Plan is under appeal, the Victoria County Official Plan (VCOP) applies.

The lands are designated “Urban” within the Official Plan. The subject property is within a neighbourhood that would be classified as Low Density Residential. Low density residential uses include single detached dwellings. In consideration of the above, the variances maintain the general intent and purpose of the Official Plan.

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

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

Consultations:

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

Agency Comments:

Development Engineering and Corporate Assets Division (June 7, 2021): No objections.

Building and Septic Division (June 4, 2021): The Building and Plans Examiner has No concerns with the proposal.

Public Comments:

No comments received as of June 9, 2021

Attachments:



Appendices A-E for
COA2021-039.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

Phone:	705-324-9411 extension 1367
E-Mail:	kstainton@kawarthalakes.ca
Department Head:	Richard Holy, Acting Director of Development Services
Department File:	D20-2021-030

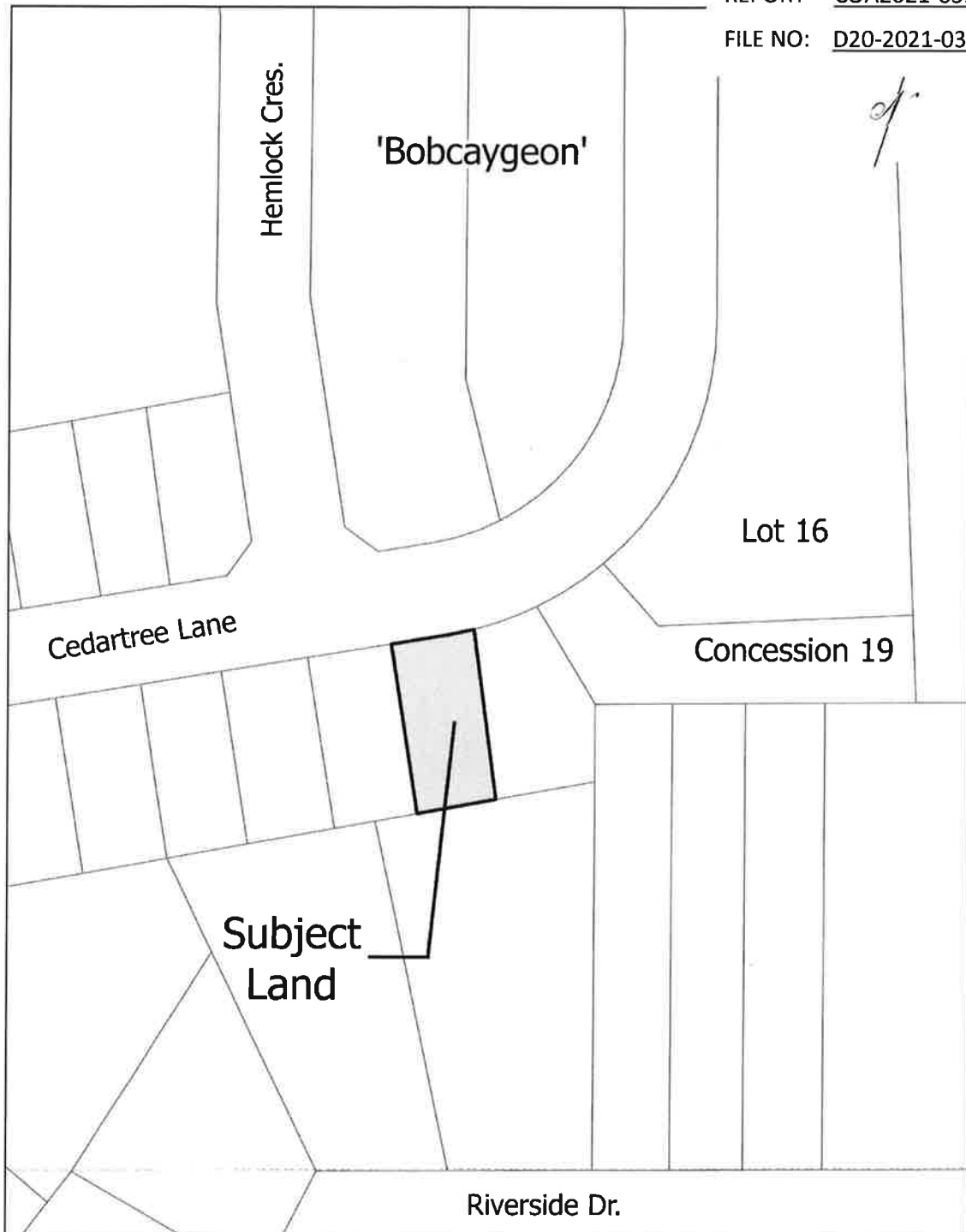
D20-2021-030

APPENDIX " A "

to

REPORT COA2021-039

FILE NO: D20-2021-030



68 Cedartree Lane, former Village of Bobcaygeon



Legend

- ☐ Property Roll Number
- ☐ Lots and Concessions

Notes

Notes

APPENDIX " B "

to

REPORT COA2021-039

FILE NO: D20-2021-030

0.06 Kilometers

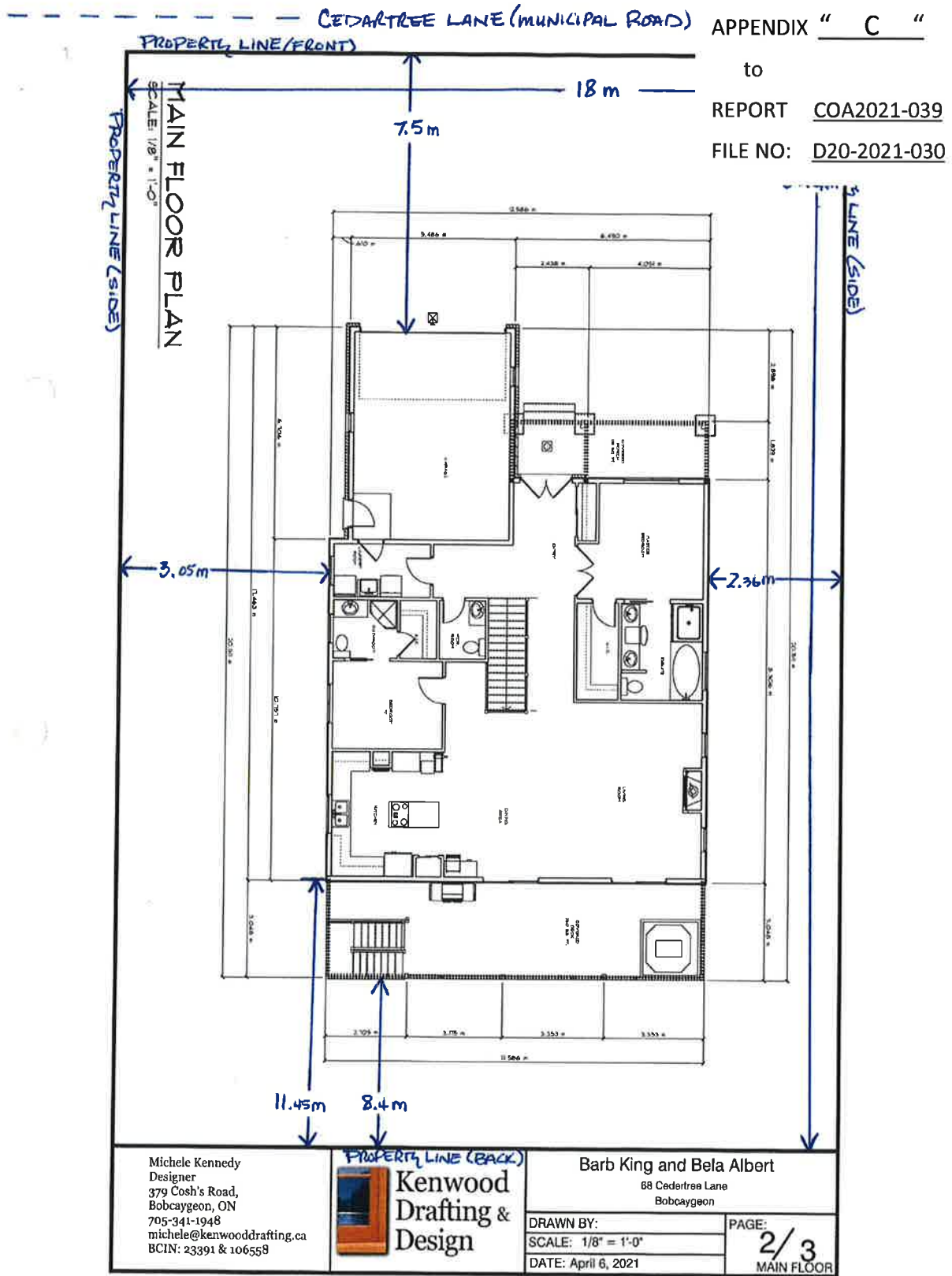
WGS_1984_Web_Mercator_Auxiliary_Sphere

© 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 COA2021-039

FILE NO: D20-2021-030



Michele Kennedy
Designer
379 Cosh's Road,
Bobcaygeon, ON
705-341-1948
michele@kenwooddrafting.ca
BCIN: 23391 & 106558



**Kenwood
Drafting &
Design**

Barb King and Bela Albert

68 Cedertree Lane
Bobcaygeon

DRAWN BY:
SCALE: As Noted
DATE: April 6, 2021

PAGE:
3/3
ELEVATIONS

Kent Stainton

From: Kim Rhodes
Sent: Monday, June 7, 2021 1:02 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead
Subject: 20210507 D20-2021-030 - Engineering review

APPENDIX "E"

to

Please see the message below from Christina Sisson:

REPORT COA2021-039

FILE NO. D20-2021-030

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

Minor Variance – D20-2021-030
68 Cedartree Lane
Lot 89, Plan 626
Former Village of Bobcaygeon

It is the understanding by Engineering that the purpose and effect of the application is to request relief from Section 5.2 (f) in order to increase the maximum lot coverage from 30% to 35.9% to facilitate the construction of a new single detached dwelling and attached 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.

Kent Stainton

From: Derryk Wolven
Sent: Friday, June 4, 2021 11:07 AM
To: Charlotte Crockford
Subject: RE: D20-2021-030, Notice of Public Hearing for Minor Variance, 68 Cedartree Lane, Bobcaygeon

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



From: Charlotte Crockford
Sent: Wednesday, June 2, 2021 4:36 PM
To: 'Erin McGregor'; Christina Sisson; Kim Rhodes; Amber Hayter; Kathleen Seymour-Fagan; Susanne Murchison; Derryk Wolven
Subject: D20-2021-030, Notice of Public Hearing for Minor Variance, 68 Cedartree Lane, Bobcaygeon

Good afternoon

Please find attached D20-2021-030, Notice of Public Hearing for Minor Variance, 68 Cedartree Lane, Bobcaygeon.

Many thanks

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



The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Donna Banks

Report Number COA2021-040

Public Meeting

Meeting Date: June 17, 2021

Time: 1:00 pm

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

Ward: 5 – Former Town of Lindsay

Subject: The purpose and effect is to request relief from Section 6.2(f) to reduce the minimum rear yard setback from 7.5 metres to 6 metres to permit the construction of an attached deck.

The variance is requested at 88 Alcorn Drive, former Town of Lindsay (File D20-2021-031).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2021-040 Banks, be received;

That minor variance application D20-2021-031 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C and generally in accordance with the elevation in Appendix D submitted as part of Report COA2021-040, 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 COA2021-040. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The application was brought to the attention of Planning Staff through the Building and Septic Division.

The application was deemed complete on April 8, 2021.

Proposal: To construct an 18.13 square metre (195 square feet) wooden deck attached to the 1.5 storey single detached dwelling on the subject lands.

Owner: Donna Banks

Legal Description: 88 Alcorn Drive, Lot 70, Plan 57M-802, former Town of Lindsay, now City of Kawartha Lakes

Official Plan: Residential within the Town of Lindsay Official Plan

Zone: Residential One Special Exception Seventeen (R1-S17) Zone within the Town of Lindsay Zoning By-law 2000-75

Site Size: 480 square metres (5,167 square feet)

Site Servicing: Municipal water, sewer and stormwater services

Existing Uses: Residential

Adjacent Uses: North: Jennings Creek, Woodland
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 newer residential subdivision (Plan 57M-802) in the north end of the Town of Lindsay, known as the Woods of Jennings Creek. The property backs onto open space in the form of Jennings Creek and woodland immediately to the north with a stormwater management facility in the form of a naturalized pond to the northeast.

The neighbouring reach of Alcorn Drive is comprised of 1.5 storey and 2 storey designs with walkouts to the rear yard. The subject lands lack any form of landscaping as the installation of the deck is anticipated to facilitate future grading and rear yard landscaping in the near future. Due to the recent occupancy of the dwelling, the majority of properties within the vicinity of the subject lands do not contain fencing or accessory buildings/structures. It is highly likely that fencing as well as the construction of accessory sheds and decks will continue within the rear yards along Alcorn Drive over time.

Many of the dwellings along Alcorn Drive were designed with the construction of a deck providing access to the rear yard. The proposed deck will provide increased amenity space for the existing dwelling by extending the main floor of the dwelling and will enable access from the to the rear yard. The 1.5-metre encroachment into the rear yard setback still provides for utilization and access to the greater rear yard portion to the north of the proposed deck.

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 Special Exception Seventeen (R1-S17) Zone" within the Town of Lindsay Zoning By-law 2000-75. The special exception allows for an increased 40% maximum lot coverage for all buildings. The R1-S17 Zone permits single detached dwellings and accessory uses.

The intent of the rear yard setback is to provide sufficient rear yard amenity space, address massing impacts, and reduce land use and privacy conflicts between abutting properties. The lots along Alcorn Drive are shallow with the rear yard of the subject property totalling 9.7 metres (31.8 feet) from the rear wall of the dwelling. The proposed 1.5 metre reduction of the rear yard requirement is also not anticipated to pose any land use compatibility issues as Jennings Creek and open space is located to the north and no decks currently exist on the abutting properties. Over 6 metres exists between the extent of the deck and the rear lot line, providing ample amenity space and room for accessibility and maintenance purposes. The proposed deck also complies with the applicable height provisions and lot coverage provisions of the Zoning By-law.

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?

Yes

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

The lands are designated "Residential" within the Official Plan. The subject property is within a neighbourhood that would be classified as Low Density Residential. Low density residential uses and buildings and structures accessory to residential uses are permitted.

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

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

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

Consultations:

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

Agency Comments:

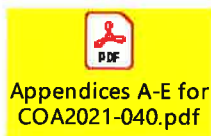
Development Engineering (June 7, 2021): No objection.

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

Public Comments:

No comments received as of June 9, 2021

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

Phone:	705-324-9411 extension 1367
E-Mail:	kstainton@kawarthalakes.ca
Department Head:	Richard Holy, Acting-Director of Development Services
Department File:	D20-2021-031

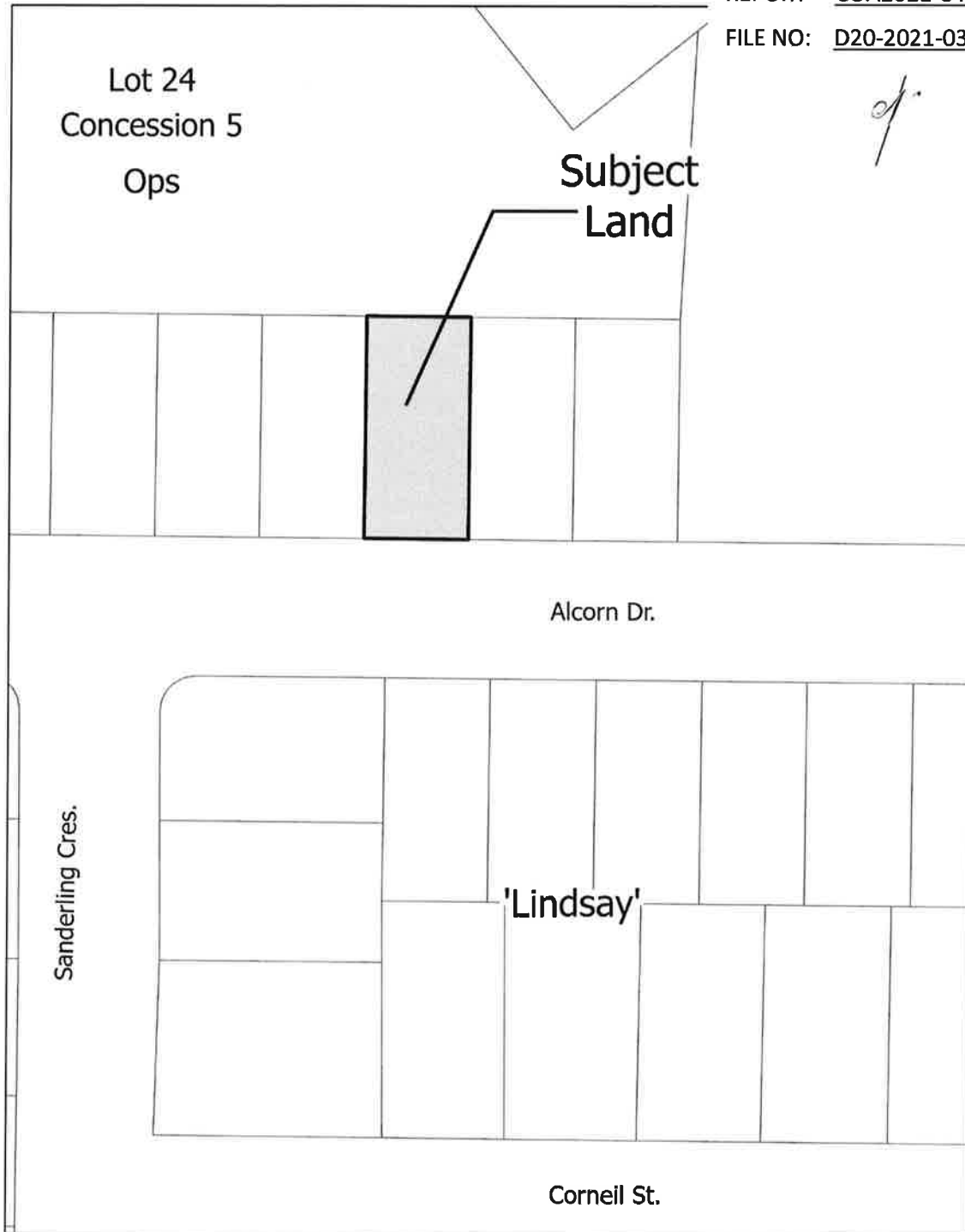
D20-2021-031

APPENDIX " A "

to

REPORT COA2021-040

FILE NO: D20-2021-031



68 Cedartree Lane, former Village of Bobcaygeon



Legend

- ☐ Property Roll Number
- ☐ Lots and Concessions

Notes

Notes

APPENDIX " B "

to

REPORT COA2021-040

FILE NO: D20-2021-031

0.06 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere

© City Of Kawartha Lakes



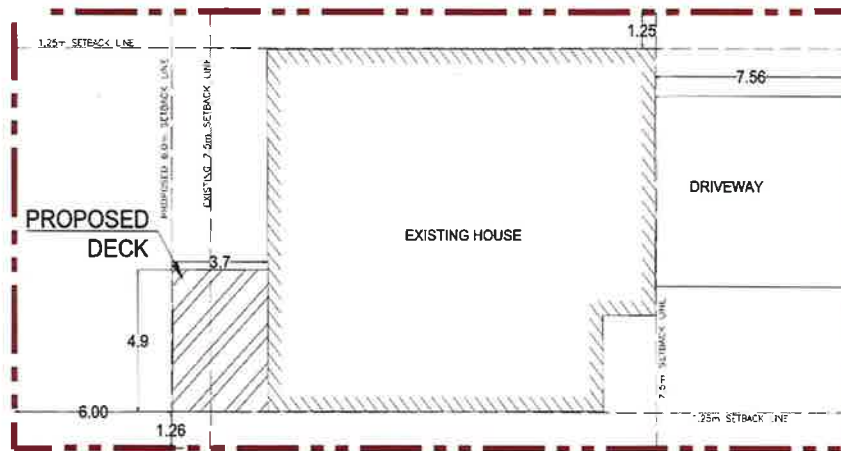
This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

to

REPORT COA2021-040

FILE NO: D20-2021-031



SITE STATISTICS			
GENERAL EMPLOYMENT ZONE			
REQUIREMENT	BYLAW REQUIREMNT	CURRENT	PROPOSED
MINIMUM LOT AREA	450.0m ²	480m ²	480m ²
MINIMUM LOT FRONTAGE	15.0m	15.0m	15.0m
MINIMUM FRONT YARD SETBACK	7.5m	7.55m	7.55m
MINIMUM EXTERIOR SIDE YARD SETBACK	3.0m	-	-
MINIMUM INTERIOR SIDE YARD SETBACK	1.25m	1.25m	1.25m
MINIMUM REAR YARD SETBACK	7.5m	9.65m	6.0
MAXIMUM LOT COVERAGE	50%	38.50%	39.30%

ALCORN DRIVE

RECEIVED

MAR 25 2021

City of Kawartha Lakes
Development Services

ENGINEER

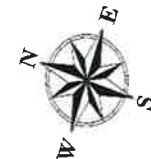
M.V. Wilson Engineering Inc.



245 Kent Street West, Lindsay
Ontario, Canada
K9V 2Z3

Tel (705) 324-8336
Fax: (705) 328-1288

1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.	ISSUED FOR MINOR VARIANCE	19.03.21	15
NO.	DESCRIPTION	DATE	BY



2007

DONNA BANKS
MINOR VARIANCE
65 ALCORN DR, KIM **CMR**
LINDSAY, ON

SITE PLAN

TOUR	T-150	DRAWING NO. S
DRAWN BY	LS	
PLOT DATE	Mar. 19, 21	
PROJECT	EP21011	

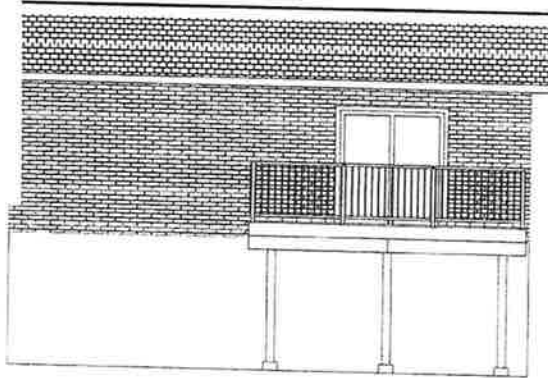
SP1

APPENDIX " D "

to

REPORT COA2021-040

FILE NO: D20-2021-031



TITLE PAGE	A-1
FOUNDATION PLAN	A-2
MAIN FLOOR PLAN	A-3
DECK FRAMING PLAN	A-4
FRONT ELEVATION	A-5
LEFT ELEVATION	A-6
RIGHT ELEVATION	A-7
CONSTRUCTION NOTES	A-8
Pier Detail	1
Beam Details	2 - 3
Ledger Detail	4
Jolst Detail	5
Guard Detail	6
Stair Details	7 - 6

CLIMATIC & DESIGN LOAD DATA	
Lindsay, Ontario	
ROOF LOADING	KPA (psf)
GROUND SNOW LOAD S _s	2.3 (48.04 psf)
RAIN LOAD S _r	0.4 (8.35 psf)
SNOW LOAD FACTOR C _s	0.55
ROOF DESIGN SNOW LOAD	1.67 (34.77 psf)
ROOF & CEILING DESIGN DEAD LOAD	0.57 (12.00 psf)
FLOOR LOADING	
GROUND & SECOND FLOOR	1.52 (40.00 psf)
FLOOR DESIGN DEAD LOAD	0.48 (10.00 psf)
WIND LOADING	
1/50 WIND PRESSURE	0.38 (7.94 psf)
1/10 WIND PRESSURE	0.29 (6.06 psf)
TEMPERATURE	
DEGREE DAYS BELOW 18°C	4320
SOIL	
ASSUMED ALLOWABLE BEARING PRESSURE AT FOOTING FOUNDING ELEVATION(S)	75 (1556 psf)
ROCK	
FREEZING INDEX	500 (10,443 psf)
ELEVATION	N/A
	225

THE DESIGN DEAD LOADS SPECIFIED ABOVE ARE BASED ON THE DRAWINGS AND MATERIALS LISTED. THE CONTRACTOR MUST NOTIFY THE DESIGNER PRIOR TO CONSTRUCTION OF ANY LOAD-BEARING ELEMENTS THAT MAY BE AFFECTED.

RECEIVED

MAR 01 2021

City of Kawartha Lakes Building Division

GENERAL NOTE: These drawings are not to be built. All dimensions must be verified by contractor prior to construction and at any time. Any drawings are must be reported directly to the designer.

LINDSAY Home
building centre
705-324-3516

Home Building Centre Lindsay
(705) 324 3516



Donna Banks - Deck
88 Alcom Drive
Lindsay, Ontario

Date of Issue: February 26, 2021

Scale: N/A

TITLE PAGE

File No:
DKP-21-15926

Drawing No:
A-1

Kent Stainton

From: Kim Rhodes
Sent: Monday, June 7, 2021 1:02 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead
Subject: 20210507 D20-2021-031 - Engineering review

APPENDIX "E"
to
REPORT COA2021-040

Please see the message below from Christina Sisson:

FILE NO. D20-2021-031

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

Minor Variance – D20-2021-031
88 Alcorn Drive
Lot 70, Plan 57M-802
Former Town of Lindsay

It is the understanding by Engineering that the purpose and effect of the application is to request relief from Section 6.2 (f) in order to reduce the rear yard setback from 7.5 metres to 6 metres to permit the construction of a deck attached to a single detached dwelling.

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

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

Thanks,

Christina

Christina Sisson, P.Eng.
Supervisor, Development Engineering
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: Friday, June 4, 2021 11:03 AM
To: Charlotte Crockford
Subject: RE: D20-2021-031, Notice of Public Hearing for Minor Variance, 88 Alcorn Drive, Lindsay

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



From: Charlotte Crockford
Sent: Wednesday, June 2, 2021 4:41 PM
To: 'Erin McGregor' ; Christina Sisson ; Kim Rhodes ; Amber Hayter ; Pat Dunn ; Susanne Murchison ; Derryk Wolven
Subject: D20-2021-031, Notice of Public Hearing for Minor Variance, 88 Alcorn Drive, Lindsay

Good afternoon

Please find attached D20-2021-031, Notice of Public Hearing for Minor Variance, 88 Alcorn Drive, Lindsay.

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.

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Erik Orava, Sarah Benn-Orava, Marshall
Henkle, Ellie Benn

Report Number COA2021-041

Public Meeting

Meeting Date: June 17, 2021

Time: 1:00 pm

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

Ward 2 – Geographic Township of Somerville

Subject: The purpose and effect is to request relief from Section 5.2 (c) in order to reduce the front yard setback from 7.5 metres to 3.75 metres to facilitate the construction of an addition to an existing vacation dwelling.

The variance is requested at 19 Clover Court, former Township of Somerville (File D20-2021-032).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2021-041 Orava, Benn-Orava, Henkle and Benn be received;

That minor variance application D20-2021-032 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 elevations in Appendix D submitted as part of Report COA2021-041, 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 COA2021-041 as 'Privy' has been removed;
- 3) **That** within 24 months after the date of the Notice of Decision the owners shall submit to the Secretary-Treasurer photographic evidence confirming that the building identified on Appendix C to Report COA2021-041 as 'Building 3' has been removed, 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 COA2021-041. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background:	<p>The applicant is proposing an addition to an existing vacation dwelling within the front yard of the subject lands. It is important to note that the advertisement of the application inadvertently made reference to section 5.2 d) Minimum rear yard setback of the Zoning By-law while relief is being sought from section 5.2 c) Minimum front yard setback of the subject lands.</p> <p>The application was deemed complete on May 3, 2021.</p>
Proposal:	To construct a 61 square metre (657 square feet) addition to an existing shoreline residential dwelling
Owners:	Erik Orava, Sarah Benn-Orava, Marshall Henkle, Ellie Benn
Applicants:	Erik Orava
Legal Description:	Lot 32, Plan 494, Part Lot 9, Concession 14, geographic Township of Somerville, City of Kawartha Lakes
Official Plan:	Waterfront within the City of Kawartha Lakes Official Plan (2012)
Zone:	Limited Service Residential (LSR) Zone within the Township of Somerville Zoning By-law 78-45
Site Size:	2,225.3 square metres (approximately 0.55 acres)
Site Servicing:	Lake-based water supply and private individual septic system
Existing Uses:	Shoreline Residential
Adjacent Uses:	North: Crego Lake South: Crego Lake, Waterfront Residential East: Waterfront Residential, Crego Lake West: Waterfront Residential, Woodlands

Rationale:

1) Is the variance minor in nature? Yes

And

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

The subject property is situated on a bay in the northwestern shore of Crego Lake northwest of the Hamlet of Kinmount. Many of the dwellings and vacation dwellings along Crego Lake Road and Clover Court are heavily wooded, secluded lots comprised of seasonal dwellings, constructed prior to the 1970's with the lots being part of a Plan of Subdivision. While some seasonal dwellings have been enlarged, it appears the majority of the cottages are smaller in order to maintain the rustic character of the shoreline residences.

The site currently contains a small one-storey vacation dwelling and two accessory buildings that were constructed in 1975 (according to MPAC). The construction of the buildings predate the current Township of Somerville Zoning By-law (1978). A privy was also identified when conducting the site visit.

The hummocky and densely forested terrain with rocky outcrops of limestone along the eastern section of the property drops off from Clover Court before plateauing, where the vacation dwelling and attached deck are located. The deck is cantilevered over sloping land towards the shoreline of Crego Lake, which appears to be completely naturalized.

The relatively undisturbed nature of the property and mixed forest lends itself to privacy created between neighbouring properties. Since there is a drop-off where the addition is proposed to be built towards, massing is negated through the change of grade and any encroachment towards the front lot line is imperceptible. There is also a considerable distance from the location of the front property line to the road of approximately 8 metres, which assists in buffering the proposed addition. The overall design of addition emulates the current style of the cottage through a minimalistic four-window design.

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 Limited Service Residential (LSR) Zone in the Township of Someville Zoning By-law 78-45. 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, Clover Court is a private road located off of Crego Lake Road and does not appear to experience a lot of traffic. There are no anticipated land use compatibility issues presented to the front yard-to-road interface, as the grade rises as one approaches Clover Court from the location of the addition. Through constructing the addition, the prominence of the south face of the dwelling will be increased; however, the addition will not impose onto the streetscape due to the sloping topography.

During a site visit associated with the application, Planning staff identified Building 3 (identified within Appendix C) located in the northwest of the property that is non-compliant with the water yard setback of the Zoning By-law. While the building may predate the Zoning By-law, the owner has expressed a desire to remove the accessory building during construction of the addition. A condition is recommended in order to ensure Building 3 is entirely removed from the property.

Moreover, Planning staff identified a privy located to the southeast of the vacation dwelling that is not entirely located on the subject lands and is non-compliant with the general provisions of the Zoning By-law. The owner has agreed to remove the privy during construction of the new dwelling. A condition is recommended in order to ensure the privy is entirely removed from the property.

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

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

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

The proposed addition is on the side opposite the water yard and 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 variance maintains 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 lake-based water supply and private individual septic system.

Consultations:

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

Agency Comments:

Engineering and Corporate Assets Division (June 4th, 2021): No objections.

Building and Septic Division (June 7th, 2021): Building Plans Examiner of the Building and Septic Division has no concerns with the application.

Public Comments:

No comments received as of June 9, 2021

Attachments:



Appendices A-E for
COA2021-041.pdf

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch (Site Plans)

Appendix D – Application's Sketches (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: D20-2021-032

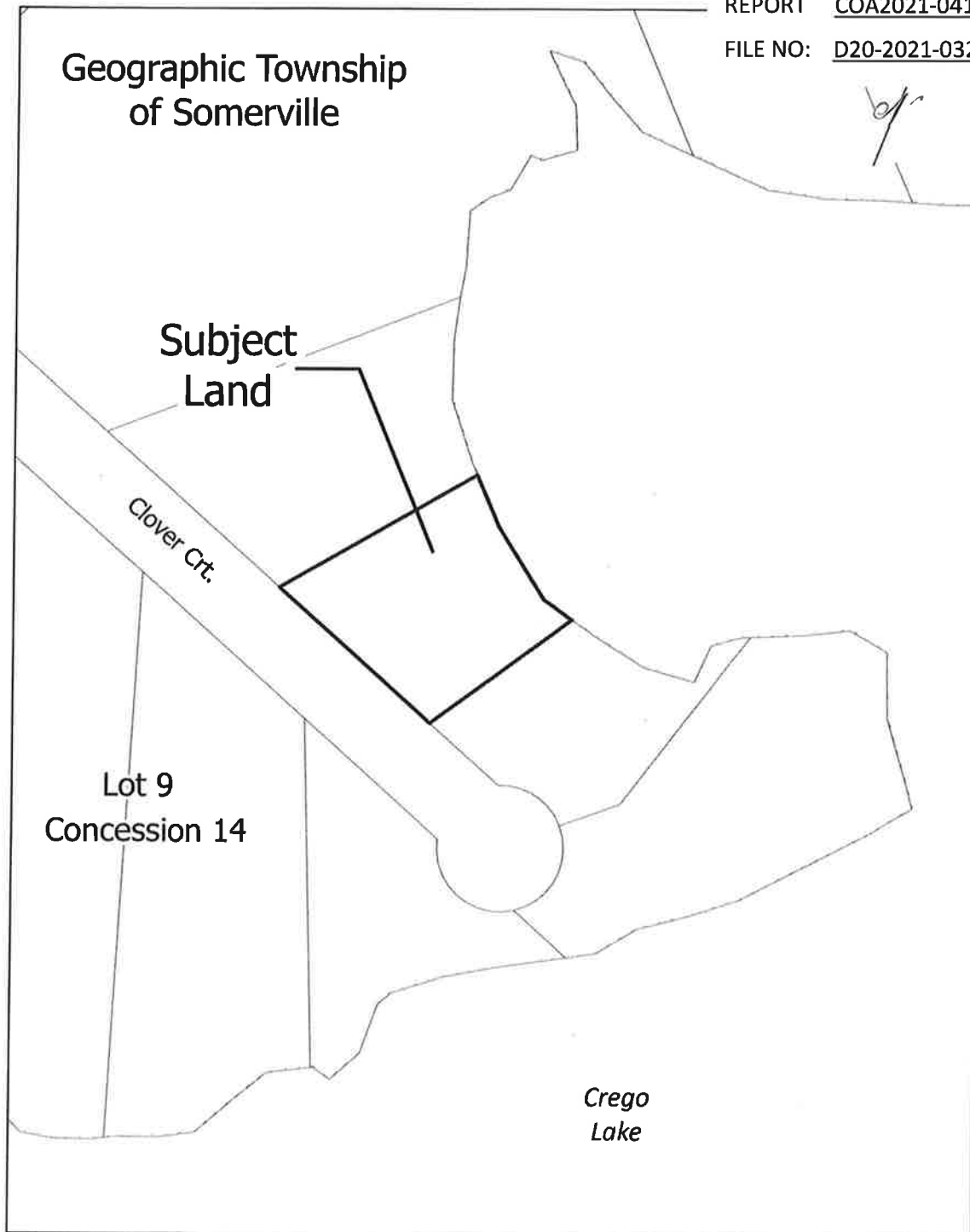
D20-2021-032

APPENDIX " A "

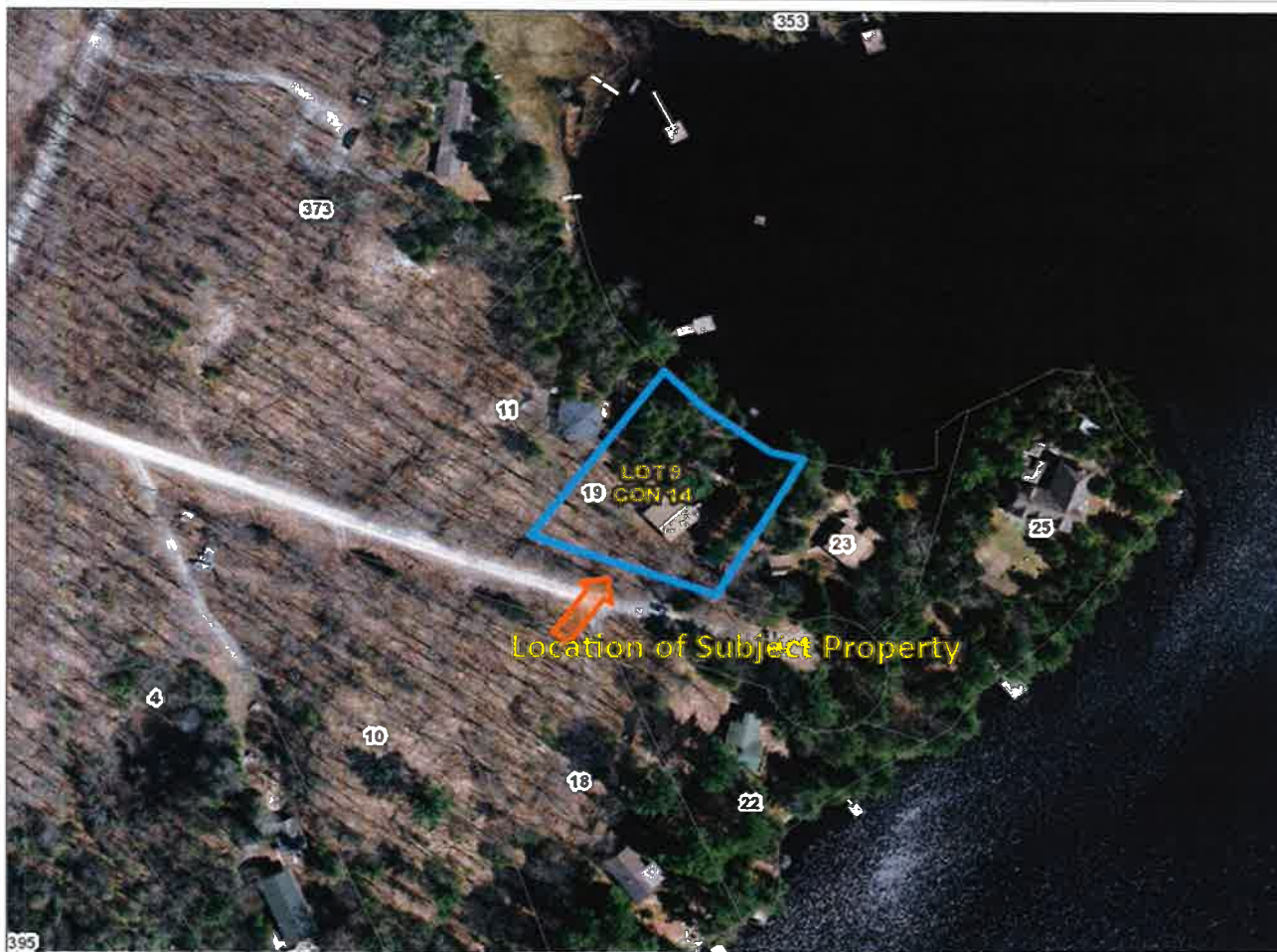
to

REPORT COA2021-041

FILE NO: D20-2021-032



19 Clover Court, former Township of Somerville



0.11 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



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

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

Legend

- ☐ Property Roll Number
- ☒ Lots and Concessions

Notes

Notes

APPENDIX " B "
to
REPORT COA2021-041
FILE NO: D20-2021-032

to
REPORT COA2021-041
FILE NO: D20-2021-032

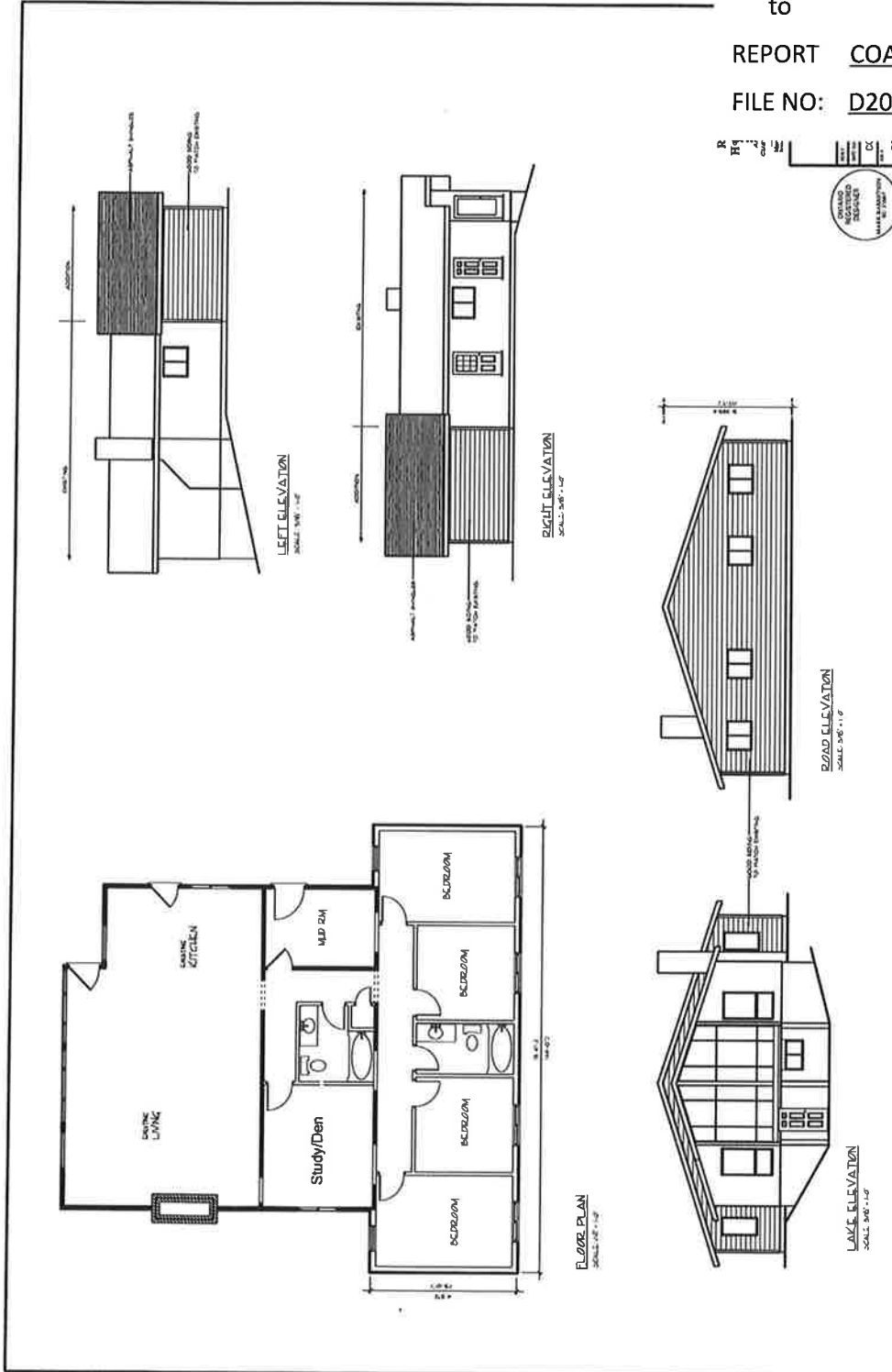


APPENDIX " D "

to

REPORT COA2021-041

FILE NO: D20-2021-032



Kent Stainton

From: Kim Rhodes
Sent: Friday, June 4, 2021 9:59 AM
To: Charlotte Crockford
Subject: FW: 20210508 D20-2021-032 - Engineering review

APPENDIX " E "
to

REPORT COA2021-041

FILE NO. D20-2021-032

From: Kim Rhodes
Sent: Friday, June 4, 2021 9:57 AM
To: Mark LaHay
Cc: Christina Sisson ; Kirk Timms ; Daniel Woodhead
Subject: 20210508 D20-2021-032 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-032
19 Clover Court
Lot 32, Plan 484, Part Lot 9, Concession 14
Geographic Township of Somerville

It is the understanding by Engineering that the purpose and effect is to request relief from Section 5.2 (d) in order to reduce the rear yard setback from 7.5 metres to 3.75 metres to facilitate the construction of an addition to an existing vacation 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.

Kent Stainton

From: Derryk Wolven
Sent: Friday, June 4, 2021 11:01 AM
To: Charlotte Crockford
Subject: RE: D20-2021-032, Notice of Public Hearing for Minor Variance, 19 Clover Court, Somerville

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



From: Charlotte Crockford
Sent: Wednesday, June 2, 2021 4:45 PM
To: 'Erin McGregor'; Christina Sisson; Kim Rhodes; Emmett Yeo; Susanne Murchison; Derryk Wolven; Anne Elmhirst
Subject: D20-2021-032, Notice of Public Hearing for Minor Variance, 19 Clover Court, Somerville

Good afternoon

Please find attached D20-2021-032, Notice of Public Hearing for Minor Variance, 19 Clover Court, Somerville.

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.

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Gary and Mary Tew
Report Number COA2021-042

Public Meeting

Meeting Date: June 17, 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 re-create two residential lots that have merged on title by seeking relief from the following provisions:

210 Sturgeon Glen Road

1. Section 13.2.1.1(b) to reduce the minimum lot area requirement from 2,000 square metres to 1,119 square metres;
2. Section 13.2.1.2(c) to reduce the minimum lot frontage requirement from 35 metres to 15.2 metres;
3. Section 13.2.1.3 to reduce the minimum interior side yard from 1.3 metres to 1.17 metres for the dwelling and to 0.83 metres for the deck;
4. Section 13.2.1.6 to reduce the minimum gross floor area of a dwelling from 93 square metres to 66 square metres;

212 Sturgeon Glen Road

5. Section 13.2.1.1(b) to reduce the minimum lot area requirement from 2,000 square metres to 1,356 square metres; and
6. Section 13.2.1.2(c) to reduce the minimum lot frontage requirement from 35 metres to 21.8 metres.

The variances are requested at 210 and 212 Sturgeon Glen Road, geographic Township of Fenelon (File D20-2021-033).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2021-042 Tew, be received;

That minor variance application D20-2021-033 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 refused if the related consent application D03-2020-032 lapses;
- 2) **That** the variances pertaining to 210 Sturgeon Glen Road shall only apply to said address once the lands are divided; and
- 3) **That** the variances pertaining to 212 Sturgeon Glen Road shall only apply to said address once the lands are divided.

This approval pertains to the application as described in report COA2021-042. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: On April 12, 2021, the Acting Director of Development Services as delegated by Council granted provisional consent to file D03-2020-032. One of the conditions of provisional consent is to obtain variances for the re-creation of the two shoreline residential lots. On June 8, 2021, the conditions were amended to reflect the new sketch submitted with this variance application. The new sketch was necessary to ensure building, structure, and walkway encroachments would not occur with the re-creation of the mutual lot line.

The application will serve to re-establish independent ownership over the single detached dwellings addressed as 210 Sturgeon Glen Road and 212 Sturgeon Glen Road. The lots merged on title.

This application was last amended June 3, 2021.

Proposal: To re-create two residential lots.

Owners: Gary and Mary Tew

Applicant: Paul Rabinovitch - HGR Graham Partners LLP

Legal Description: Part Lot 18, Concession 10, geographic Township of Fenelon, 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 Fenelon Zoning By-law 12-95

Site Size: 210 Sturgeon Glen Road - 1,119 square metres (12,044 square feet)

212 Sturgeon Glen Road – 1,356 square metres (14,595 square feet)

Site Servicing: Private individual well and septic system for each dwelling

Existing Uses: Shoreline Residential

Adjacent Uses: North, South: Shoreline Residential
West: Sturgeon Lake
East: Forest/Wetland

Rationale:

1) Are the variances minor in nature? Yes
And

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

The subject property is located on the east side of Sturgeon Lake as it narrows on approach to Fenelon Falls. The property is within a shoreline residential neighbourhood. The neighbourhood is serviced by a single road, Sturgeon Glen Road. The dwellings are between Sturgeon Glen Road and the lake. There is forested wetland to the east of the road.

The application will serve to re-establish independent ownership over the single detached dwellings addressed as 210 and 212 Sturgeon Glen Road. While the lots merged on title, they continue to function independently of one another.

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

For the proposed interior side yard setback reduction from the dwelling and deck at 210 Sturgeon Glen Road to the mutual lot line, sufficient space remains for access and maintenance purposes. The proposed 0.13 metre reduction for the single storey dwelling is not anticipated to be perceptible due to the modest degree of variance sought and the modest height of the dwelling. While the 0.47 metre reduction sought for the deck is greater than the dwelling, the deck is of open construction and of minimal height. These two factors allow for the reduced yard to be maintained more easily. Also, the deck's modest height is not anticipated to generate any adverse massing impacts or land use conflicts.

The reduced floor area of the dwelling at 210 Sturgeon Glen Road, constructed circa 1966, is of a size of dwelling more common of the older housing stock within this neighbourhood. While much of the older housing stock within the immediately surrounding area has been replaced with larger more modern dwellings, modest dwellings with modest footprints remain part of the neighbourhood's built character.

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

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

Yes

The subject property is zoned "Rural Residential Type Three (RR3) Zone" in the former Township of Fenelon Zoning By-law 12-95. The RR3 Zone permits single detached dwellings.

The intent of the lot frontage provision is to ensure the residential lots are sufficiently sized to accommodate a building along with private servicing. The two proposed lots do have sufficient area to each contain and support a dwelling, as is evidenced by the two dwellings that exist.

The intent of the interior side yard provision is to ensure sufficient spatial separation between lots to manage massing, property maintenance issues, and lot grading and drainage issues. There is sufficient distance between the dwelling, deck, and lot line to carry out needed maintenance, and Development Engineering Division has not raised any issues with respect to lot grading and drainage.

The intent of the minimum dwelling unit floor area provision is to provide sufficient living space, ensure adequate proportion of primary to accessory buildings and uses, and regulate the overall built character of the neighbourhood. The dwelling at 210 Sturgeon Glen Road spans most of the width of the lot and is wider than the 2 storey dwelling at 212 Sturgeon Glen Road. Therefore, its width is not greatly out of place. The size and height of the dwelling at 210 Sturgeon Glen is also not out of character with the other modestly sized dwellings further up the road. The proposed built form is compatible with the built form of the neighbourhood.

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 subject lands are 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.

While the proposal does not meet the 3,000 square metre area requirement to create a new shoreline residential lot, the application proposes to separate two dwellings from one another on land that merged on title. The merger combined two lots. The applicant is seeking to re-establish the two lots. As such, the application seeks to recognize the two established residential uses on each portion of the currently consolidated lot. The Official Plan does not provide specific provisions to address situations where lots have consolidated through an inadvertent change in title, but does allow through Policy 33.3 for the size of any parcel of land created by consent to be appropriate for the proposed uses and the services available. As this proposal re-creates two previously existing lots which are already developed on separate sewage systems and wells, this application does not offend the required criteria.

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

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

Each dwelling is serviced by a private individual well and sewage system.

Consultations:

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

Agency Comments:

Development Engineering Division (June 4, 2021): No concerns.

Building and Septic Division – Building Branch (June 4, 2021): No concerns as the purpose is to re-establish a property line.

Public Comments:

No comments received as of June 8, 2021.

Attachments:



Appendices A-D to
COA2021-042

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

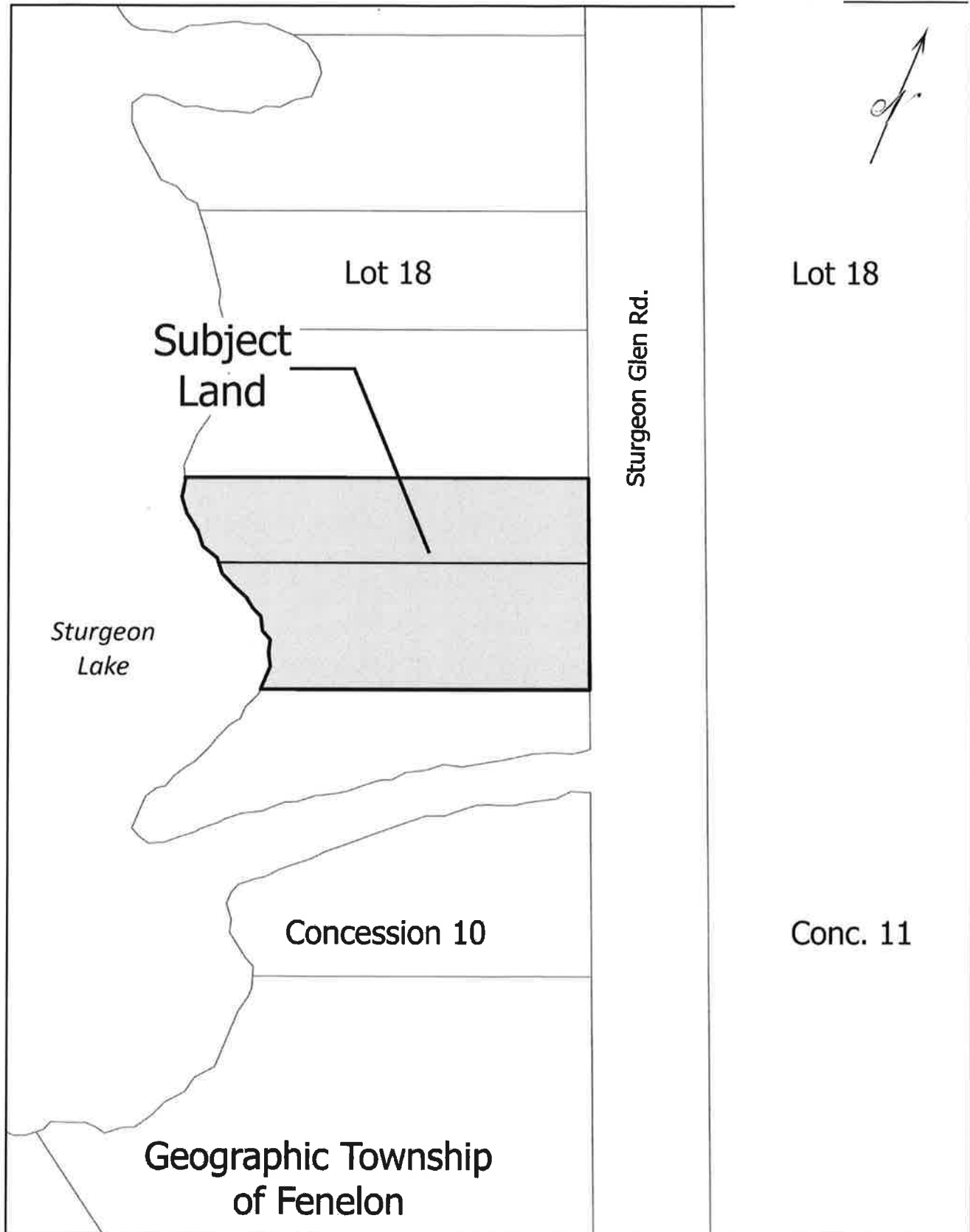
Department File: D20-2021-033

to

REPORT COA2021-042

FILE NO: D20-2021-033

D20-2021-033





210 and 212 Sturgeon Glen Road, geographic Twp. of Fenelon



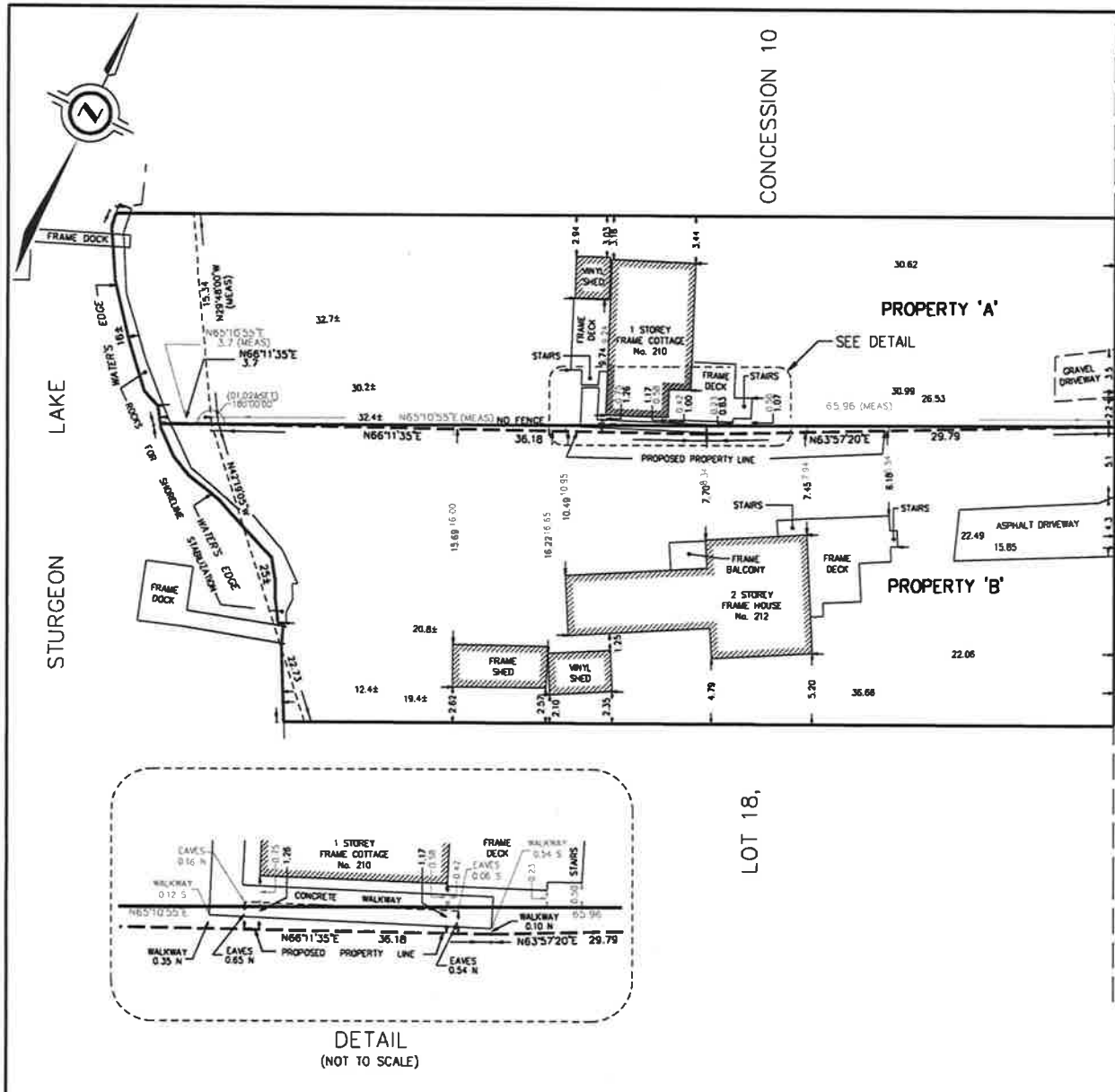
0.07 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



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.

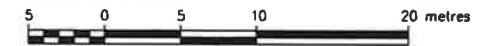
THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

APPENDIX " B "
to
REPORT COA2021-042
FILE NO: D20-2021-033



SKETCH FOR SEVERANCE PART OF LOT 18, CONCESSION 10 GEOGRAPHIC TOWNSHIP OF CITY OF KAWARTHA LAKES

SCALE 1 : 300



© COPYRIGHT 2021

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

SUBJECT LANDS

PART OF LOT 18, CONCESSION 10
GEOGRAPHIC TOWNSHIP OF FENELON
BEING PIN 63146-0307 (LT)

PROPERTY 'A'

AREA = 1119.79 Sq.m.
PERCENTAGE OF COVERAGE = 16.9%

PROPERTY 'B'

AREA = 1356.49 Sq.m.
PERCENTAGE OF COVERAGE = 12.4%

CAUTION:

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



FILE NO: D20-2021-033
REPORT COA2021-042

APPENDIX " C "

David Harding

From: Kim Rhodes
Sent: Friday, June 4, 2021 10:17 AM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead
Subject: 20210604 D20-2021-033 - Engineering review

REPORT COA2021-042

FILE NO. D20-2021-033

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-033
210 and 212 Sturgeon Glen Road
Part Lot 18, Concession 10
Geographic Township of Fenelon

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

210 Sturgeon Glen Road

1. Section 13.2.1.1(b) to reduce the minimum lot area requirement from 2,000 square metres to 1,119 square metres;
2. Section 13.2.1.2(c) to reduce the minimum lot frontage requirement from 35 metres to 15.2 metres;
3. Section 13.2.1.3 to reduce the minimum interior side yard from 1.3 metres to 1.17 metres for the dwelling and to 0.83 metres for the deck;
4. Section 13.2.1.6 to reduce the minimum gross floor area of a dwelling from 93 square metres to 66 square metres;

212 Sturgeon Glen Road

5. Section 13.2.1.1(b) to reduce the minimum lot area requirement from 2,000 square metres to 1,356 square metres; and
6. Section 13.2.1.2(c) to reduce the minimum lot frontage requirement from 35 metres to 21.8 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

David Harding

From: Derryk Wolven
Sent: Friday, June 4, 2021 11:01 AM
To: Charlotte Crockford
Subject: RE: D20-2021-033, Notice of Public Hearing for Minor Variance, 210 and 212 Sturgeon Glen Road

As the purpose of this MV is to re-establish a property line, 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



From: Charlotte Crockford
Sent: Wednesday, June 2, 2021 4:51 PM
To: Christina Sisson ; Kim Rhodes ; 'alanna.boulton@canada.ca' ; Doug Elmslie ; Susanne Murchison ; Derryk Wolven
Subject: D20-2021-033, Notice of Public Hearing for Minor Variance, 210 and 212 Sturgeon Glen Road

Good afternoon

Please find attached D20-2021-033, Notice of Public Hearing for Minor Variance, 210 and 212 Sturgeon Glen Road.

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.

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Josie Harlow

Report Number COA2021-043

Public Meeting

Meeting Date: June 17, 2021

Time: 1:00 pm

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

Ward: 2 – Geographic Township of Bexley

Subject: The purpose and effect is to request relief from the following provisions to permit the construction of a single detached dwelling:

1. Section 9.2.1.3(a) to reduce the minimum front yard setback from 7.5 metres to 3.0 metres;
2. Section 9.2.1.3(e) to reduce the minimum water setback from 15 metres to 9.0 metres; and,
3. Section 3.18.1.1(a) to reduce the minimum setback of buildings and structures from an Environmental Protection (EP) Zone boundary from 15 metres to 9.0 metres.

The property is located at 17 North Water Street, geographic Township of Bexley (File D20-2021-034).

Author: David Harding, Planner II, RPP, MCIP

Signature: 

Recommendation:

Resolved That Report COA2021-043 Harlow, be received;

That minor variance application D20-2021-034 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the construction of the dwelling related to this approval shall proceed substantially in accordance with the sketch in Appendix C and generally in accordance with the elevation and plan in Appendix D submitted as part of Report COA2021-043, which shall be attached to and form part of the Committee's Decision;
- 2) **That** prior to the issuance of a Building Permit, the owner shall obtain site plan approval to establish additional vegetation between the dwelling and Gull River through approval of a planting plan. The planting plan shall be

created in accordance with options (i) or (ii) and (iii) identified in Kawartha Region Conservation Authority's comments dated May 10, 2018 in Appendix E to Report COA2021-043, which shall be attached to and form a part of the Committee's Decision. The planting plan must be to the satisfaction of the Kawartha Region Conservation Authority and the City; and

- 3) **That** the building construction related to the minor variances shall be completed within a period of thirty-six (36) 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 COA2021-043. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The application proposes to demolish the existing single storey detached dwelling and construct a new one and one-half storey dwelling with attached garage. The existing dwelling does not comply with the minimum water/EP Zone setback and minimum front yard setback requirements.

The Committee previously approved the proposal, File D20-2018-003, at its July 19, 2018 meeting. However, the owner did not proceed to construct the dwelling in time and the application lapsed. The owners now wish to proceed with the re-development of the property, and have re-submitted the application for consideration.

This application was deemed complete May 3, 2021.

Proposal: To construct a single detached dwelling.

Owner: Josie Harlow

Legal Description: Lot 5, Plan 46, Ward 1, geographic Township of Bexley, City of Kawartha Lakes

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

Zone: Hamlet Residential (HR) Zone – Township of Bexley Zoning By-law 93-09

Site Size: 779.79 square metres - Coe Fisher Cameron OLS (8,393.5 square feet)

Site Servicing: Municipal sanitary sewer and lake-based water supply

Existing Uses: Residential

Adjacent Uses: Northeast: Park/Public Dock, Residential, Commercial
Southeast: Gull River
Northwest: Residential, Vacant Residential
Southwest: Residential

Rationale:

1) Are the variances minor in nature? Yes

The subject property is located within the Coboconk hamlet settlement area. The majority of lots on the southeastern side of North Water Street are characterized by shallow front and rear yards. This is due to the fact that there is little space between the North Water Street road allowance and Gull River. The subject property has a depth of approximately 22.71 metres. Without variances, the dwelling would have a depth of approximately 7 metres (22.9 feet), possibly less as the shoreline has a slight inward curve. Further, relief from the lot coverage requirement is not needed, which supports the view that the proposed built form is in proportion to the area of the lot.

The variances will facilitate the construction of a new dwelling with a total depth of 11 metres (36 feet). The new dwelling is 3 metres closer to the water and half a storey taller than the existing dwelling. However, the dwelling is only slightly closer to the water than the rear deck of the existing dwelling. As this property is within the Coboconk urban settlement area and is also in close proximity to the central business district to the northeast, the property is within a neighbourhood which is more urbanized in nature. This nature is characterised by built form that is closer to lot lines. Adverse massing impacts are anticipated to be minimal as the existing single storey building and its deck maintains similar setbacks to those proposed, and all nearby buildings on the southeastern side of North Water Street maintain similar setbacks to the road and shoreline.

Therefore, the variances are minor in nature

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

The proposal will facilitate the replacement of the existing single storey dwelling with a one and a half storey dwelling. Expansion is proposed to the northeast and southeast, but the dwelling footprint will maintain a shoreline setback very similar to that established by the existing deck. The front yard setback at its closest point would remain unchanged.

An attached garage is proposed, which is set back from the rest of the dwelling's front wall. The property has no existing parking; vehicles are parked on the road in-front of the property. The increased setback of the garage allows for the construction of a driveway between the garage and front lot line to accommodate two vehicles side by side. The garage will provide enclosed storage for two more vehicles and other household items. The redevelopment will result in a net improvement to the parking situation by providing opportunity for parking to be contained upon the lot.

The footprint expansion in the northeastern direction will include side yard patio access for the main floor. A walkout basement design with no deck above is proposed along the southeast wall to maintain the existing landscaped open space within the rear yard. Sufficient side and rear yard amenity space will remain with the enlarged dwelling footprint for maintenance, front/rear yard access, and amenity purposes. The proposal will also provide for additional habitable space, increasing the functionality of the dwelling and lot.

Due to the above analysis, the variances are considered 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 Hamlet Residential (HR) Zone within the Township of Bexley Zoning By-law 93-09.

The front yard setback is intended to provide sufficient space for vehicles to be parked on private property between the road allowance and building, and maintain sight lines. The proposal provides for the two required 6 metre x 2.8 metre parking spaces within the garage and an additional two between the garage door and North Water Street road allowance. The proposal will bring the property into compliance with the zoning by-law as there is currently no on-site parking. As the front of the dwelling is proposed to be in keeping with the building line established on the southeastern side of North Water Street, no adverse impacts to sight lines are anticipated.

The setback from the Environmental Protection (EP) Zone is intended to ensure sufficient vegetated space between a building and shoreline for the infiltration of storm water. In this instance, no deck is proposed off the rear wall of the dwelling, and a walkout basement is proposed. Instead, side/rear yard access from the main floor will be via the northeastern wall. The Kawartha Region Conservation Authority (KRCA) has recommended a planting plan be executed in order to improve shoreline habitat within the rear yard. Provided one of the planting plan options identified in Appendix E are followed, the intent of the EP Zone is maintained as the impacts to the Gull River would be mitigated and the vegetation within the rear yard improved. A condition is recommended to implement the KRCA's comments. A planting plan would be enforced through an appropriate form of site plan approval and the owner will need to provide securities to ensure that the works are completed.

The proposed construction exceeds the minimum gross floor area requirement of 93 square metres and is under the maximum lot coverage requirement of 30%.

No changes are proposed to the legal non-complying shed, and the proposed dwelling will maintain the required building spatial separation from said shed.

Provided a condition is included to address habitat improvement along the shoreline, the variances meet 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 subject property is designated Hamlet Settlement Area in the City of Kawartha Lakes Official Plan. An assortment of uses including residential uses are anticipated within this designation.

As per policy 3.11, the intent of the Official Plan is that development maintains a minimum setback of 15 metres from the shoreline in order to avoid natural hazards which may result in loss of life and/or loss of property, and provide environmental buffers in order to maintain and improve water quality and habitat. In this instance, the lot, at about 23 metres deep, is too shallow to permit redevelopment that maintains a setback of 15 metres. It was not the intent of the Official Plan to preclude the redevelopment of shoreline property, particularly shoreline property within Hamlet Settlement Areas provided appropriate mitigation measures are followed. The KRCA has proposed a series of mitigation measures via a planting plan that would address adverse impacts. The planting plan will improve upon the existing shoreline vegetation. The entirety of the rear yard is currently lawn. The owner's surveyor has also provided a plan which demonstrates that the basement floor will be above the flood hazard.

Low profile building design is also anticipated near the shoreline. A one and one half storey design has been proposed to minimize shoreline massing impacts.

The proposed variances maintain the general intent and purpose of the Official Plan.

Other Alternatives Considered:

A shallower dwelling design was discussed, though the viability and functionality of such a narrow space and lack of available plans made such a proposal challenging. Revisions to the proposal were made in response to staff comments when the file was first considered in 2018. The location of the garage was adjusted prior to the submission of the original application in order to contain two parking spaces between the garage door and front lot line.

Servicing Comments:

The property is serviced by the municipal sanitary sewer 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:

Kawartha Region Conservation Authority (May 10, 2018): No concerns. Conditions recommended. See Appendix E.

Ministry of Transportation (MTO) (June 4, 2021): No concerns as the property is located a significant distance away from the highway. However, the site is within the MTO permitting area and an MTO building and land use permit will be required.

Building and Septic Division – Building Branch (June 4, 2021): No concerns.

Development Engineering Division (June 4, 2021): No objection.

Public Comments:

No comments received as of June 8, 2021.

Attachments:

Appendices A-E to
COA2021-043

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Elevation

Appendix E – Department and Agency Comments

Phone: 705-324-9411 extension 1206

E-Mail: dharding@kawarthalakes.ca

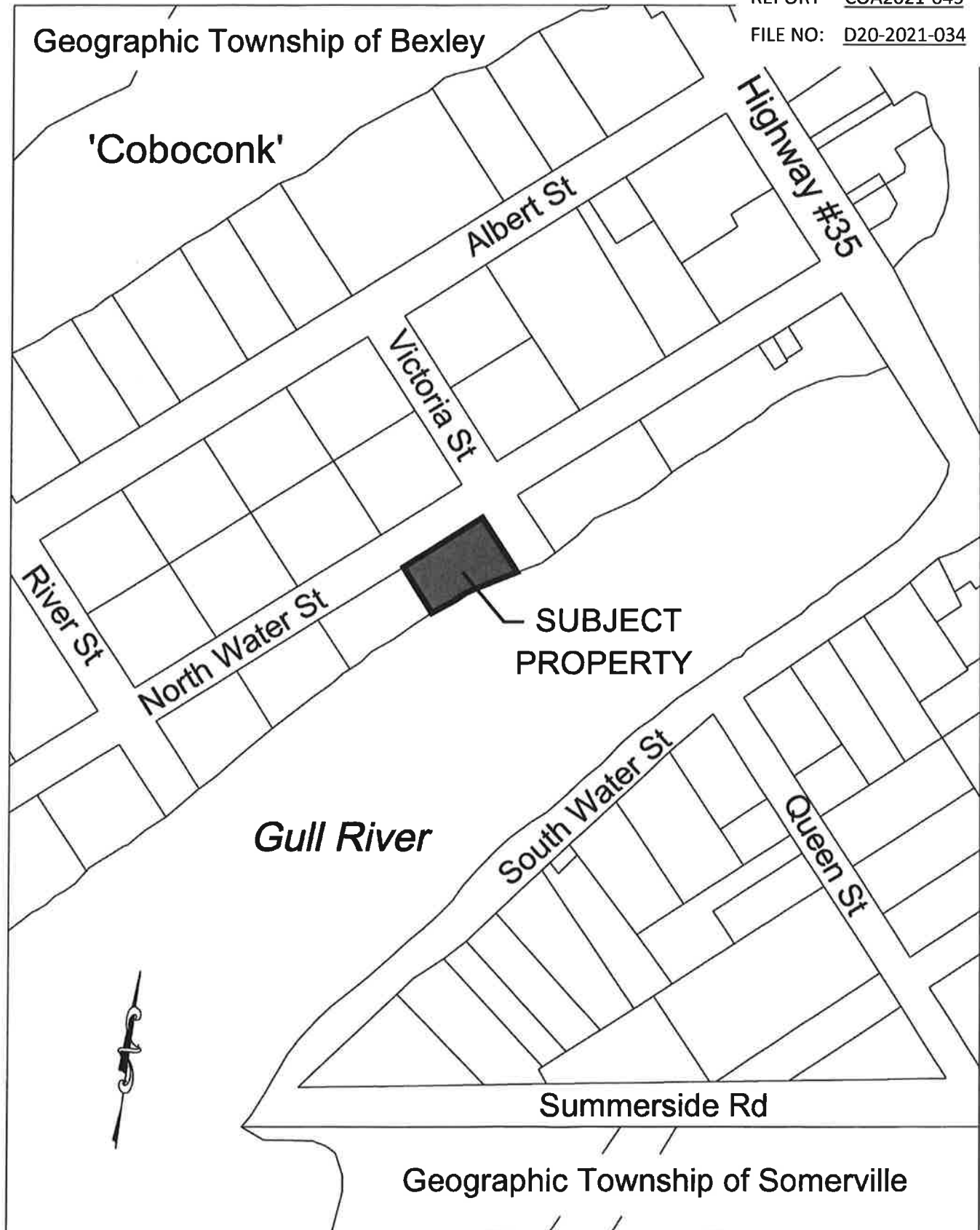
Department Head: Richard Holy, Acting Director of Development Services

Department File: D20-2021-034

to

REPORT COA2021-043

FILE NO: D20-2021-034



17 Water Street North, geographic Twp. of Bexley



0.05

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR COMMERCIAL OR LEGAL PURPOSES.

APPENDIX " B "

to

REPORT COA2021-043

FILE NO: D20-2021-034

CIVIC ADDRESS: 17 WATER STREET
 OWNER: JOSEPHINE DIANA HARLOW
 BUILDER:
 BUILDING PERMIT No. _____
 ROLL No. _____

FOR CONSTRUCTION PURPOSES ONLY

SITE GRADING PLAN OF
LOT 5
EAST OF WATER STREET
REGISTERED PLAN No. 46
 GEOGRAPHIC TOWNSHIP OF BEXLEY
 CITY OF KAWARTHA LAKES
 SCALE 1 : 200



COE, FISHER, CAMERON
 © COPYRIGHT 2018

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

LEGEND:

- - FOUND SURVEY MONUMENT
- SIB - STANDARD IRON BAR
- IB - IRON BAR
- CC - CUT CROSS
- (250.50) PROPOSED ELEVATION
- Original Ground
- SLOPE
- SWALE
- F.F.E. - FIRST FLOOR ELEVATION
- T.B.W. - TOP OF BASEMENT WALL
- T.B.S. - TOP OF BASEMENT SLAB
- T.G.S. - TOP OF GARAGE WALL
- T.G.W. - TOP OF GARAGE WALL
- U.F. - UNDERSIDE OF FOOTING
- HP - HIGH POINT
- HPED - HYDRO PEDESTAL

GENERAL NOTES:

1. DRAINAGE SHALL BE SELF-CONTAINED ON SITE BY THE CONSTRUCTION OF SWALES OR DRAIN TO A PROTECTED OUTLET. DRAINAGE SHALL NOT IMPACT ADJACENT PROPERTIES.
2. SEDIMENT AND EROSION CONTROL MEASURES SHALL BE IMPLEMENTED TO PREVENT MIGRATION OF SILT AND SEDIMENT FROM THE SUBJECT LOT TO ANY ADJACENT LOT, INCLUDING MUNICIPAL RIGHT-OF-WAY. SPECIAL CARE SHALL BE TAKEN TO ENSURE THAT SILT AND SEDIMENT LADEN SURFACE WATER DOES NOT ENTER ANY WATERCOURSES OR ENVIRONMENTALLY SENSITIVE AREA. OTHER OVERLAND OR THROUGH THE STORM DRAINAGE SYSTEM. THE OWNER/BUILDER SHALL COMPLY WITH ALL DIRECTIVES ISSUED BY ANY OF THE ENVIRONMENTAL AGENCIES.
3. INTERIOR GRADING MEASURES MAY BE REQUIRED DURING BUILDING CONSTRUCTION TO ENSURE THAT DRAINAGE DOES NOT ADVERSELY AFFECT THE NEIGHBOURING PROPERTIES. ROUGH GRADING OF THE PROPERTY SHALL BE COMPLETED SUCH THAT DRAINAGE IS CONTAINED ON SITE OR CONTROLLED TO A PROTECTED OUTLET.
4. ALL DOWNSPOUTS AND OTHER DRAINAGE DISCHARGE POINTS SHALL DISCHARGE ONTO A SPLASH PAD OR APPROVED EQUIVALENT.
5. THE OWNER/BUILDER IS RESPONSIBLE FOR OBTAINING UTILITY AND SERVING LOCATES PRIOR TO ANY WORKS.
6. ALL DISTURBED AREAS ARE TO BE SOGGED OR SEEDED OVER A MINIMUM OF 150MM OF TOPSOIL OR APPROVED EQUIVALENT.
7. THE OWNER/BUILDER MUST OBTAIN A ROAD OCCUPANCY PERMIT FROM PUBLIC WORKS PRIOR TO ANY WORKS WITHIN THE MUNICIPAL ROAD ALLOWANCE.
8. A COPY OF THE REVIEWED BY ENGINEERING LOT GRADING AND DRAINAGE PLAN IS TO BE ON SITE FOR REFERENCE AT ALL TIMES DURING CONSTRUCTION.
9. BUILDER TO ENSURE MINIMUM OVERBURDEN FOR FROST PROTECTION ON FOOTINGS.
10. SWALES WITH LESS THAN 2% SLOPE HAVE POTENTIAL FOR PONDING WATER.
11. FOUNDATION TO BE STEPPED FROM NEAR WALKOUT ARROUND SIDES OF HOME. NO ELEVATIONS WILL BE LESS THAN 0.15m BETWEEN GROUND AND T.B.W.

ZONING		HR	A	F.F.E.	259.49
LOT AREA		779.79 SQ. m.	A	T.B.W.	259.19
BUILDING AREA		195.7 SQ. m.	B	T.B.W.	256.85
				T.B.S.	256.85
				T.G.S.	258.45
			A	U.F.	256.60
			B	U.F.	255.48
No.	DATE	DESCRIPTION			
REVISIONS					
SHEET 1					

ELEVATIONS:

ELEVATIONS SHOWN HEREON ARE GEOC ARE REFERRED TO A NAIL IN A TREE 2m SOUTHEAST OF THE SOUTHERN CC HAVING AN ELEVATION OF 257.73m (C00V28-1978)

APPROVED
 DATED

COE FIS

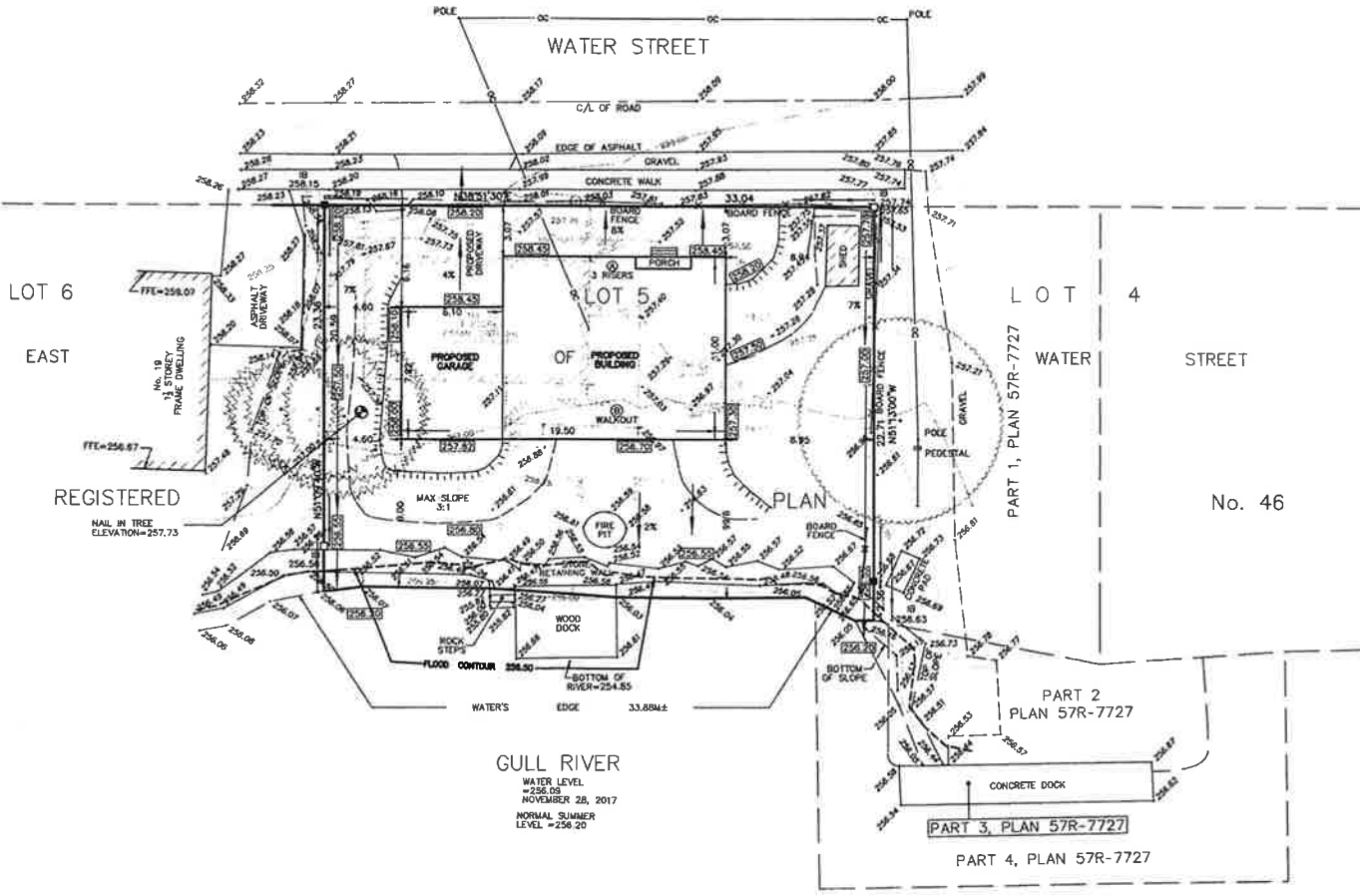
A wholly owned:
 257 KENT STREET
 T: (705) 324-4152 F

DRAWN BY: AP

CHECKED BY:

FILE: C:\17-12-356\GIS\Drawing\17-12-356-

APPENDIX " C "
 to
 REPORT
 COA2021-043
 FILE NO:
 D20-2021-034



GULL RIVER
 WATER LEVEL
 =256.50
 NOVEMBER 28, 2017
 NORMAL SUMMER
 LEVEL =256.20

7

7



to

REPORT COA2021-043

FILE NO: D20-2021-034

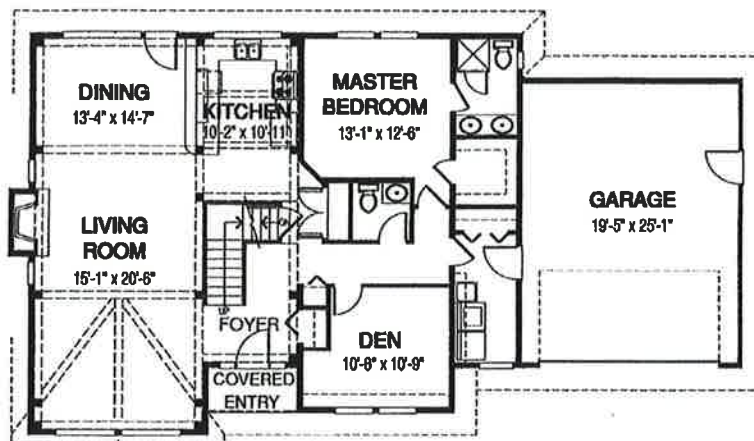
The *Clarkson***TIMBER FRAME & LOG****Square Footage**

MAIN FLOOR	1472
UPPER FLOOR	971
UNFINISHED/ BONUS AREA	—
TOTAL LIVING AREA	2443
GARAGE	511
COVERED ENTRY/PORCH	32
BALCONY/ DECK	—
TOTAL AREA	2986

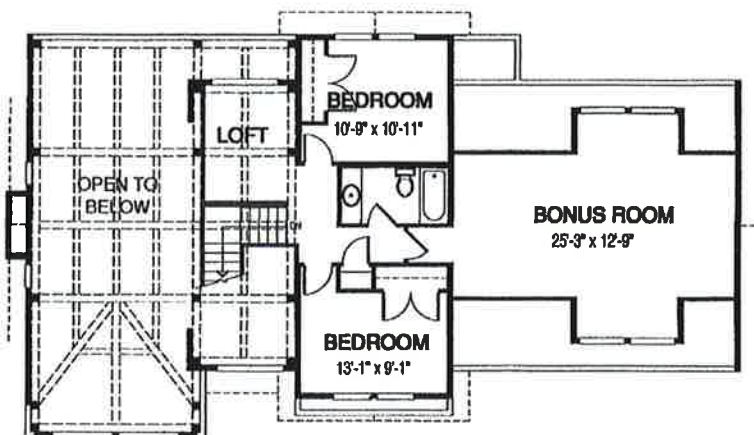
Dimensions

WIDTH	DEPTH
64	36

MAIN FLOOR



UPPER FLOOR





May 10, 2018
KRCA File No. 16056

APPENDIX " E "
to
REPORT COA2021-043

FILE NO. D20-2021-034

Via Email
David Harding
City of Kawartha Lakes
180 Kent Street West
Lindsay, ON K9V 2Y6

**Regarding: Fish Habitat Enhancement Opportunities
17 North Water Street
Lot 15, Fronting on Kioshquabekonk River
Geographic Twp. of Bexley
City of Kawartha Lakes**

Dear Mr. Harding:

Kawartha Conservation staff conducted a site visit to the subject property on April 11, 2018 to identify opportunities for fish habitat enhancement in order to assist Mr. and Mrs. Harlow in fulfilling the associated condition of their minor variance (D20-2018-003).

As previously discussed, other examples of fish habitat planting plans approved in Kawartha Conservation's watershed included the use of non-invasive, native species on approximately 25% of the rear yard abutting the watercourse. The following are potential opportunities to mitigate impacts to fish habitat at 17 North Water Street which we present as recommendations to the City:

- i) Plant live, native, water tolerant trees/shrubs within the rip-rap riparian area along the bank to facilitate overhanging vegetation that provides shade and nursery habitat for fish; and/or
- ii) Establish a buffer zone of natural vegetation, that is not mowed, between the rip-rap and the dwelling wherever possible; plantings of native shrubs and grasses would help to provide stormwater runoff quality buffering; and/or
- iii) Plant mature trees within the upland riparian area to facilitate overhanging vegetation that over time will provide shade; and/or
- iv) Install in-water structures in the nearshore including large boulders, and/or large anchored rootwads to provide habitat complexity.

For option i) species selection for this application is limited to species which dormant cuttings can be made. All species listed below will grow in full sun and wet soils:

- Willow (*Salix spp.*)
- balsam poplar
- Eastern cottonwood
- common elderberry
- silky dogwood*
- red osier dogwood*

*dogwoods are typically considered to have fair to good stake rooting ability, compared to the other listed species which have slightly better (very good to excellent) rooting ability. However dogwood species are easily obtained, and would be a suitable option.

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



For option iii), staff recommend larger caliper trees to encourage survival and to provide shade more immediately (e.g. 50 mm) rather than saplings or whips. Some suggested species for this option are:

- Eastern hemlock
- red maple
- red oak
- bur oak
- white pine

Once the preferred fish habitat mitigation option is selected, Kawartha Conservation's Stewardship Department would be more than happy to help secure the species identified above for the planting plans. Your contact would be Holly Shipclark, at 705-328-2271 ext. 240 or via email at hshipclark@kawarthaconservation.com

I trust this meets your information requirements at this time. Should you require any additional information, please do not hesitate to contact this office.

Yours truly,



Katie Jane Harris, Resources Planner

Cc: Josie Harlow, Owner, via email
Erica Hallett, City of Kawartha Lakes, via email

David Harding

From: Derryk Wolven
Sent: Friday, June 4, 2021 10:49 AM
To: Charlotte Crockford
Subject: RE: D20-2021-034, Notice of Public Hearing for Minor Variance, 17 North Water Street, Bexley

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



From: Charlotte Crockford
Sent: Wednesday, June 2, 2021 4:55 PM
To: Christina Sisson ; Kim Rhodes ; Amber Hayter ; 'alanna.boulton@canada.ca' ; Kathleen Seymour-Fagan ; Susanne Murchison ; Derryk Wolven
Subject: D20-2021-034, Notice of Public Hearing for Minor Variance, 17 North Water Street, Bexley

Good afternoon

Please find attached D20-2021-034, Notice of Public Hearing for Minor Variance, 17 North Water Street, 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.

David Harding

From: Kim Rhodes
Sent: Friday, June 4, 2021 10:00 AM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead
Subject: 20210604 D20-2021-034 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-034
17 North Water Street
Part Lot 15, Gull River Range, Lot 5, Plan 46
Geographic Township of Bexley

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

1. Section 9.2.1.3(a) to reduce the minimum front yard setback from 7.5 metres to 3.0 metres;
2. Section 9.2.1.3(e) to reduce the minimum water setback from 15 metres to 9 metres; and
3. Section 3.1 8.1.1 (a) to reduce the minimum setback of buildings and structures from an Environmental Protection Zone boundary from 15 metres to 9 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.

Ministry of Transportation

Corridor Management Section
1355 John Counter Boulevard
Postal Bag 4000
Kingston, Ontario K7L 5A3
Tel.: 613 545-4744
Fax: 613-540-5106

Ministère des Transports

Section de gestion des couloirs routiers
1355, boulevard John Counter
CP/Service de sacs 4000
Kingston (Ontario) K7L 5A3
Tél.: 613 545-4744
Télééc. 613 540-5106



June 4, 2021

Charlotte Crockford
Administrative Assistant, Planning Department
City of Kawartha Lakes
180 Kent Street West
Lindsay, ON K9V 2Y6

Via email: ccrockford@kawarthalakes.ca

Dear Charlotte Crockford:

**Re: Minor Variance and Zoning Application – Application: D20-2021-034
17 North Water Street, Part Lot 15, Gull River Range, Lot 5, Plan 46
Geographic Township of Bexley, Ward 2, City of Kawartha Lakes**

Thank you for circulating the minor variance and zoning application to Ministry of Transportation (MTO). MTO understands that the proposal is to allow relief of the property for the purpose of constructing a single detached dwelling on the site.

MTO in principal has no concern with the proposed zoning amendments and proposed land use for the single detached dwelling. Since the property is setback significantly from the highway and nearest intersection therefore, MTO has no concerns with the development. However, the site is within MTO permit and an MTO building & land use permit will be required. Please apply for the permit at www.hcms.mto.gov.on.ca. During the permit application the proponent must include all site plans and supplemental documents so MTO can properly assess the development.

If you have further questions concerning this matter, please feel free to contact me at aaron.teper@ontario.ca.

Sincerely,

A handwritten signature in cursive script that reads "Aaron Teper".

Aaron Teper
Planning Intern

cc. Cheryl Tolles, Senior Project Manager
Jazmine Etchells, Corridor Management Officer

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – City of Kawartha Lakes
Report Number COA2021-044

Public Meeting

Meeting Date: June 17, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 2 – Former Village of Bobcaygeon

Subject: The purpose and effect is to request relief from Section 9.2(c) to reduce the minimum rear yard requirement from 9 metres to 2.8 metres to permit an addition to the building

The variance is requested at 123 East Street South, former Village of Bobcaygeon (File D20-2021-035).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2021-044 City of Kawartha Lakes, be received;

That minor variance application D20-2021-035 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 COA2021-044, which shall be attached to and form part of the Committee's Decision; and
- 2) **That** the owner shall provide the Secretary-Treasurer with a letter from the Planning Division declaring that the site plan process is complete 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 COA2021-044. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: The two storey building, known as the Bobcaygeon Municipal Service Centre is undergoing renovations on its second floor. The renovations will allow the second floor to become the site

of the new Bobcaygeon Library. As part of the renovations, an approximately 119.6 square metre addition is proposed to the south side of the building.

The property is concurrently undergoing site plan review, File D19-2020-009. This variance was identified as part of that review.

This application was deemed complete May 27, 2021.

Proposal:	To permit an approximately 11.2 metre x 10.7 metre addition.
Owner:	City of Kawartha Lakes
Applicant:	Narges Dehghani – AECOM
Legal Description:	Part Block C, Plan 70, Part 1, 57R-1441, former Village of Bobcaygeon, City of Kawartha Lakes
Official Plan:	Urban within the Victoria County Official Plan
Zone:	Open Space Special Use (O2) Zone within the Village of Bobcaygeon Zoning By-law 16-78
Site Size:	3,770 square metres (40,580 square feet)
Site Servicing:	Municipal water and wastewater
Existing Uses:	Municipal Service Centre
Adjacent Uses:	North, West: Commercial, Residential South, East: Residential

Rationale:

1) Is the variance minor in nature? Yes
And

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

The subject property is situated at the eastern edge of Bobcaygeon's core business area. The property is triangular in shape and bordered on all sides by roads: King Street East to the north, East Street South to the east, and Kingsway Drive to the southwest. The two streets are high traffic roads and the drive is a cul-de-sac.

The current building is 7.8 metres from the rear lot line. There is also an armour stone retaining wall and landscaping that separates the property from Kingsway Drive and East Street South. The grade is higher on the east and south sides of the property in order to provide ground level access to the second floor of the building along the east and south walls. Due to the building's elevated height caused by grade change on the east and south sides of the site, as well as the

location of the building at the southwestern corner of a high traffic intersection, the building is visually prominent and acts as a local landmark.

As Kingsway Drive runs diagonally, the building and its addition are at an angle to the road. Due to this angle, only a corner of the building will utilise the full extent of the requested relief, and no wall face will run parallel to the lot line bordering Kingsway Drive. Due to the building's existing prominence, massing impacts are already established along this drive. Further adverse massing impacts on Kingsway Drive are anticipated to be minimal.

Further, as no outside access is proposed from the addition, the addition will not bring site activity any closer to Kingsway Drive than is already established. However, the addition may result in the increased use of the existing south entrance and/or parking lot as the library use will increase the functionality of the second storey. The library use will consolidate municipal services within a municipal building where capacity exists to accommodate additional municipal operations.

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 Open Space Special Use (O2) Zone within the Village of Bobcaygeon Zoning By-law 16-78. Municipal buildings and uses, including libraries, are permitted within the O2 Zone.

The intent of the rear yard setback is to provide sufficient spatial separation between the institutional and recreational uses permitted within the O2 Zone and the land uses on abutting properties. This spatial separation may provide a buffer between abutting properties and uses as well as provide sufficient space to carry out permitted uses on subject property.

The location and configuration of this property is unique, as it does not abut any other properties, being surrounded on all sides by roads. For this reason, the road allowances serve as the subject property's buffer from surrounding land uses more than setbacks to the lot lines can. Further, the property does not require all of its rear yard to carry out its existing and proposed uses. While a portion of the rear yard will contain the addition, the rear yard also contains landscaped open space, building access, and parking area to compliment its municipal functions. These features and functions are being retained.

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

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

As the City of Kawartha Lakes Official Plan as it applies to the Bobcaygeon Urban Settlement Area has been appealed to the Ontario Land Tribunal, the Victoria County Official Plan (Official Plan) applies. The property is designated

Urban within the Official Plan. A broad range of uses are permitted in this designation, including institutional uses. The property is also along a portion of King Street where General Commercial uses, which includes civic and institutional uses, is encouraged as part of Bobcaygeon's core business area.

The application proposes an expansion to an existing institutional use, which will allow for the increased use of the site. In consideration of the above the variances maintain the general intent and purpose of the Official Plan.

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

The property is serviced by municipal water and wastewater systems.

Consultations:

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

Agency Comments:

Building and Septic Division – Building Branch (June 4, 2021): No concerns.

Development Engineering Division (June 4, 2021): No concerns.

Public Comments:

No comments received as of June 8, 2021.

Attachments:



Appendices A-D to
COA2021-044

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

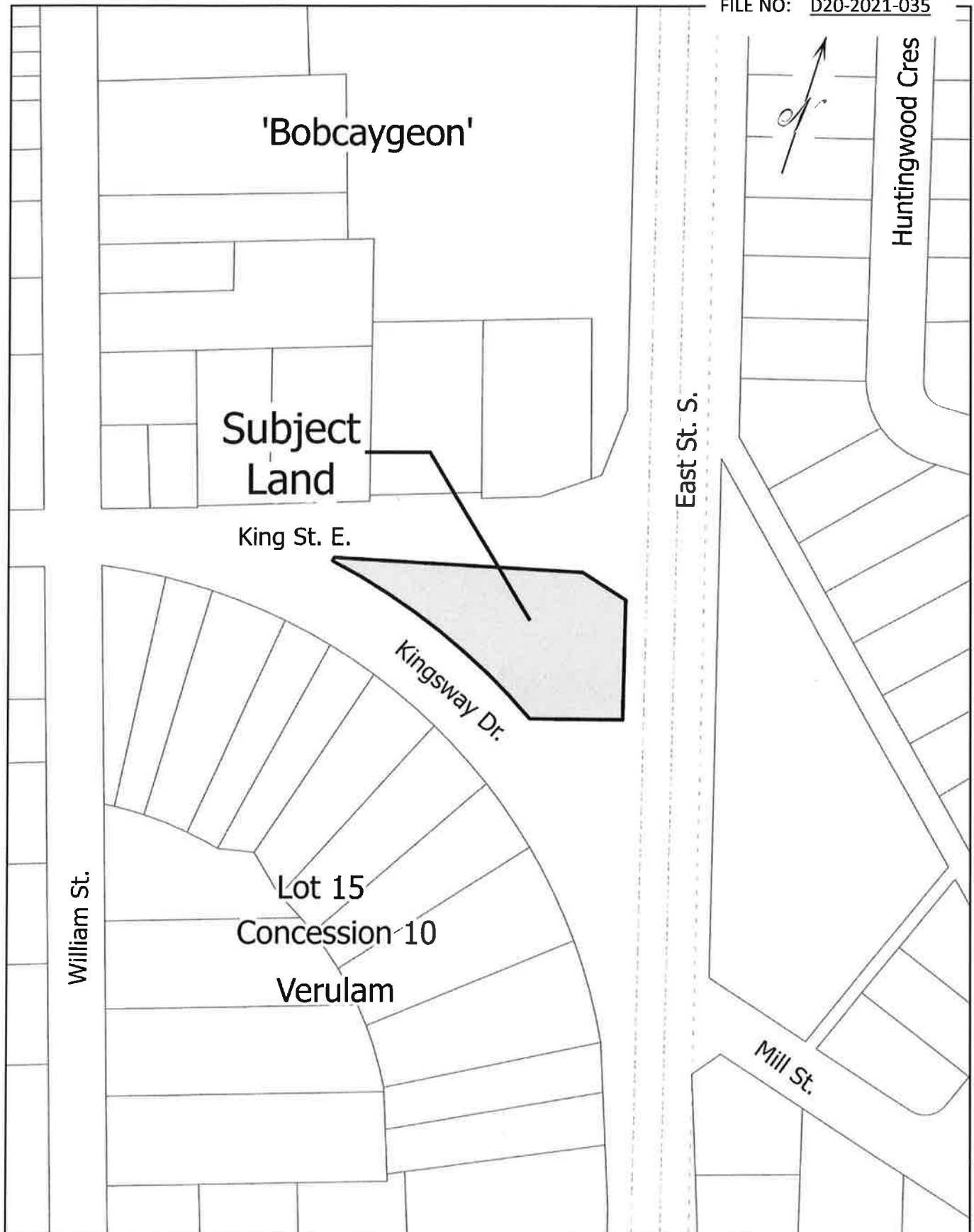
E-Mail: dharding@kawarthalakes.ca

Department Head: Richard Holy, Acting-Director of Development Services

Department File: D20-2021-035

D20-2021-035

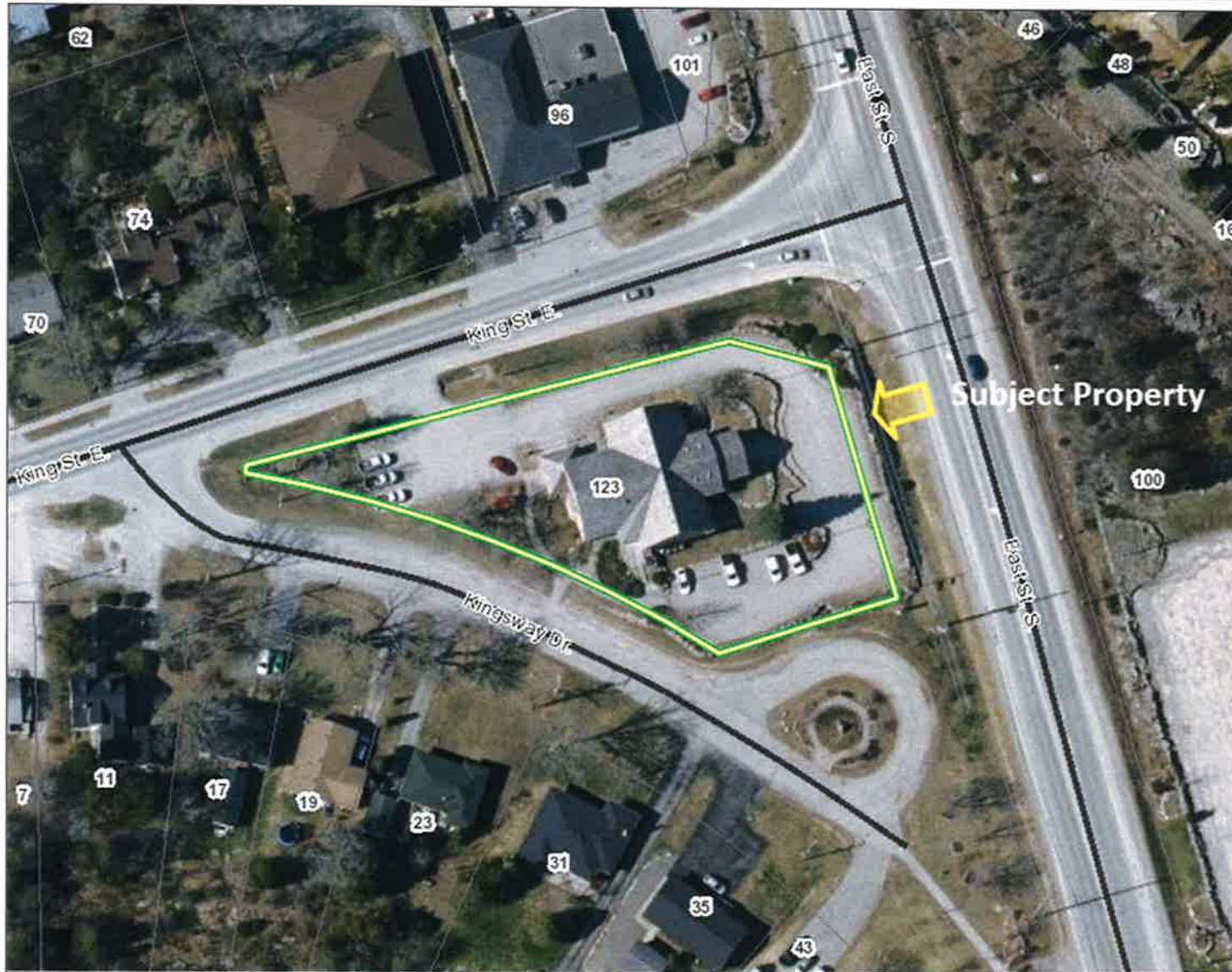
to
REPORT COA2021-044
FILE NO: D20-2021-035





GEOMATICS
MAPPING

123 East Street South, former Village of Bobcaygeon



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 " B "
to
REPORT COA2021-044
FILE NO: D20-2021-035



David Harding

APPENDIX " D "

to

From: Kim Rhodes
Sent: Friday, June 4, 2021 10:07 AM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead
Subject: 20210602 D20-2021-035 - Engineering review

REPORT COA2021-044

FILE NO. D20-2021-035

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-035
123 East Street
Part Block C, Plan 70, Part 1, 57R-1441
Former Village of Bobcaygeon

It is the understanding by Engineering that the purpose and effect is to request relief from Section 9.2(c) to reduce the minimum rear yard requirement from 9 metres to 2.8 metres to permit an addition to the building.

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

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

Thanks,

Christina

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



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

David Harding

From: Derryk Wolven
Sent: Friday, June 4, 2021 10:45 AM
To: Charlotte Crockford
Subject: RE: D20-2021-035, Notice of Public Hearing for Minor Variance, 123 East Street, Bobcaygeon

Building division has no concerns

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



with the above noted application.

From: Charlotte Crockford
Sent: Wednesday, June 2, 2021 5:01 PM
To: Christina Sisson ; Kim Rhodes ; Amber Hayter ; Kathleen Seymour-Fagan ; Susanne Murchison ; Derryk Wolven
Subject: D20-2021-035, Notice of Public Hearing for Minor Variance, 123 East Street, Bobcaygeon

Good afternoon

Please find attached D20-2021-035, Notice of Public Hearing for Minor Variance, 123 East Street, Bobcaygeon.

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.