

The Corporation of the City of Kawartha Lakes
Agenda
Committee of Adjustment Meeting

COA2021-009

Thursday, September 16, 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 September 16, 2021 Committee of Adjustment Agenda	
2.2.	Declaration of Pecuniary Interest	
2.3.	Adoption of Minutes August 19, 2021 Committee of Adjustment Minutes	6 - 24
3.	New Applications	
3.1.	Minor Variances	
3.1.1.	COA2021-058 David Harding, Planner II RPP, MCIP File Number: D20-2021-047 Location: 140 Angeline Street South Part of Lot 18, Concession 5 Former Town of Lindsay, Ward 7 Owner: DDB Investment Group Limited, c/o Don Brown Applicant: Kevin Duguay - Kevin M. Duguay Community Planning and Consulting Inc.	25 - 35
3.1.2.	COA2021-059 Kent Stainton, Planner II File Number:D20-2021-050 Location: 126 Maritime Road Lot 11, Registered Compiled Plan 561, Part Lot 8, Concession 6 Geographic Township of Bexley Owner: Dragan Mumovic	36 - 49

- 3.1.3. COA2021-060 50 - 70
 Kent Stainton, Planner II
 File Number: D20-2021-051
 Location: 584 1/2 Birch Point Road
 Lot 11 and Part of Lot 12, Plan 291, Part 1, 57R-10683
 Geographic Township of Fenelon, Ward 3
 Owner: Grant Mills
 Applicant: Leo Anagnostakos
- 3.1.4. COA2021-061 71 - 90
 Kent Stainton, Planner II
 File Number: D20-2021-052
 Location: 584 Birch Point Road
 Part of Lot 12 and 13, Plan 291
 Geographic Township of Fenelon, Ward 3
 Owner: Leo Anagnostakos
- 3.1.5. COA2021-062 91 - 104
 Kent Stainton, Planner II
 File Number: D20-2021-053
 Location: 7 Bayside Street
 Lot 5, Plan 384, Part lot 17, Concession 7
 Geographic Township of Emily, Ward 8
 Owners: Mark and Linda Bosiljevac
- 3.1.6. COA2021-063 105 - 118
 Kent Stainton, Planner II
 File Number: D20-2021-054
 Location: 872 The Glen Road
 Part Lot 15, Concession 13, Part 1, 57R-6298
 Geographic Township of Mariposa, Ward 4
 Owners: George Butterworth and Molly Cooper
- 3.1.7. COA2021-064 119 - 130
 David Harding, Planner II, RPP, MCIP
 File Number: D20-2021-055
 Location: 50 Greenfield Road
 Part lot 20, Concession 4 (Formerly Ops), Part 1, 57R-7536
 Former Town of Lindsay, Ward 7
 Owner: Brian Allen
 Applicant: Tom deBoer - TD Consulting Inc.

3.1.8. COA2021-065 131 - 141
David Harding, Planner II, RPP, MCIP
File Number: D20-2021-056
Location: 11 Second Street
Lot 57 and Part of Lot 58, Plan 73, Part Lot 10, Concession 10, Parts 1 and 4, 57R-8221
Former Village of Sturgeon Point, Ward 3
Owners: Mark and Jo-Anne Renfer
Applicant: Mark Renfer

3.1.9. COA2021-066 142 - 156
David Harding, Planner II, RPP, MCIP
File Number: D20-2021-057
Location: 57 Sugar Bush Trail
Part Lot 26, Concession 10, Parts 12 and 13, 57R-175
Geographic Township of Fenelon, Ward 3
Owners: Nancy and Robert Alexander
Applicant: B. Armstrong Contracting

3.2. Consents

4. **Deferred Applications**

4.1. Minor Variances

4.1.1. Memorandum (To Follow Separately)

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

4.2. Consents

5. **Other Business**

6. **Correspondence**

7. **Next Meeting**

The next meeting will be Thursday, October 21 at 1:00pm in Council Chambers, City Hall.

8. Adjourment

The Corporation of the City of Kawartha Lakes
Minutes
Committee of Adjustment Meeting

COA2021-008
Thursday, August 19, 2021
1:00 P.M.
Council Chambers
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

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

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1. **Call to Order**

Chair Robertson called the meeting to order at 1:02pm.

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

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

Staff, K Stainton, Planner II, D. Harding, Planner II, S. Rea, Secretary-Treasurer, L. Barrie, Acting Manager of Planning and S. Murchison, Chief Building Official were in attendance via electronic participation.

Councillor Yeo excused himself from the meeting due to connectivity issues.

2. **Administrative Business**

2.1 Adoption of Agenda

August 19, 2021

Committee of Adjustment Agenda

CA2021-072

Moved By B. Archer

Seconded By S. Strangway

That the agenda for August 19, 2021 meeting be approved.

Carried

2.2 Declaration of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

2.3 Adoption of Minutes

July 15, 2021

Committee of Adjustment Minutes

CA2021-073

Moved By S. Richardson

Seconded By D. Marsh

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

Carried

3. New Applications

3.1 Minor Variances

3.1.1 COA2021-002

Kent Stainton, Planner II
 File Number: D20-2020-043
 Location: 134 Starr Blvd
 Part Lot 15, Concession B, Lot 35, Plan 290
 Geographic Township of Mariposa, Ward 4
 Owners: Paul Neal and Cybelle LaPorte-Neal

Mr. Stainton summarized Report COA2021-002, to request relief to reduce the minimum water setback to permit the construction of a new unenclosed deck with stairs and second level balcony.

Agency comments received after the writing of the report were received from Kawartha Region Conservation Authority (KRCA) indicating that a permit is not required for works and that there are no concerns with respect to watershed management, natural heritage and hazards components of the Provincial Policy Statement (PPS).

Staff acknowledges the application meets all four tests of the minor variance. Staff respectfully recommends approval of the application subject to the conditions identified within the report.

The applicant, Paul Neal was present and thanked staff and was available for questions.

There were no questions from the Committee or other persons.

CA2021-074

Moved By S. Strangway

Seconded By D. Marsh

That minor variance application D20-2020-043 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

That the building construction for the deck and stairs related to this approval

shall proceed substantially in accordance with the sketch in Appendix C and generally in accordance with the sketch in Appendix D submitted as part of Report COA2021-002, which shall be attached to and form part of the Committee's Decision; and

1. **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 COA2021-002. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

3.1.2 COA2021-031

David Harding, Planner II RPP, MCIP

File Number: D20-2021-020

Location: 77 Paradise Road

Part Lot 10, North of Portage Road Range, Parts 1 and 2, 57R-9426

Geographic Township of Eldon, Ward 1

Owner: Ronald King, Kathleen Ribbans-King, Irene King-Phypers and Melissa King-Ferman

Applicant: Doug Carroll - DC Planning Services Inc.

Mr. Harding summarized Report COA2021-031 as amended. The application proposes the construction of a dwelling, deck and stairs. The amended agenda package included correspondence from the applicant that shows that variance number 5 for the boathouse has been withdrawn as it was not necessary.

Mr. Harding also brought to the Committee's attention an error throughout the report on pages 2 and 3. These pages note that the side entry is the only road-facing access. This is not correct. There is a second road-facing access further south.

Mr. Harding noted in his presentation that the cabin building shown on slide 13 has since been removed from the parcel.

Since the writing of the report a letter of support was received from Lisa Hall of

79 Paradise Road.

Staff respectfully recommends the application be granted subject to the conditions identified within the report excluding the paragraph "That relief 5 of minor variance application D20-2021-020 be denied" as this has since been withdrawn.

The applicant, Mr. Carroll of DC Planning Services Inc. was present and thanked staff.

There were no questions from the Committee or other persons.

CA2021-075

Moved By B. Archer

Seconded By S. Strangway

That reliefs 1-4 of minor variance application D20-2021-020 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 COA2021-031, 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 five (5) 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 COA2021-031. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Carried

3.1.3 COA2021-052

D. Harding, Planner II, RPP, MCIP

File Number: D20-2021-036

Location: 33 Forest Road

Part Lot 11, Concession 10

Former Village of Sturgeon Point, Ward 3
Owners: Larry and Ramona Kozak
Applicant: Ramona Kozak

Mr. Harding summarized Report COA2021-052, to request relief to increase the maximum floor area from 45 square metres to 66 square metres and to increase the maximum permitted height from 4 metres to 4.12 meters in order to construct a boat house.

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

The Committee referenced comments from Parks Canada requesting amendments to the proposal, such as the removal of the overhang. Staff replied that the new drawing has been provided to the Committee as part of the report and continued by saying if Trent Severn Waterway (TSW) have further concerns that they would be addressed through the building permit process. Staff reminded the Committee that they are only focused on approving the floor area and height of the boat house. The covered porch is not part of the reliefs being sought as it does not have walls so it is not part of the floor area.

The Committee referenced the proposal section of the report noting two accessory buildings. Staff stated it was a typo from a previous report and the proposal is to recognize the height and footprint of the new boat house.

The Committee asked for clarification on what the differences were between natural and built form along a shoreline. Staff provided clarification.

The Committee asked if a merger agreement would be required to tie both parcels together. Staff replied that a merger agreement was not necessary as the parcel the boat house is proposed on is permitted to have an accessory building without being accessory to a dwelling.

The applicant, Ramona Kozak was present and thanked staff and the Committee. Ms. Kozak confirmed that discussions had taken place with Parks Canada and that her designer has made changes as requested. She also confirmed that she had received a permit from the KRCA.

Mr. McKay, the designer of the boat house, was present on behalf of the applicant. He stated that he had meetings with City staff and TSW and made adjustments as requested. The drawings presented to the Committee have all

alterations that TSW requested and they are comfortable with the drawing as is.

The Committee asked staff if all the concerns were addressed. Staff replied that they were of the understanding that there were no outstanding concerns with the reliefs being sought. If there were any issues with other components of the building, then that would be addressed at the building permit stage.

Ms. Murchison, Chief Building Official, noted that although staff had no concerns regarding the covered porch, it has support posts and foundation. Ms. Murchison asked staff for clarification whether there were setback concerns with the proposed covered porch. Staff replied there is no rear yard setback for a boat house in the Open Space (01) Zone.

Ms. Murchison, Chief Building Official confirmed with applicant that at such time when the building permit application is submitted they will require clarification of the revised approval from TSW. The applicant agreed.

No further questions from the Committee or other persons.

CA2021-076

Moved By S. Richardson

Seconded By B. Archer

That minor variance application D20-2021-036 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 COA2021-052, 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 COA2021-052. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Carried

3.1.4 COA2021-053

K. Stainton, Planner II

File Number: D20-2021-038

Location: 25 Manor Road

Part of Lakeview Park, Plan 152, Part Lot 9, Concession 8

Geographic Township of Fenelon, Ward 3

Owners: Bradley and Isobel Campkin

Applicant: Glen Wilcox

Mr. Stainton summarized the memorandum to defer minor variance D20-2021-038.

The applicant, Mr. Wilcox was present and spoke to the Committee regarding the process of the application and the delays encountered.

Staff responded by agreeing that the process has been lengthy due to the complexity of the proposal. The original proposal was made in 2020. There was no pre-screening process which may have alleviated the piecemeal submissions. Delays due to no Lot Drainage and Grading plan, no acknowledgement from Realty Services regarding holding tanks that were technically within the Municipal Road Allowance and no *Section 59* Notice from the Risk Management Official (RMO). Due to COVID-19, site visits could not be conducted in a timely manner and recently, it came to light that there was a deficiency in parking spaces.

The only way to provide the requisite 2 parking spaces is not possible, the only space would be within the garage. Staff noted the section within the zoning by-law which relates to non complying use, which states any alteration or enlargement of a structure/building would require compliance with the development standards including parking. A relief for parking is required. Staff would rather address this issue now than at the Building Permit stage, where it will be required to move forward. Staff also noted that the driveway was not included in the decision regarding the holding tanks with the Land Management Team through Licensing Agreement, which may require additional permissions.

The Committee asked staff as to why the deferral was proposed on the day of the meeting and was it due to the neighbours concerns. Staff responded by saying the deferral was proposed prior to the neighbours concerns. The

neighbour concerns dealt primarily with the encroachment of the driveway on their property, which is not part of the application being heard today. The neighbour also had concerns with the garage and then ended up agreeing with the recommendation of staff.

The Committee continued with questioning regarding parking. Staff responded that a Building Permit could not be issued without addressing the deficiency.

Ms. Murchison, Chief Building Official clarified the building process. Before issuing a building permit, the building department has to make sure development is in compliance with the zoning by-law. If the variance does not address all reliefs required, the application would then be returned to planning to see if it would require another variance.

The Committee asked planning and the applicant what could be done to resolve the issuance of a building permit.

Ms. Barrie, Acting Manager of Planning spoke to the deferral. This was unfortunate timing due to a complex application. It took a number different teams to evaluate. When taking a second look in preparation for today's meeting it was determined there was one remaining zoning deficiency. As already captured by the Chief Building Official, there would not be a building permit issued until this deficiency was resolved.

Ms. Barrie noted and appreciated the Committees suggestion to look at the on going project of the zoning provisions as part of the Comprehensive Zoning By-law which is currently on going.

The Committee asked for confirmation from staff that the only hold up on this application is the parking requirement. Staff replied correct. Committee followed up by asking how soon this could be resolved to return to the Committee. The Chair noted to keep in mind staff have to deal with an encroachment, building standards and zoning by-law issues. Staff replied that while the recommendation is for 3 months, the City is not prevented from returning this application returning sooner. The applicant is aware of this. The earliest it could return would be the October meeting. A re-circulation of the application for the parking relief is required, notwithstanding any additional license agreements for the driveway on Municipal property. Realty Services were circulated on the application; however, we did not receive comments back. Circulation would also include Roads Division. The matter would reach some conclusion from circulating this additional

relief and having the Committee decide whether the relief from one parking space is appropriate. The Chair followed by stating that the Planning Department have heard all concerns.

The owner, Mr. Campkin spoke to the Committee.

The Chair asked if anyone wished to speak in support or opposition of the application. No response.

The Committee asked staff, as a Committee if we decided not to defer the application could we add the parking issue to the decision? Staff replied unfortunately not. We are bound by the Planning Act to give sufficient notice and circulate to agencies for comments, then return to the Committee to be reheard appropriately. There is also a potential for an appeal for lack of notice within the Planning Act as well as for not circulating the relief.

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

The Chair called for a motion to defer the application.

CA2021-077

Moved By S. Strangway

Seconded By S. Richardson

That Minor Variance Application D20-2021-038 be deferred for a period of not more than 2 months, returning at the latest to the October 21, 2021 meeting. The deferral is until such time as the relief from the one (1) parking space in accordance with the requirements of the Township Fenelon Zoning By-law 12-95 can be properly advertised and evaluated. The deferral would also allow the objection of the abutting property owner as well as the alternative relief recommended by Planning staff to be further considered prior to a decision being rendered.

Carried

3.1.5 COA2021-054

David Harding, Planner II, RPP, MCIP

File Number: D20-2021-039

Location: 86 Alcorn Drive

Lot 69, Plan 57M-802

Former Town of Lindsay, Ward 5

Owner: Marvin Bachmann
Applicant: Mark Wilson - MVW Construction

Mr. Harding summarized Report COA2021-054, to request relief to permit a deck and recognize a shed on the property. Mr. Harding requested that the Committee consider granting an additional relief (Relief no. 4) from a provision that was not advertised and noted that this request is substantially different from what was previously discussed in application D20-2021-038. Item 2 and 3 were advertised for this provision to seek relief from the rear and side yard setback. This same provision also regulates building separation between the deck, which is considered an extension of the dwelling, and the accessory building. Staff stated that as relief had already been sought from the exact same provision, there is potential for Committee to consider this addition in its decision. Staff asked the Committee if they would approve of including Relief 4 in their decision. Staff clarified that this approach was discussed with the Secretary Treasurer and they concurred.

The Chair asked for clarification as to what reliefs Staff were supportive of. Relief 1. Section 6.3.22 (i) from 40% to 45% to now read 40% to 41.5%. Relief 3. Section 5.2 (b)(i) to reduce the setback to the rear lot line from 1.25 metres to 0.75 metres to now read 1.25 metres to 0.9 metres. Staff confirmed the values as per the staff recommendation.

The Committee requested to see slide 46 of the PowerPoint presentation to see the ground level deck. They asked whether a permit was required. They also asked whether a new variance would be required if the owner would like to construct stairs. Ms. Murchison, Chief Building Official clarified that decks less than 24 inches above grade do not require a permit. Staff replied that a minor variance would likely be required to construct stairs. Staff also noted that given the ground level deck and proposed position of the shed, stairs were unlikely.

The Committee asked staff, what would occur if they did not support Relief 4. Staff replied that the owners would move the shed elsewhere on the property in compliance with the setback provisions.

Member Marsh made a motion to approve the application as amended but remove Relief 4. Motion failed.

Member Archer made a motion to approve the application as amended including Relief 4. Seconded by Member Richardson.

Member Marsh was opposed to the application.

No further questions from the Committee or other persons.

CA2021-078

Moved By B. Archer

Seconded By S. Richardson

That reliefs 1 and 3 of minor variance application D20-2021-039 be DENIED, as the proposal is not minor in nature, not desirable and appropriate for the use of the land, nor in keeping with the general intent and purpose of the zoning by-law.

That 41.5% for relief 1 and 0.9 metres for relief 3 and requested reliefs 2, 4 and 5 of minor variance application D20-2021-039 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 COA2021-054, 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 location and grading confirmation of the deck and shed from the Engineer of Record for the unassumed subdivision. The owner shall provide the written Engineer's confirmation to the satisfaction of the Secretary-Treasurer; 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 COA2021-054. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Carried

3.1.6 COA2021-055

Kent Stainton, Planner II
 File Number; D20-2021-042
 Location: 59 Kenhill Beach Road
 Lot 28, Plan 192, Part Lot 10, Concession 3
 Geographic Township of Verulam, Ward 6
 Owners: James and Sandra Jackson
 Applicant: Tom deBoer - TD Consulting Inc.

Mr. Stainton summarized Report COA2021-055, to request relief in order to permit the construction of a replacement 2.5-storey single detached dwelling with an attached deck.

Agency comments were received from Kawartha Region Conservation Authority after the writing of the report stating a permit is required for the proposal and that there are no concerns from a watershed management, natural hazards and natural heritage perspective.

Staff acknowledges that the application meets the four tests of the minor variance. Staff respectfully recommends that the application be approved subject to the conditions identified in the report.

The Committee acknowledged that a permit is required from KRCA and assumed it would be dealt with through the building permit process. Staff responded by saying yes that is correct.

The applicant, Mr. deBoer of TD Consulting Inc. was present and spoke to the Committee.

No further questions from the Committee or other persons.

CA2021-079

Moved By S. Strangway

Seconded By D. Marsh

That minor variance application D20-2021-042 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 COA2021-055, 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 COA2021-055. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Carried

3.1.7 COA2021-056

Kent Stainton, Planner II,
 File Number: D20-2021-044
 Location: 41 Weldon Road
 Part Lot 59, Plan 44, Part Lot 21, Concession 7, Part 1, 57R-7512
 Geographic Township of Ops, Ward 7
 Owners: Amy and Rob MacDuff

Mr. Stainton summarized Report COA2021-056, to request relief in order to reduce the minimum lot area requirement to facilitate the construction of an Additional Residential Unit (ARU) on partial private servicing from 4, 000 square metres to 1,617 square metres.

Staff noted a yellow shipping container in the south west corner of the lot during the site visit which will be removed. A condition is recommended to ensure it is removed from the property.

The Committee asked staff what the container is used for and if there is a By-law prohibiting storage containers. Staff replied the container is currently being used to store construction materials. As to the Building Code addressing shipping containers it was deferred to Ms. Murchison, the Chief Building Official who spoke to the by-law. Containers are technically a Building and usually never leave the property. The Building Division are currently working with the City's Solicitor and the Manager of Municipal Law Enforcement to come up with a plan to deal with a short term permit perhaps 30 days. In the future, staff are looking

to incorporate it into the Consolidated Zoning By-law.

The Committee asked staff if a condition should be added to hook up water to an additional residential unit (ARU). Staff replied that it would be part of the Building Permit process along with the registration of an ARU. Ms. Murchison also added that if there is services available then under the Servicing By-law there is a mandatory requirement to connect.

The Committee referenced the Part 8 Sewage Systems comments and asked how you would add sand to a septic system to enhance it. Staff deferred to the Ms. Murchison, Chief Building Official whom explained the process.

The Committee referenced a letter regarding the spiral staircase and asked if this is permitted and should it be removed from Appendix D. Staff replied that as long as plans generally address matters not subject to the variance, the stair could be removed. The Chief Building Official stated that according to the Building Code, a spiral stair case is not permitted as primary stairs as they are too narrow and presents a hazard. It would be taken care of through the Building Permit process.

The applicant, Ms. MacDuff spoke to the Committee and confirmed they are extending the sand to enhance the septic system and that the storage container is currently retaining her mother's furniture whilst the ARU is being constructed.

No further questions from the Committee or other persons.

CA2021-080

Moved By B. Archer

Seconded By D. Marsh

That minor variance application D20-2021-044 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 COA2021-056, 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 yellow shipping container located within the front yard to the

southwest of the proposed Accessory Residential Unit (ARU) has been removed, and;

3. **That** the building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2021-056. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Carried

3.1.8 COA2021-057

Kent Stainton, Planner II
 File Number: D20-2021-045
 Location: 46 Jasper Drive
 Lot 21, Plan 223, Part Lot 29, Concession 3
 Geographic Township of Fenelon, Ward 1
 Owners: Hugh and Diane Cope
 Applicant: Tim Wisener - Homes by Tim and Chris Inc.

Mr. Stainton brought to the Committees attention that the report inadvertently identified the size of the garage as 28.1 square metres instead of 40.1 square metres and that this does not impact the reliefs requested, the appendices provided or any additional development standards of the application.

Mr. Stainton summarized Report COA2021-057, to request relief to reduce the minimum front yard setback in order to permit the construction of a detached garage.

Agency comments received after the writing of the report from KRCA, August 19, 2021, stating a permit was issued PN2021-190, and there were no concerns from a cultural heritage and water hazards perspective.

Staff acknowledges that the application meets the four tests of the minor variance. Staff respectfully recommends that the application be approved subject to the conditions identified in the report.

The Committee asked if the size of the garage was correctly advertised. Staff replied that there was no size stated in the advertisement.

The Applicant, Mr. Wisener was present and thanked staff and the Committee.

No further questions from the Committee or other persons.

CA2021-081

Moved By D. Marsh

Seconded By S. Strangway

That minor variance application D20-2021-045 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 COA2021-057, which shall be attached to and form part of the Committee's Decision;
2. **That** notwithstanding the definition of front yard, the granting of the variance will not be interpreted to permit the placement of any other structure or accessory building between the front wall of the dwelling and the front lot line, and;
3. **That** the building construction related to the minor variances shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2021-057. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Carried

Agency comments received after the writing of the report from KRCA, August 19, 2021, stating a permit was issued PN2021-190, and there were no concerns from a cultural heritage and water hazards perspective.

Staff acknowledges that the application meets the four tests of the minor variance. Staff respectfully recommends that the application be approved subject to the conditions identified in the report.

The Committee asked if the size of the garage was correctly advertised. Staff replied that there was no size stated in the advertisement.

The Applicant, Mr. Wisener was present and thanked staff and the Committee.

No further questions from the Committee or other persons.

CA2021-081

Moved By D. Marsh

Seconded By S. Strangway

That minor variance application D20-2021-045 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 COA2021-057, which shall be attached to and form part of the Committee's Decision;
2. **That** notwithstanding the definition of front yard, the granting of the variance will not be interpreted to permit the placement of any other structure or accessory building between the front wall of the dwelling and the front lot line, and;
3. **That** the building construction related to the minor variances shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2021-057. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Carried

- 3.2 Consents
- 4. **Deferred Applications**
- 4.1 Minor Variances
- 4.2 Consents
- 5. **Other Business**

The Chair asked Ms. Barrie, Acting Manager of Planning if the members of the Committee could attend in person in Council Chambers for September's meeting. Ms. Barrie replied that there hasn't been any confirmation of this happening as of yet.

The Chair asked Mr. Stainton as to work load for the remainder of the meetings for this year. Mr. Stainton replied he had 6 applications alone going to September's meeting and can see this continuing for the remainder of the year.

- 6. **Correspondence**
- 7. **Next Meeting**

The next meeting will be Thursday, September 16th at 1:00pm in Council Chambers, City Hall.

- 8. **Adjournment**

CA2021-082

Moved By D. Marsh

Seconded By B. Archer

That the meeting be adjourned at 3:51pm.

Carried



Sherry Rea, Secretary-Treasurer

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – DDB Investment Group Limited
Report Number COA2021-058

Public Meeting

Meeting Date: September 16, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 7 – Former Town of Lindsay

Subject: The purpose and effect is to request relief from Section 16.3.4(c) to increase the maximum height from 18.0 metres to 20.0 metres in order to permit a mechanical room and elevator infrastructure.

The variance is requested at 140 Angeline Street South, former Town of Lindsay (File D20-2021-047).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2021-058 DDB Investment Group Limited, be received;

That minor variance application D20-2021-047 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C and elevations in Appendix D submitted as part of Report COA2021-058, which shall be attached to and form part of the Committee's Decision; and
- 2) **That** the site plan agreement shall be registered within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused.

This approval pertains to the application as described in report COA2021-058. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: A 5 storey hotel with up to 80 units and an ancillary restaurant is proposed at the above-noted address. Site Plan Application D19-2021-007 has been submitted for review. Through the

review of the site plan submission it was identified that relief is required from the height provision to provide for the proposed rooftop mechanical facilities.

As the property was rezoned less than 2 years ago by by-law 2020-029, Section 45(1.3) of the Planning Act applied, prohibiting the filing of a variance application without a Council resolution. Council passed a resolution on May 18, 2021, to allow a variance application to be filed.

The application was last amended July 30, 2021.

- Proposal: To permit a roof-mounted mechanical penthouse structure.
- Owner: Don Brown – DDB Investment Group Limited
- Applicant: Kevin Duguay – Kevin M. Duguay Community Planning and Consulting Inc.
- Legal Description: Part Northerly Half Lot 18, Concession 5, former Town of Lindsay, City of Kawartha Lakes
- Official Plan: General Commercial within the Town of Lindsay Official Plan
- Zone: General Commercial Special Thirteen (GC-S13) Zone within the Town of Lindsay Zoning By-law 2000-75
- Site Size: 8,140.5 square metres (2.01 acres)
- Site Servicing: Full Municipal Services Available at Lot Line
- Existing Uses: Vacant Land
- Adjacent Uses: North: Utility (Hydro One Substation), Commercial (Days Inn and Suites, Kawartha Animal Hospital), Residential
South: Vacant Land, Institutional (Sir Sandford Fleming College Residences, Victoria Manor)
East: Vacant Land, Community Facility (Lindsay Recreation Complex), Institutional (Sir Sandford Fleming College)
West: 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 a vacant lot on the east side of Angeline Street South that is surrounded by a wide assortment of uses. The west side of Angeline Street South is comprised of single detached dwellings. On the east side of the

street are commercial, institutional, recreational, and some residential uses. Some of the more notable uses are: Kawartha Animal Hospital, Victoria Manor (long term care facility), Days Inn and Suites, Lindsay Recreation Complex, and Fleming College.

Along this portion of Angeline Street South, the east side of the road contains a wide assortment of uses, including limited commercial uses. The subject property is proposed to add to the existing assortment of commercial uses.

Unlike the Days Inn, a flat roof hotel building design is proposed. The proposal, if granted, will add a room above the 5 hotel floors in order to facilitate the operations of the hotel, such as the elevator mechanical room.

The room will not substantially increase the massing of the building, as the room is proposed central to the building's footprint, and is not located near any of the exterior walls of the floors below. The mechanical room is also modest in area in relation to the roof it would sit upon.

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 property is zoned General Commercial Special Thirteen (GC-S13) Zone within the Town of Lindsay Zoning By-law 2000-75.

The application seeks to increase the height provision in order to add a rooftop mechanical site. This increased height will apply to a small portion of the overall building and will not increase the height of the exterior walls of the 5 floors below. The height will also not result in an increase in the overall unit density of the building as only utility space is proposed in the rooftop mechanical room.

A part of the intent of the height provision is to regulate the overall intensity of a permitted use. The intent of the by-law is maintained as the request relief does not propose to add any gross leasable floor area, nor does it add any perceptible mass to the building that could adversely affect the surrounding uses.

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

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

Yes

As the Lindsay Secondary Plan is under appeal, the Town of Lindsay Official Plan remains in effect.

The property is with the General Commercial designation. The General Commercial designation permits an assortment of retail establishments and commercial uses that are destination-oriented or intended to serve the travelling public. Uses that offer accommodation to the travelling public, such as a hotel, are anticipated within this designation.

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

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

The property is currently un-serviced, but will be connected to full municipal services.

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 (September 2, 2021): No objection.

Building and Septic Division – Chief Building Official (September 8, 2021): No concerns at this stage. Further comments to be provided through the site plan approval process. Building permit required for the proposed building, and development is subject to the development charges by-law.

Public Comments:

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

Attachments:



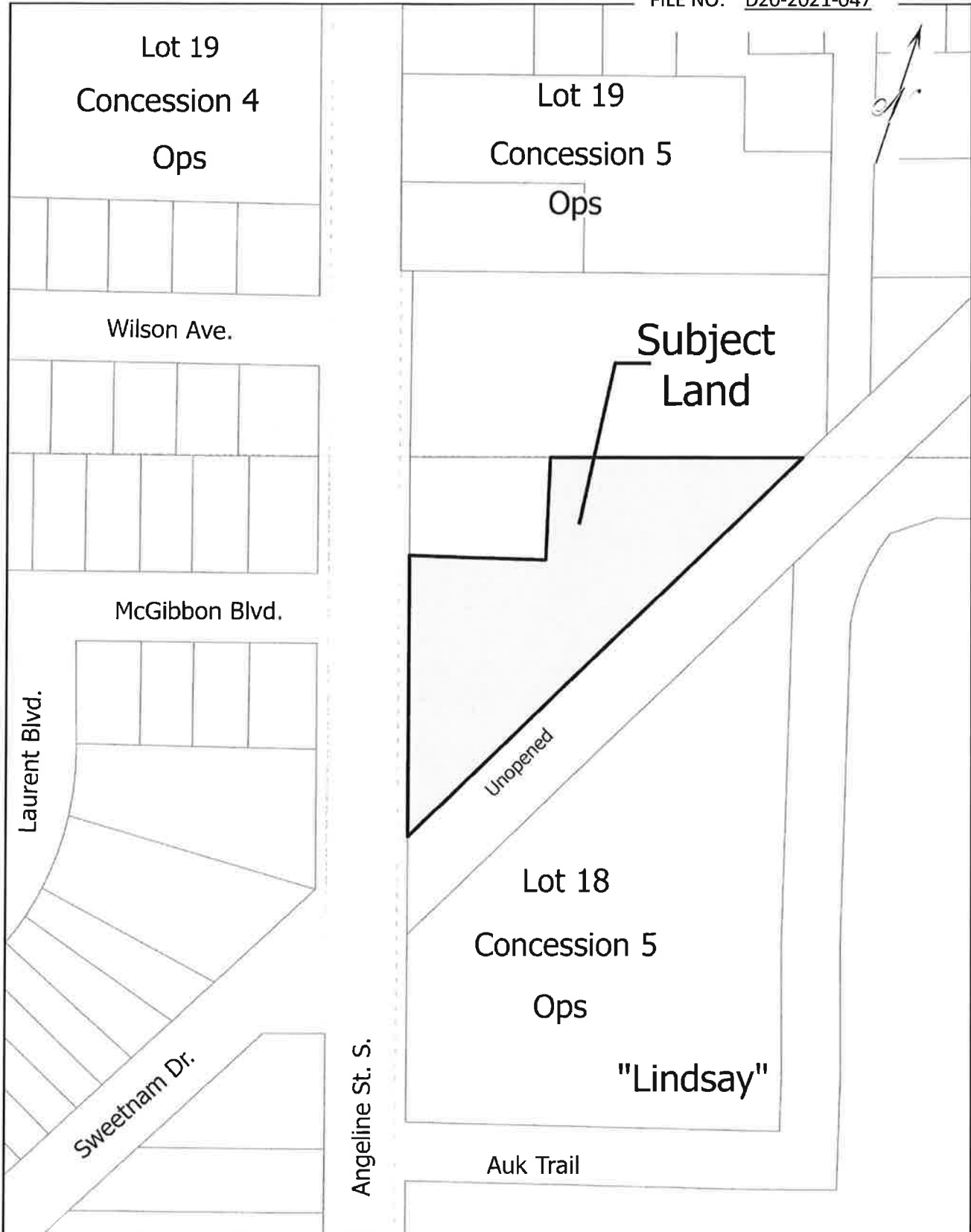
Appendices A-E to
COA2021-058.pdf

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

Phone: 705-324-9411 extension 1206
E-Mail: dharding@kawarthalakes.ca
Department Head: Richard Holy, Acting Director of Development Services
Department File: D20-2021-047

D20-2021-047

to
REPORT COA2021-058
FILE NO: D20-2021-047



140 Angeline Street South, former Town of Lindsay



0.11 Kilometers
 WGS_1984_Web_Mercator_Auxiliary_Sphere
 © City of Kawartha Lakes



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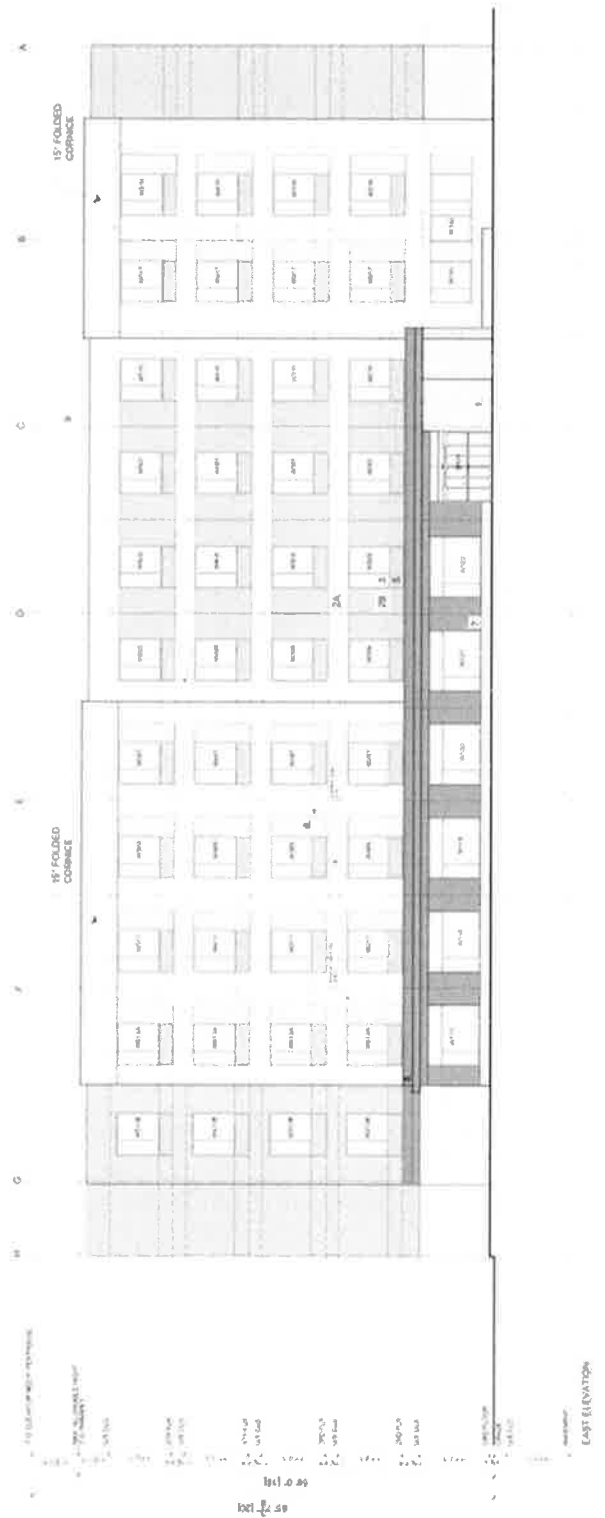
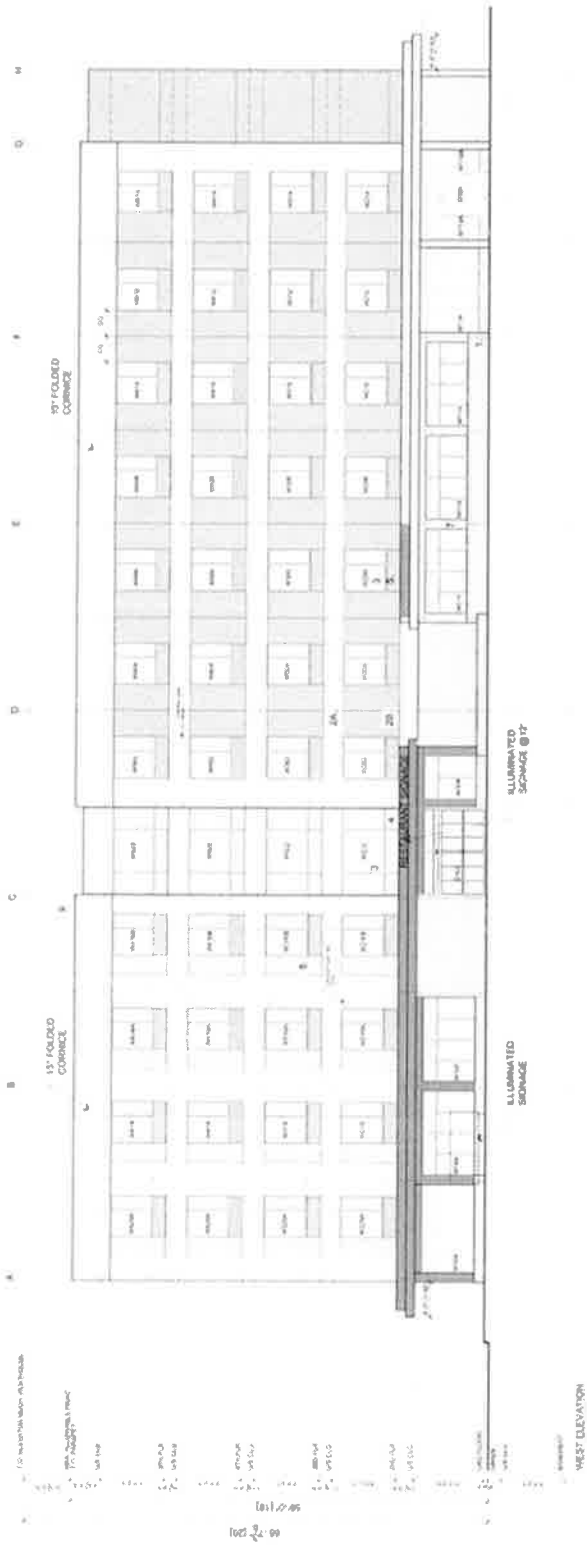
APPENDIX " B "
 to
 REPORT COA2021-058
 FILE NO: D20-2021-047

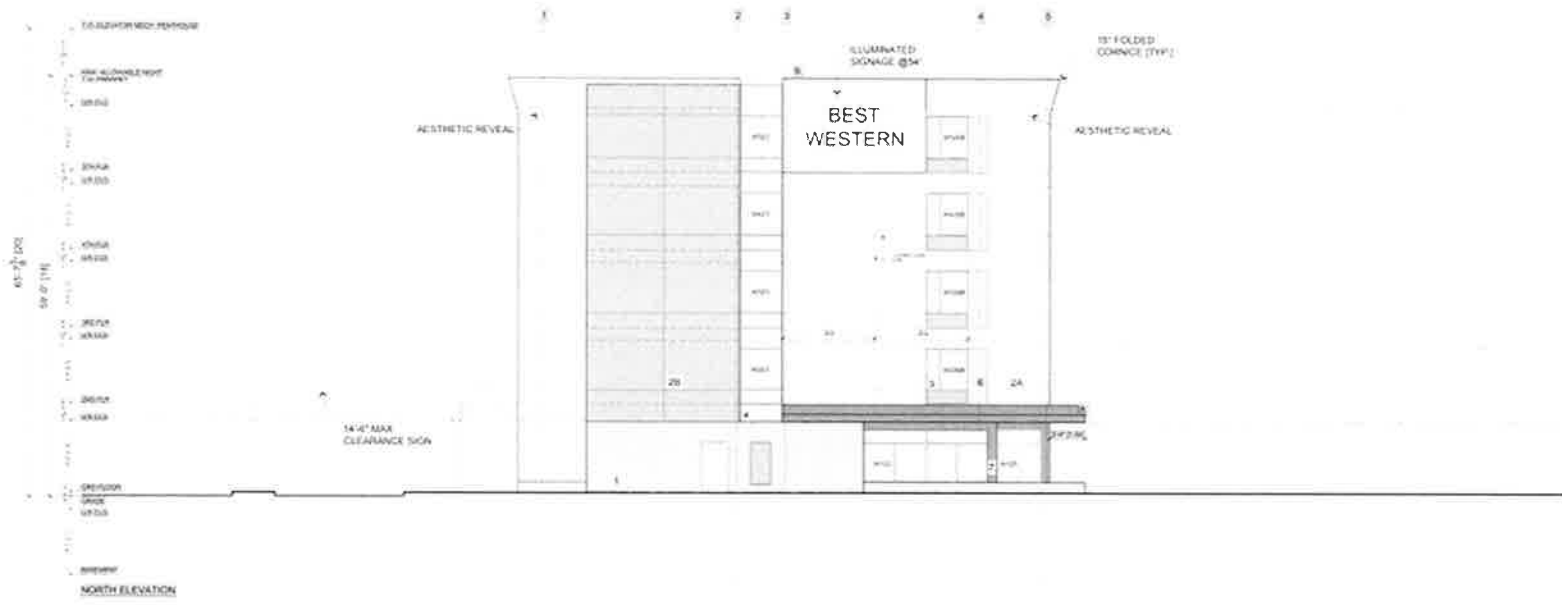
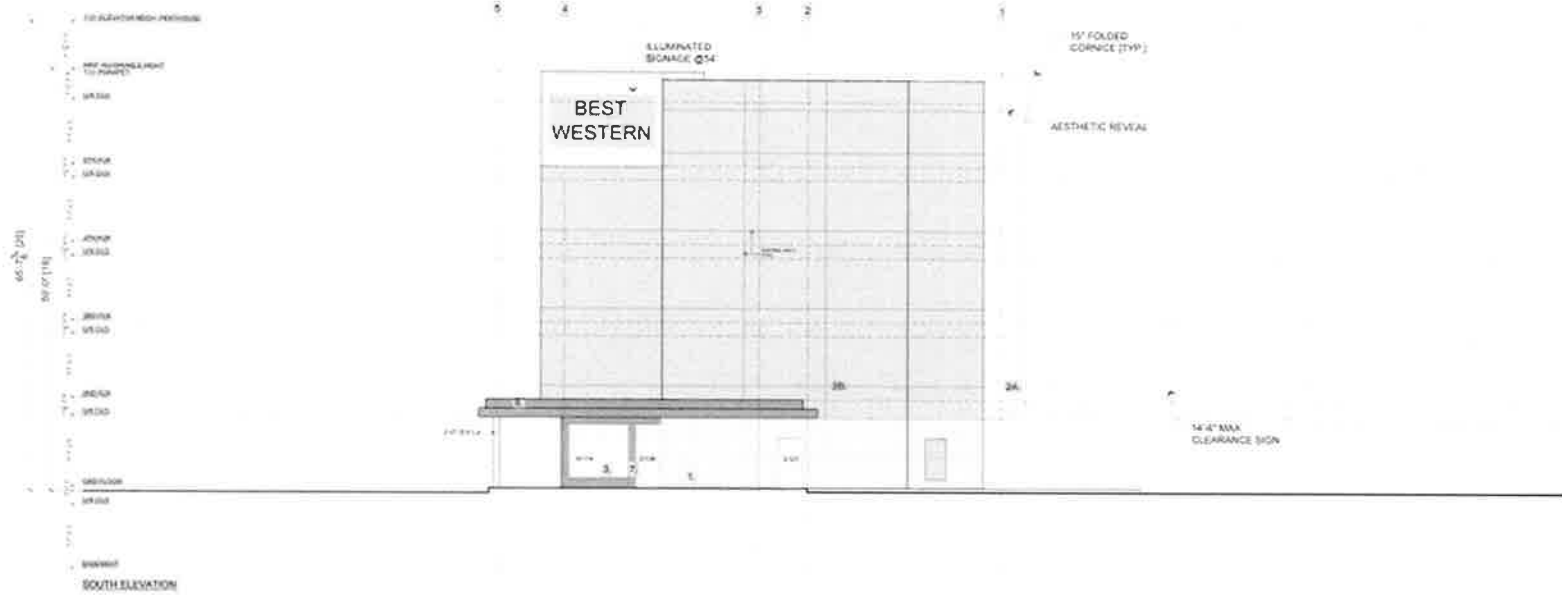
APPENDIX " D "

to

REPORT COA2021-058

FILE NO: D20-2021-047





David Harding

From: Susanne Murchison
Sent: Tuesday, September 7, 2021 7:08 PM
To: Charlotte Crockford
Cc: David Harding; Kent Stainton
Subject: MV comments

APPENDIX " E "
to
REPORT COA2021-058
FILE NO. D20-2021-047

The following reflect the Building and Septic Division comments, save and except those relating to on-site sewage systems which will be provided under separate email by Part 8 Supervisor:

D20-2021-047: no concerns at this stage, further comments will be provided through the site plan approval process, building permit required for proposed hotel building, development is subject to development charges bylaw

D20-2021-050: no concerns, structure built without benefit of building permit but owner is working with staff to correct issues, building permit required for proposed dwelling, development charges apply to this development

D20-2021-051: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-052: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-053: no concerns, applications have already been filed for building permits relating to this proposed detached garage, outstanding building permit relating to construction of a deck BPH2015-0576 requires final inspection

D20-2021-054: no concerns, building permit required for the proposed detached garage, outstanding building permit relating to construction of the single detached dwelling BPH2007-0325 requires final inspection

D20-2021-055: no concerns at this stage, further comments will be provided through the site plan approval process, building permits required for proposed self-storage buildings, development is subject to development charges bylaw, the following are some of the major building code items that may affect the placement and size of the proposed self-storage buildings: design of on-site supply of water for fire fighting, spatial separation and related construction materials, fire route design – these items will be reviewed at site plan approval stage

D20-2021-056: no concerns, application has already been filed for building permit relating to the construction of this proposed foundation

D20-2021-057: no concerns, building permit required for proposed dwelling, development charges apply to this development

Susanne Murchison, CBCO
Chief Building Official

David Harding

From: Kim Rhodes
Sent: Thursday, September 2, 2021 10:45 AM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms
Subject: 20210902 D20-2021-047 - Engineering review

Follow Up Flag: Follow up
Flag Status: Flagged

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

Minor Variance – D20-2021-047
140 Angeline Street South
Part Lot 18, Concession 5
Former Town of Lindsay

It is the understanding by Engineering that the purpose and effect is to request relief from Section 16.3.4(c) to increase the maximum height from 18.0 metres to 20.0 metres in order to permit a mechanical room and elevator infrastructure.

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

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

Thanks,

Christina

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



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

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Dragan Mumovic
Report Number COA2021-059

Public Meeting

Meeting Date: September 16, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 1 – Geographic Township of Bexley

Subject: The purpose and effect is relief from Section 7.2.1.3 (a) to reduce the minimum front yard setback from 30 metres to 15 metres in order to permit the construction of a new single detached dwelling.

The variance is requested at 126 Maritime Road, geographic Township of Bexley (File D20-2021-050).

Author: Kent Stainton, Planner II

Signature: 

Recommendations:

Resolved That Report COA2021-059 Mumovic, be received;

That minor variance application D20-2021-050 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 COA2021-059, which shall be attached to and form part of the Committee's Decision;
- 2) **That** prior to the issuance of a building permit the owner shall submit to the Secretary-Treasurer written approval from the Building and Septic Division – Part 8 Sewage Systems that the sheds impacting the future septic system have been sufficiently relocated to comply with both the Septic System Permit and the development standards of the Zoning By-law;
- 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 COA2021-059. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The application is the result of a Building and Septic Division Enforcement matter. A picnic shelter used to cover a motorized mobile home (RV) was installed on the property. The applicant is converting the shelter into a single detached dwelling with a new septic system.

This application was deemed complete on August 10, 2021.

Proposal: To convert an existing shelter into a new 118.82 square metre (1,279 square feet) single detached dwelling.

Owner: Dragan Mumovic

Legal Description: 126 Maritime Road, Lot 11, Registrar's Compiled Plan 561, Part Lot 8, Concession 6, geographic Township of Bexley, City of Kawartha Lakes

Official Plan: Rural with Significant Woodlands and Significant Wildlife Habitat in the City of Kawartha Lakes Official Plan (2012)

Zone: Rural General (RG) Zone within the Township of Bexley Zoning By-law 93-09

Site Size: 4 hectares (9.88 acres)

Site Servicing: Private individual well and private septic system

Existing Uses: Recreational

Adjacent Uses: North, South, West: Rural Residential
East: Woodlands

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 rural area southeast of Bexley. Linear strip-lots are prevalent in the neighbourhood with several remaining vacant. The lots are well-vegetated with woodlots dominating the landscape. The subject lands consist of a cleared area of manicured lawn occupying the far western end of the lot abutting Maritime Road with the vast majority of the lot being comprised of dense woodlands to the east. There are single detached dwellings on the abutting lot to the south (120 Maritime Road) as well as across the road from the subject lands (125 Maritime Road).

With woodlot dominating the subject lands, the lot essentially functions as an oversized rural residential lot. While a 30 metre front yard setback is required within the Rural General (RG) Zone category, the proposed reduction of 15 metres is imperceptible given the presence of woodlands.

Maritime Road is an unpaved, local road that terminates at a cul-de-sac to the north; the 7.5 metre setback of any of the rural residential zones would suffice in this neighbourhood. There are no anticipated impacts to traffic or sightlines as a result of the location of the dwelling. Given the locations of the dwellings to the south (addressed as 108, 114 and 120 Maritime Road) in relation to the front lot line of the respective properties, the proposed dwelling follows a similar trend.

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 Rural General (RG) Zone permits a variety of rural uses, including one single detached dwelling. The permanent situation of motorized mobile homes is not permitted under the RG Zone category. Through converting the shelter into a single detached dwelling, the use will be brought into conformity with the Zoning By-law.

The intent of the front yard setback is to provide separation between the road and residential uses; however, Maritime Road receives low traffic for a Local Road and the proposed 15 metre setback maintains a substantial front yard-to-road interface with no anticipated land use compatibility or massing issues resulting from the conversion of the shelter into a single detached dwelling. The existing vegetative screening between the western limit of the proposed single detached dwelling and Maritime Road is substantial. From Maritime Road, the presence of the existing shelter is imperceptible. In accordance with Appendix C (attached), the height of the single detached dwelling will remain the same as the shelter at 5.6 metres (18.5 feet).

The RG Zone category does not restrict the number of accessory buildings or structures a property may contain provided compliance with the Zoning By-law is maintained. The six (6) existing sheds do not impact lot coverage with one of the sheds (shed #6) serving as an apiary. As a result of the proposed location of the septic system, several sheds (shed # 1-3) may require relocation in order to comply with the requirements of the Ontario Building Code (OBC). A condition is recommended in order to ensure the sheds are relocated to comply with the spatial separation requirements of the OBC as well as the provisions of the Zoning By-law.

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

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

Yes

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

In regard to the Significant Woodlands and Significant Wildlife Habitat present on the property, by using the existing cleared area, no additional impacts to the Significant Woodlands or Significant Wildlife Habitat are presented.

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

Other Alternatives Considered: No alternatives have been considered at this time.

Servicing Comments: The property is serviced by private individual well. A permit to construct a new septic system is pending approval.

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 (September 2, 2021): No objections

Building and Septic Division – Chief Building Official (September 7, 2021): No concerns, structure built without benefit of building permit but owner is working with staff to correct issues. Building Permit required for proposed dwelling, Development Charges will apply.

Building and Septic Division – Supervisor, Part 8 – Sewage Systems (September 3, 2021): The applicant has submitted an Application for a Sewage System Permit to install a system to service the property. This system has been designed to accommodate the new single detached dwelling proposed for the property. The system is proposed to be located on the north side of the dwelling/structure. The current site plan indicates several small sheds in this area. The sewage system installation will require a minimum clearance distance to any structure. As such, the sheds in the vicinity of the proposed sewage system may be required to be relocated to accommodate a compliance.

With the current understanding of the proposal, the Building and Septic Division has no concerns with the proposed minor variance as it relates to on-site sewage disposal with the understanding of the potential shed relocation.

Public Comments: No comments have been received as of September 8, 2021.

Attachments:



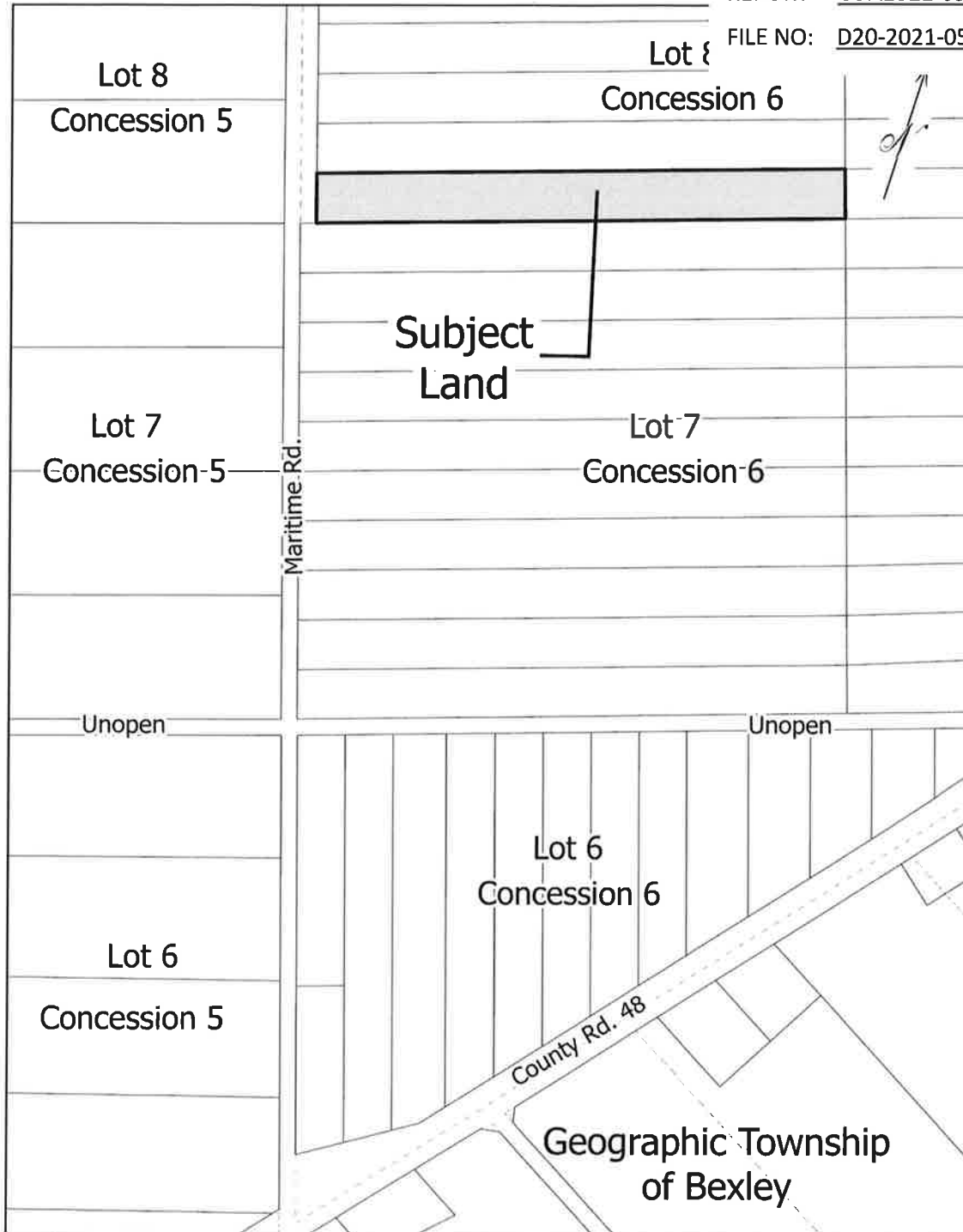
- Appendix A – Location Map
- Appendix B – Aerial Photo
- Appendix C – Applicant’s Sketch (Site Plan)
- Appendix D – Elevation Drawings
- Appendix E – Department and Agency Comments

Phone: 705-324-9411 extension 1367
E-Mail: kstainton@kawarthalakes.ca
Department Head: Richard Holy, Acting Director of Development Services
Department File: D20-2021-050

D20-2021-050

APPENDIX " A "

to
REPORT COA2021-059
FILE NO: D20-2021-050



126 Maritime Road, Geographic Township of Bexley



Legend
 Property Roll Number
 Lots and Concessions

Notes
 Notes

APPENDIX " B "
 to
 REPORT COA2021-059
 FILE NO: D20-2021-050

0.45 Kilometers
 WGS_1984_Web_Mercator_Auxiliary_Sphere
 © City Of Kawartha Lakes



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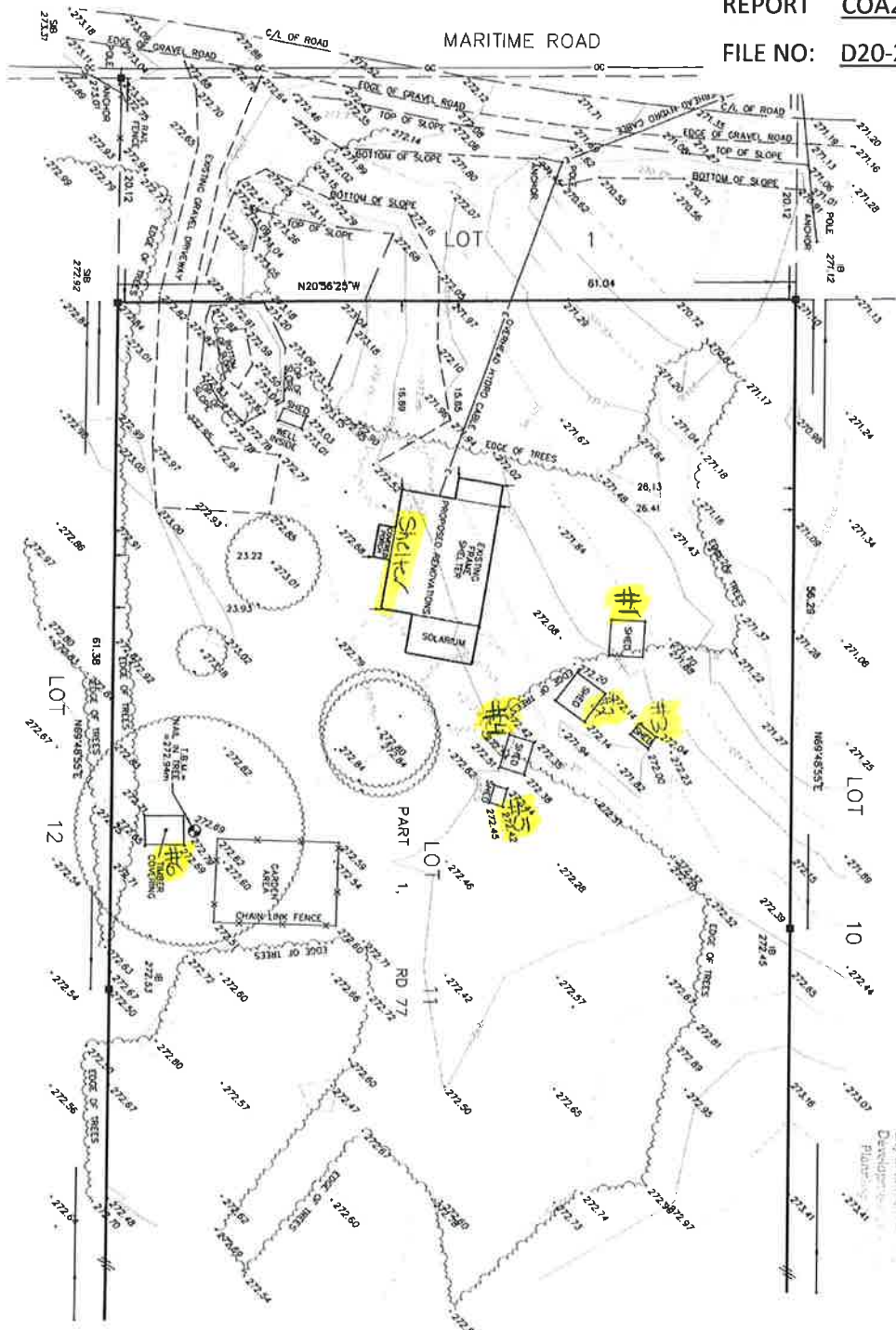
APPENDIX " C "

ROAD ALLOWANCE BETWEEN CONCESSIONS 5 AND 6

to

REPORT COA2021-059

FILE NO: D20-2021-050



Site Survey

RECEIVED
JUL 12 2021
City of Burlington
Development
Planning

REGISTRAR'S COMPILED PLAN No. 561

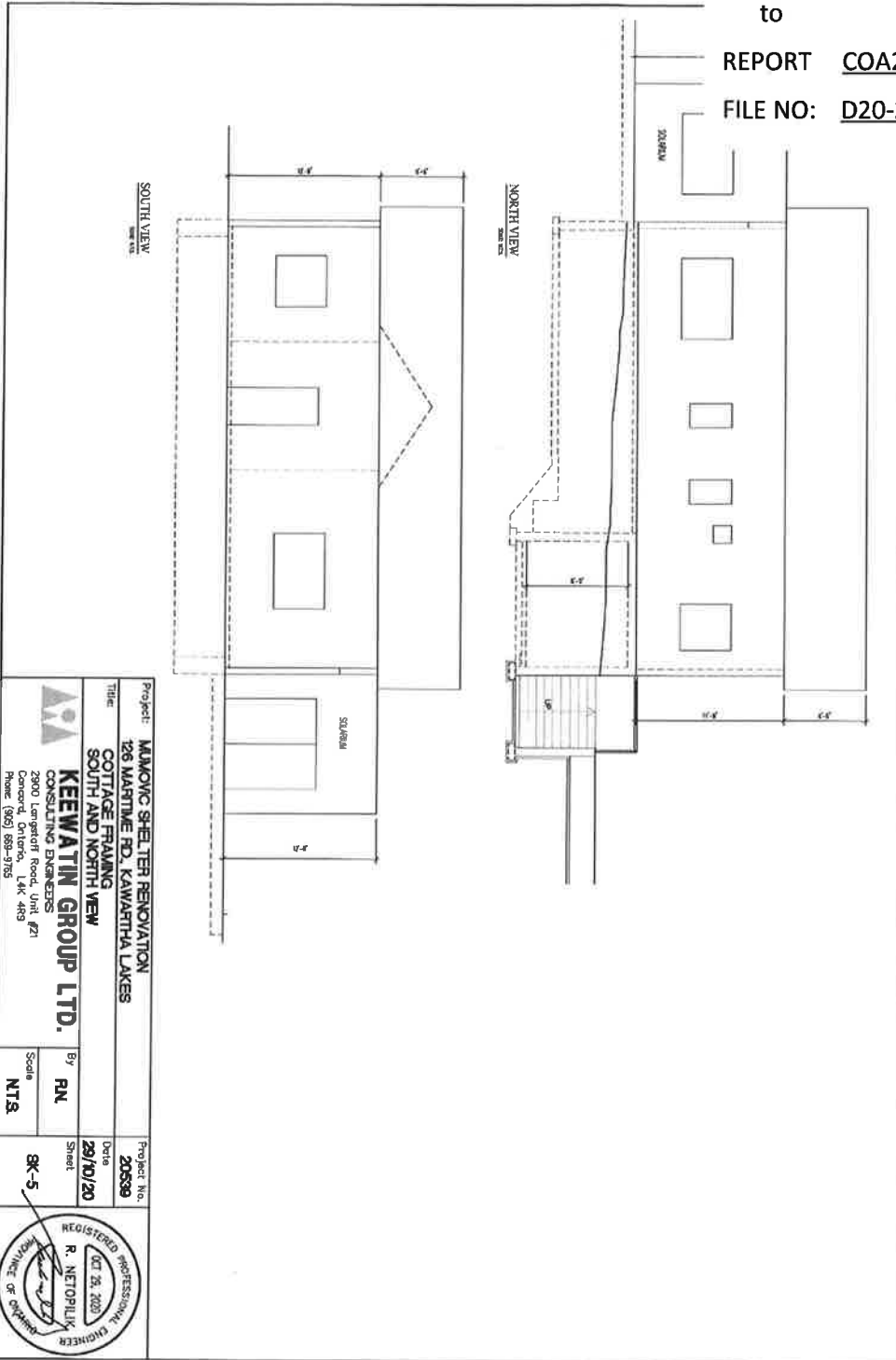
APPENDIX " D "

to

REPORT COA2021-059

FILE NO: D20-2021-050


North / South Elevation




East / West Elevation

EAST VIEW
SCALE 1/2"

WEST VIEW
SCALE 1/2"

Project:	MUMOVIC SHELTER RENOVATION 126 MARITIME RD., KAWARTHA LAKES	Project No.	20539
Title:	COTTAGE FRAMING EAST AND WEST VIEW	Date	29/10/20
 KEEWATIN GROUP LTD. CONSULTING ENGINEERS 2900 Longstaff Road, Unit #21 Concord, Ontario, L4K 4R9 Phone: (905) 669-9765	By	RN.	Sheet
	Scale	N.T.S.	SK-6



Charlotte Crockford

From: Susanne Murchison
Sent: Tuesday, September 7, 2021 7:08 PM
To: Charlotte Crockford
Cc: David Harding; Kent Stainton
Subject: MV comments

APPENDIX E

to

REPORT

COA2021-059

FILE NO.

D20-2021-050

The following reflect the Building and Septic Division comments, save and except those relating to on-site sewage systems which will be provided under separate email by Part 8 Supervisor:

D20-2021-047: no concerns at this stage, further comments will be provided through the site plan approval process, building permit required for proposed hotel building, development is subject to development charges bylaw

D20-2021-050: no concerns, structure built without benefit of building permit but owner is working with staff to correct issues, building permit required for proposed dwelling, development charges apply to this development

D20-2021-051: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-052: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-053: no concerns, applications have already been filed for building permits relating to this proposed detached garage, outstanding building permit relating to construction of a deck BPH2015-0576 requires final inspection

D20-2021-054: no concerns, building permit required for the proposed detached garage, outstanding building permit relating to construction of the single detached dwelling BPH2007-0325 requires final inspection

D20-2021-055: no concerns at this stage, further comments will be provided through the site plan approval process, building permits required for proposed self-storage buildings, development is subject to development charges bylaw, the following are some of the major building code items that may affect the placement and size of the proposed self-storage buildings: design of on-site supply of water for fire fighting, spatial separation and related construction materials, fire route design – these items will be reviewed at site plan approval stage

D20-2021-056: no concerns, application has already been filed for building permit relating to the construction of this proposed foundation

D20-2021-057: no concerns, building permit required for proposed dwelling, development charges apply to this development

Susanne Murchison, CBCO
Chief Building Official

Kent Stainton

From: Charlotte Crockford
Sent: Friday, September 3, 2021 3:42 PM
To: Kent Stainton
Subject: FW: D20-2021-050 - Maritime Rd (126)

Fyi

I will of course save comments to SharePoint.

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



Please note: The Development Services offices at 180 Kent St W, Lindsay remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.

For COVID-19 information including service levels and how to access services, please call 705-324-9411 extension 4000 or visit www.kawarthalakes.ca/covid19

From: Anne Elmhirst <aelmhirst@kawarthalakes.ca>
Sent: Friday, September 3, 2021 3:41 PM
To: Charlotte Crockford <ccrockford@kawarthalakes.ca>
Subject: D20-2021-050 - Maritime Rd (126)

Hello Charlotte,

I have received and reviewed the application for minor variance D20-2021-050 to request relief for a reduced yard setback for the construction of a single detached dwelling.

The applicant has submitted an Application for a Sewage System Permit to install a system to service the property. This system has been designed to accommodate the new single detached dwelling proposed for the property. The system is proposed to be located on the north side of the dwelling/structure. The current site plan indicates several small sheds in this area. The sewage system installation will require a minimum clearance distance to any structure. As such, the sheds in the vicinity of the proposed sewage system may be required to be relocated to accommodate a compliance.

With the current understanding of the proposal, the Building and Septic Division has no concerns with the proposed minor variance as it relates to on-site sewage disposal with the understanding of the potential shed relocation.

Best Regards,

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

Supervisor – Part 8 Sewage Systems

Development Services - Building and Septic Division, City of Kawartha Lakes

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



Please note: The Building Division offices at 180 Kent St W, Lindsay remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.

Kent Stainton

From: Kim Rhodes
Sent: Thursday, September 2, 2021 2:40 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms
Subject: 20210902 D20-2021-050 - Engineering review

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

Minor Variance – D20-2021-050
126 Maritime Road
Lot 11, Registered Compiled Plan 561, Part Lot 8, Concession 6
Geographic Township of Bexley

It is the understanding by Engineering that the purpose and effect is to request relief from Section 7.2.1.3(a) to reduce the minimum front yard setback from 30 metres to 15 metres in order to permit the construction of a single detached dwelling.

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

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

Thanks,

Christina

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



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

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Grant Mills
Report Number COA2021-060

Public Meeting

Meeting Date: September 16, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 3 – Geographic Township of Fenelon

Subject: The purpose and effect is to request relief from Section 13.2.1.2(c) to reduce the minimum lot frontage requirement from 35 metres to 20.62 metres in order to fulfill a condition of provisional Consent associated with a lot line adjustment as part of Consent File D03-2021-002.

Relief is also being requested from Section 3.1.3.2 to increase the maximum allowable height of an accessory building (detached garage) in a residential zone from 5 metres to 6.17 metres.

The variance is requested at 584 ½ Birch Point Road, geographic Township of Fenelon (File D20-2021-051).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2021-060 Mills, be received;

That minor variance application D20-2021-051 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 COA2021-060, which shall be attached to and form part of the Committee's Decision;
- 2) **That** the building construction related to the minor variances shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection, and;

- 3) **That** this minor variance shall be deemed to be refused if the related Application for Consent, D03-2021-002, lapses.

This approval pertains to the application as described in report COA2021-060. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The Acting Director of Development Services, as delegated by Council, granted provisional consent for file D03-2021-002 to sever approximately 207 square metres from the subject lands and add the lands to abutting 584 Birch Point Road. The applicant has agreed to the conditions of the staff recommendation. The resultant retained lands are approximately 2,320 square metres (0.57 acres) in size. The lot addition will facilitate each property to be redeveloped with a new two-storey single detached dwelling, a detached garage and private individual septic system.

Through review of the consent application, it was determined that both the benefitting and retained shoreline lots do not meet the minimum lot frontage requirement of the Zoning By-law. Condition 3 of the provisional consent approval requires a variance for both the retained and benefitting lands such that relief from the minimum lot frontage provisions is recognized.

When reviewing the Building Plans associated with a detached garage proposed as part of the redevelopment of the lot, it was identified that relief would also be required to increase the maximum allowable height for the detached garage.

The application is concurrent with minor variance file no. D20-2021-052; whereby, a reduced lot frontage and an identical increase in the maximum allowable height for an accessory building (detached garage) is being proposed. The loft area of the detached garage is not to be used for human habitation.

This application was deemed complete on August 20, 2021.

Proposal: To demolish an existing one-storey cottage and construct a new 297.18 square metre (3,199 square feet) two-storey dwelling and a 173.76 square metre (1,870 square feet) detached garage with storage loft.

Owner: Grant Mills

Applicant: Leo Anagnostakos

Legal Description: 584 ½ Birch Point Road, Lot 11 and Part of Lot 12, Plan 291, geographic Township of Fenelon, City of Kawartha Lakes

Official Plan: Waterfront and Environmental Protection within the City of Kawartha Lakes Official Plan (2021)

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

Site Size: 2,320 square metres (0.57 acres)

Site Servicing: Private individual well and private septic system

Existing Uses: Shoreline Residential

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

Rationale:

1) Are the variances minor in nature? Yes
And

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

The subject property is situated in a shoreline residential neighbourhood on the southern shore of Balsam Lake, north of a small peninsula. This specific neighbourhood consists of a fair mix of older cottages and larger infill development. It is anticipated that the surrounding properties will undergo intensification in the years to come.

The associated Consent application proposes to partially reverse the decision of City of Kawartha Lakes File No. D03-2017-016; whereby, lands were severed and added to the subject lands through a lot line adjustment. Concurrently, Consent application (City of Kawartha Lakes File No. D03-2017-015) was approved for a Right-of-Way for an easement over 584 Birch Point Road in favour of the property at 582 Birch Point Road, the abutting property to the south. No changes are proposed to the existing easement through the consent application.

The proposed location of the garage is set behind an established vegetative buffer and Birch Point Road, as the western portion of the lot is comprised of cedar and mixed conifer species. While some vegetation will be cleared to facilitate the septic system, a buffer of vegetation will be left for privacy. The proposed location of the garage will not present any massing impacts as a result, since the height of the garage is less than the proposed height of the two-storey dwelling at approximately 7.62 metres. Moreover, the reduction in lot frontage will be imperceptible given the location of the development in relation to the established vegetative screening along Birch Point Road and the distance of approximately 50 metres between the location of the garage and front lot line.

As a wildlife enthusiast, the ground floor of the garage will contain a variety of boats, ATVs and associated equipment with one of the boats to be stored containing equipment that is approximately 3.66 metres (12 feet) in height. As the proposed dwelling does not have a basement, additional storage is required in the form of a storage loft. The applicant has specified that the loft will not be used for human habitation with the roofline limiting such and no plumbing fixtures are proposed in the plans. The garage will compliment the character of the property and overall neighbourhood by providing enclosed storage for the vulnerable larger items that would otherwise be stored outside.

The design elements of the garage including an east-facing dormer with window above the two garage doors and windows on three of the four sides. The design works towards blending in the appearance of the garage with the dwelling unit. The result is a building that appears more aesthetically-pleasing than a typical utilitarian accessory building. Moreover, letters supporting both reliefs applied for through the application have been received from seven (7) of the neighbouring property owners in the immediate vicinity of the subject lands. The letters can be found in Appendix F of the report.

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 Rural Residential Type Three (RR3) Zone permits a variety of uses, including single detached dwellings and accessory buildings. Accessory buildings by their nature should compliment both the dwelling on the property and the general neighbourhood streetscape. This neighbourhood contains accessory buildings within the front yards.

One of the intents of the General Provisions of the Zoning By-law is to restrict the height of accessory buildings to ensure the use is accessory to a primary use. The requested 1.17 metre relief from the Zoning By-law is imperceptible when viewing the building from ground-level. As mentioned, the garage will be less than the height of the existing dwelling and will comply with all other development standards. Given the design treatments proposed for the garage and the presence of nearly identical garage to the south, the garage will compliment rather than dominate the presence of the proposed two-storey dwelling. When viewed from the water, the residential dwelling will attract the majority of the visual interest, as the garage would be shielded by the dwelling.

The purposes of the minimum lot frontage requirement for shoreline lots is to ensure the parcel is wide enough to support a dwelling, well and septic system through creating adequate spatial separation while maintaining appropriate setbacks from the shoreline. Moreover, the lot frontage requirement ensures buildings and structures do not dominate the parcel in terms of massing and lot coverage. Through spreading out development, adequate accessibility and lot drainage can also be maintained. The Supervisor of Part 8 Sewage Systems confirms that there is adequate room for a replacement septic system based on

the new lot boundaries. Engineering and Corporate Assets Division also confirms that there will be no impacts with respect to lot drainage as a result of the reduced lot frontage. It is important to note that the previous lot frontage created through Plan 291 was non-compliant with the 35 metre requirement.

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

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

Yes

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

While the lot does not meet the 3,000 square metre area requirement under the Waterfront Designation to create a new residential lot, the Official Plan does not provide specific provisions to address technical applications such as lot additions, 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 enables the redevelopment of two existing residential lots in compliance with the Waterfront designation, which are already developed on separate sewage systems and water supplies, this application does not offend the required criteria and will result in the construction of newer septic systems, enhancing the efficiency of the servicing on the subject properties.

The Environmental Protection designation follows a Provincially Significant Wetland (PSW) that follows the shoreline of the property. No development is proposed within the EP designation nor within 15 metres of the shoreline. The detached garage will be greater than 30 metres from the shoreline and will not impact the overall character of the shoreline of Balsam Lake. Kawartha Conservation provided comments on the consent application indicating there will be no negative impacts with respect to natural heritage, watershed management and natural hazards components of Planning Policies.

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

Other Alternatives Considered:

No alternatives are considered at this time.

Servicing Comments:

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

Consultations:

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

Agency Comments:

Engineering and Corporate Assets Division (September 2, 2021): No objections.

Building and Septic Division (September 3, 2021): The applicant has submitted an Application for a Sewage System Permit to upgrade the system serving the property. This system has been designed to accommodate a new single detached dwelling on the property. As well, the sewage system has been located to provide adequate space for the detached garage and the lot size.

The detached garage height is to accommodate recreational vehicles and storage. The applicant has indicated that it will not be used for human habitation, nor will it contain plumbing fixtures.

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

Building and Septic Division – Chief Building Official (September 7, 2021): No concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage.

Public Comments: Public comments in support of both reliefs requested through the application were submitted by the following:

George Zachopolous of 578 Birch Point Road, dated August 30, 2021;

Diane Williamson of 576 Birch Point Road, dated August 28, 2021;

Leith Henry of 582 Birch Point Road, dated August 27, 2021;

Tom Trelford of 580 Birch Point Road, dated August 28, 2021;

Tim Tatchell of 586 Birch Point Road, dated August 28, 2021;

Barb Harrison of 590 Birch Point Road, dated August 28, 2021;

Doug Simmonds of 594 Birch Point Road, dated August 28, 2021.

The associated documentation can be found in Appendix F of the report.

Attachments:



Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant’s Sketch (Lot Drainage and Grading Plan)

Appendix D – Elevation Drawings

Appendix E– Department and Agency Comments

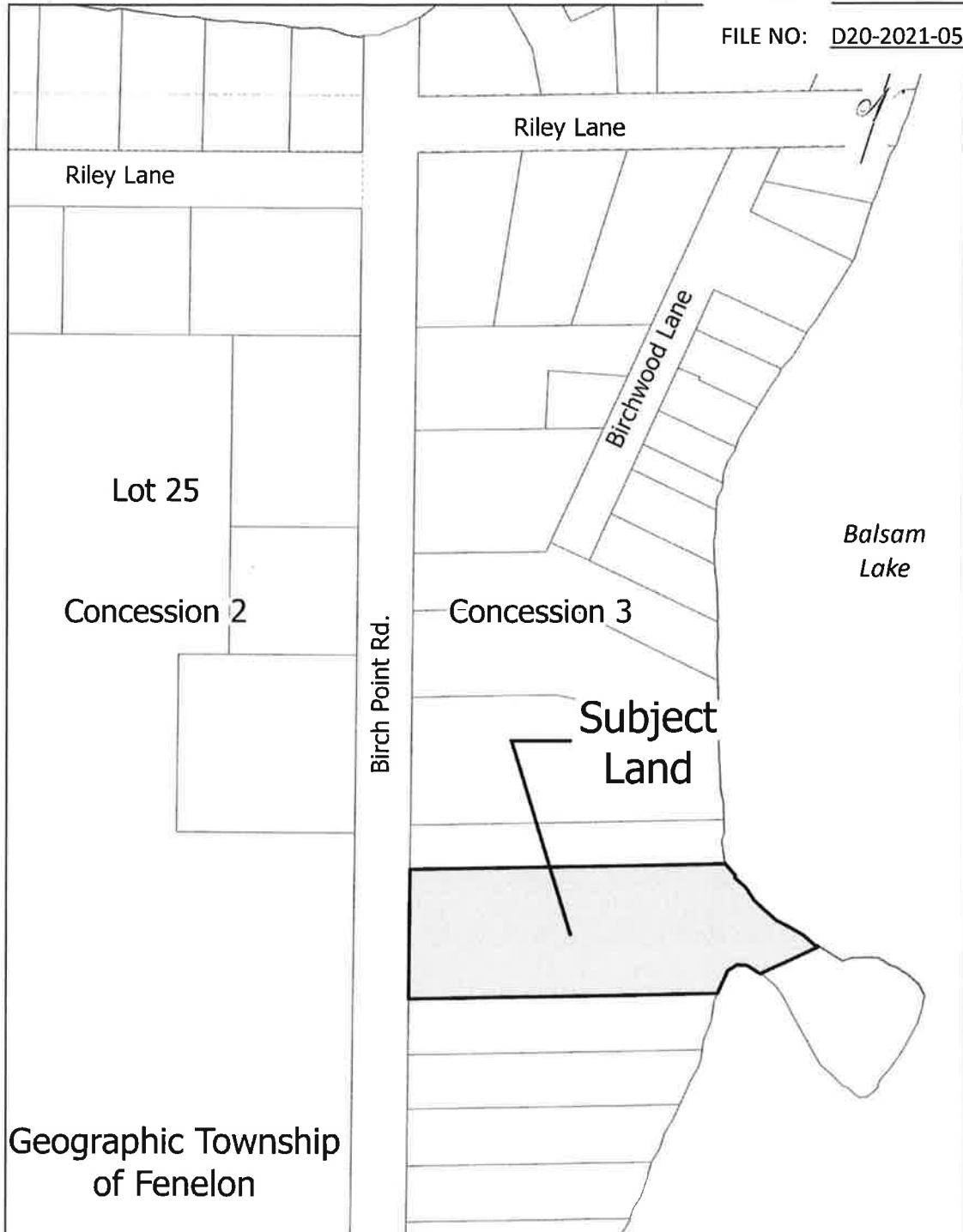
Appendix F – Public Comments

Phone: 705-324-9411 extension 1367
E-Mail: kstainton@kawarthalakes.ca
Department Head: Richard Holy, Acting Director of Development Services
Department File: D20-2021-051

APPENDIX " A "

D20-2021-051 & -052

to
REPORT COA2021-060
FILE NO: D20-2021-051



584 & 584 1/2 Birch Point Road, Geographic Township of Fenelon



- Legend**
- Property Roll Number
 - Lots and Concessions
 - Road Centreline (2016 Needs)

APPENDIX " B "

to

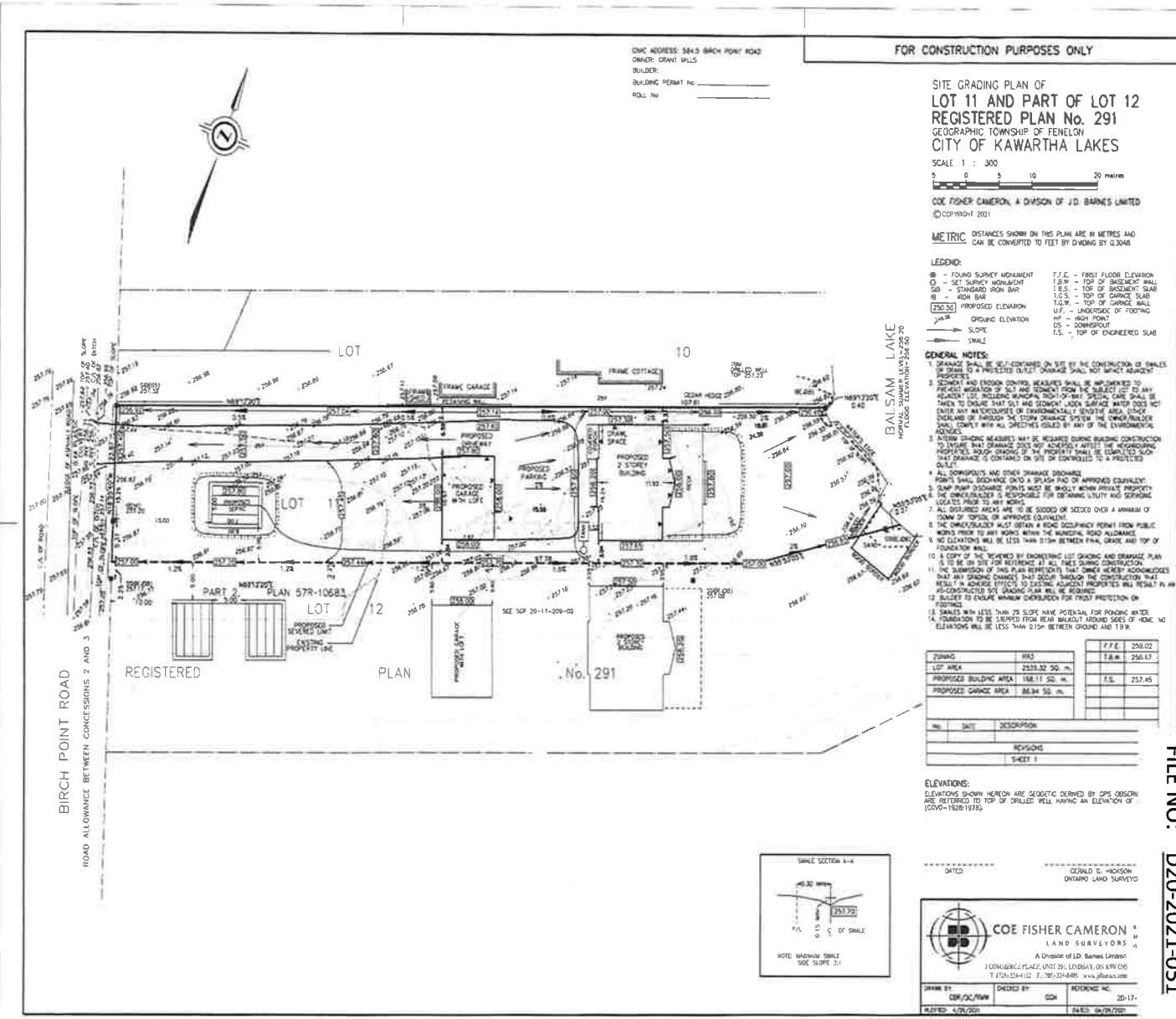
REPORT COA2021-060

FILE NO: D20-2021-051

Notes
Notes

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.
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CMR ADDRESS: 5415 BIRCH POINT ROAD
 OWNER: GRANT MILLS
 BUILDER:
 BUILDING PERMIT No. _____
 ROLL No. _____

FOR CONSTRUCTION PURPOSES ONLY

SITE GRADING PLAN OF
LOT 11 AND PART OF LOT 12
REGISTERED PLAN No. 291
 GEOGRAPHIC TOWNSHIP OF FENELON
 CITY OF KAWARTHA LAKES

SCALE 1 : 300
 0 5 10 20 metres

COE FISHER CAMERON, A DIVISION OF J.D. BARNES LIMITED
 © COPYRIGHT 2021

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

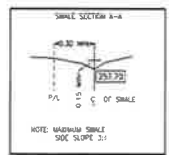
- LEGEND:**
- ⊕ - FOUND SURVEY MONUMENT
 - ⊙ - SET SURVEY MONUMENT
 - ⊖ - STANDARD IRON NAIL
 - ⊗ - IRON BAR
 - ⊚ - PROPOSED ELEVATION
 - ⊛ - GROUND ELEVATION
 - ↘ - SLOPE
 - ↙ - SLOPE
 - F.F.E. - FIRST FLOOR ELEVATION
 - F.B.W. - TOP OF BASEMENT WALL
 - F.B.S. - TOP OF BASEMENT SLAB
 - T.O.S. - TOP OF GARAGE SLAB
 - T.O.M. - TOP OF GARAGE WALL
 - U.F. - UNDERSIDE OF FOOTING
 - R.P. - ROOF POINT
 - D.S. - DOWNSPOUT
 - E.S. - TOP OF ENGINEERED SLAB

- GENERAL NOTES:**
- DRAINAGE SHALL BE SELF-CONTAINED ON SITE BY THE CONSTRUCTION OF SHALES OR STAIRS OR A PERMITTED DRAINAGE SPAC NOT SPACED ADJACENT TO PROPERTY.
 - EROSION CONTROL MEASURES SHALL BE IMPLEMENTED TO PREVENT EROSION OF SOIL AND SEDIMENT FROM THE SUBJECT LOT TO ANY ADJACENT LOT, INCLUDING WINDROW, BUSH-TOP TRAP, CANALS SHALL BE TAKEN TO ENSURE THAT SOIL AND SEDIMENT LOADS SURFACE WATER DOES NOT ENTER ANY WATERSHED OR ENVIRONMENTALLY SENSITIVE AREA. OTHER MEASURES OF THROUGH THE STORM DRAINAGE SYSTEM, THE ENGINEER/OWNER SHALL COMPLY WITH ALL DIRECTIVES ISSUED BY ANY OF THE ENVIRONMENTAL AGENCIES.
 - STORM DRAINAGE MEASURES MAY BE REQUIRED DURING BUILDING CONSTRUCTION TO INSURE THAT DRAINAGE DOES NOT ADVERSELY AFFECT THE NEIGHBOURING PROPERTIES. STORM DRAINAGE OF THE PROPERTY SHALL BE DIRECTED TO A PERMITTED DRAINAGE IS CONTAINED ON SITE OR CONTINUED TO A PERMITTED DRAINAGE.
 - ALL DOWNSPOUTS AND OTHER DRAINAGE DRAINAGE POINTS SHALL BE LOCATED ON A SPACED AND OF APPROVED EQUIVALENT.
 - STORM PUMP DRAINAGE POINTS MUST BE SLOPED TO ADVERSELY AFFECT THE NEIGHBOURING LOCALITY PRIOR TO ANY WORK.
 - THE ENGINEER/OWNER IS RESPONSIBLE FOR OBTAINING UTILITY AND SERVICES LOCATED PRIOR TO ANY WORK.
 - ALL DISTURBED AREAS ARE TO BE SLOPED OR SEEDS OVER A MINIMUM OF 10% OF TOPSOIL OR APPROVED EQUIVALENT.
 - THE ENGINEER/OWNER MUST OBTAIN A ROAD OCCUPANCY PERMIT FROM PUBLIC WORKS PRIOR TO ANY WORK WITHIN THE NEIGHBOURING ROAD ALLOWANCE.
 - NO ELEVATIONS WILL BE LESS THAN 0.15M BETWEEN FINA GRADE AND TOP OF FOUNDATION WALL.
 - A COPY OF THIS REVIEWED BY ENGINEERING LIST GRADING AND DRAINAGE PLAN IS TO BE ON SITE FOR REFERENCE AT ALL TIMES DURING CONSTRUCTION.
 - THE SUBMISSION OF THIS PLAN REPRESENTS THAT OWNER HEREBY ACKNOWLEDGES THAT ANY GRADING CHANGES THAT OCCUR THROUGH THE CONSTRUCTION THAT RESULT IN ADVERSE EFFECTS TO ADJACENT PROPERTIES WILL BEAT IN AN UNCONSTRUCTED SITE GRADING PLAN WILL BE REQUIRED.
 - SUCCESS TO ENSURE WHETHER CONSTRUCTION FOR PROTECTIVE OR OTHERWISE.
 - SHALES WITH LESS THAN 2% SLOPE HAVE POTENTIAL FOR POORING WATER.
 - FOUNDATION TO BE SLOPED FROM REAR BALCONY AROUND SEEDS OF HOSE. NO ELEVATIONS WILL BE LESS THAN 0.15M BETWEEN GROUND AND TOP.

ZONING	RRS	F.F.E. 259.02
		F.B.W. 256.67
LOT AREA	2538.32 SQ. M.	F.L. 257.45
PROPOSED BUILDING AREA	186.11 SQ. M.	
PROPOSED GARAGE AREA	86.34 SQ. M.	

No.	DATE	DESCRIPTION
		REVISIONS
		SHEET 1

ELEVATIONS:
 ELEVATIONS SHOWN HEREON ARE GEODETIC DERIVED BY GPS OBSERVATION REFERRED TO TOP OF DRILLED WELL HAVING AN ELEVATION OF (CGVD-1928-1978).



DATED: _____ DATED: 04/29/2021

GERALD C. HICKSON
 DRAWING LAND SURVEYOR

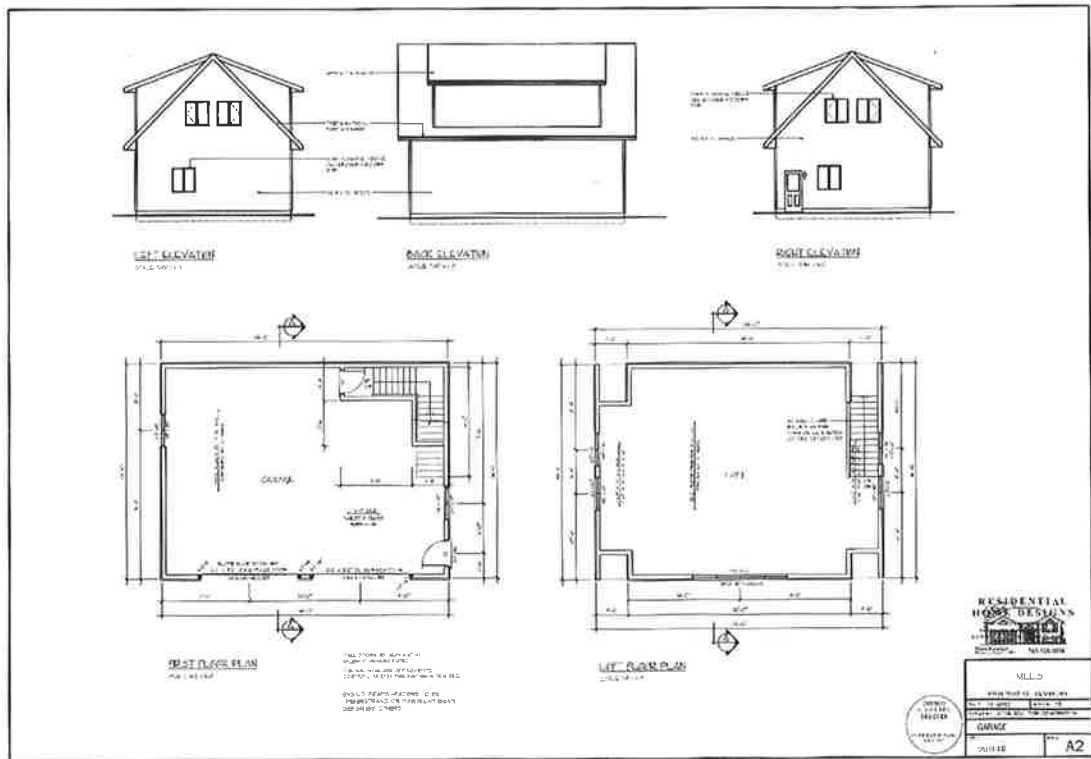
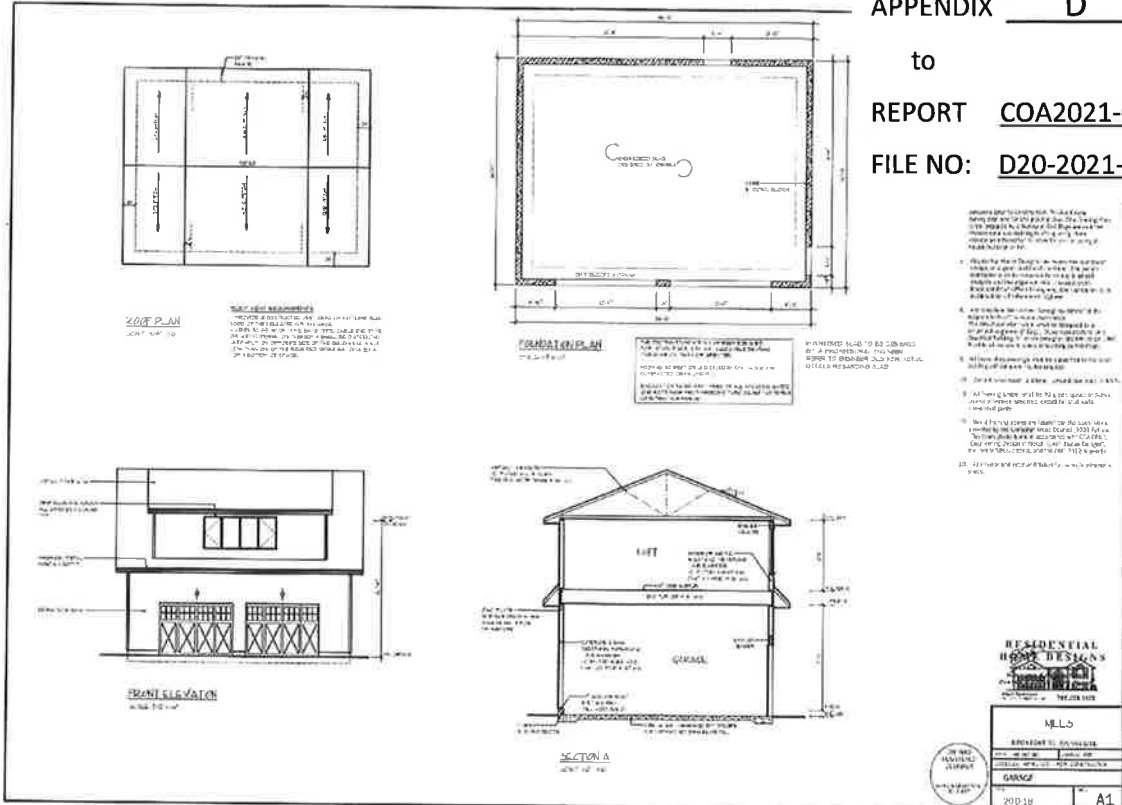
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DRAWN BY: DFC/CA/AMW CHECKED BY: CCM REFERENCE NO.: 20-17-
 PLOTTED: 4/29/2021 DATE: 04/29/2021

APPENDIX " C "
 to
 REPORT COA2021-060
 FILE NO.: D20-2021-051

APPENDIX " D "

to
 REPORT COA2021-060
 FILE NO: D20-2021-051



Charlotte Crockford

From: Susanne Murchison
Sent: Tuesday, September 7, 2021 7:08 PM APPENDIX "E"
To: Charlotte Crockford to
Cc: David Harding; Kent Stainton
Subject: MV comments REPORT COA 2021-060

FILE NO. D20-2021-051

The following reflect the Building and Septic Division comments, save and except those relating to on-site sewage systems which will be provided under separate email by Part 8 Supervisor:

D20-2021-047: no concerns at this stage, further comments will be provided through the site plan approval process, building permit required for proposed hotel building, development is subject to development charges bylaw

D20-2021-050: no concerns, structure built without benefit of building permit but owner is working with staff to correct issues, building permit required for proposed dwelling, development charges apply to this development

D20-2021-051: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-052: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-053: no concerns, applications have already been filed for building permits relating to this proposed detached garage, outstanding building permit relating to construction of a deck BPH2015-0576 requires final inspection

D20-2021-054: no concerns, building permit required for the proposed detached garage, outstanding building permit relating to construction of the single detached dwelling BPH2007-0325 requires final inspection

D20-2021-055: no concerns at this stage, further comments will be provided through the site plan approval process, building permits required for proposed self-storage buildings, development is subject to development charges bylaw, the following are some of the major building code items that may affect the placement and size of the proposed self-storage buildings: design of on-site supply of water for fire fighting, spatial separation and related construction materials, fire route design – these items will be reviewed at site plan approval stage

D20-2021-056: no concerns, application has already been filed for building permit relating to the construction of this proposed foundation

D20-2021-057: no concerns, building permit required for proposed dwelling, development charges apply to this development

Susanne Murchison, CBCO
Chief Building Official

Kent Stainton

From: Kim Rhodes
Sent: Thursday, September 2, 2021 2:42 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms
Subject: 20210902 D20-2021-051 - Engineering review

Importance: High

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

Minor Variance – D20-2021-051
584 ½ Birch Point Road
Lot 11 and Part Lot 12, Plan 291, Part 1, 57R-10683
Geographic Township of Fenelon

It is the understanding by Engineering that the purpose and effect is to request relief from Section 13.2.1.2(c) to reduce the minimum lot frontage from 35 metres to 20.62 metres in order to fulfil a condition of provisional consent (File No. D03-2021-002) for a lot line adjustment. Relief is also being requested from Section 3.1.3.2 to increase the maximum allowable height of an accessory building (detached garage) in a residential zone from 5 metres to 6.17 metres to permit the construction of a detached garage.

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

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

Thanks,

Christina

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



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: Charlotte Crockford
Sent: Friday, September 3, 2021 12:25 PM
To: Kent Stainton
Subject: FW: D20-2021-051 - 584 1/2 Birch Point Road

fyi

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



Please note: The Development Services offices at 180 Kent St W, Lindsay remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.

For COVID-19 information including service levels and how to access services, please call 705-324-9411 extension 4000 or visit www.kawarthalakes.ca/covid19

From: Anne Elmhirst <aelmhirst@kawarthalakes.ca>
Sent: Friday, September 3, 2021 12:19 PM
To: Charlotte Crockford <ccrockford@kawarthalakes.ca>
Subject: D20-2021-051 - 584 1/2 Birch Point Road

Hello Charlotte,

I have received and reviewed the application for minor variance D20-2021-051 to request a reduction in the minimum lot frontage as well as to provide an allowance for an increased height for a detached garage.

The applicant has submitted an Application for a Sewage System Permit to upgrade the system serving the property. This system has been designed to accommodate a new single detached dwelling on the property. As well, the sewage system has been located to provide adequate space for the detached garage and the lot size.

The detached garage height is to accommodate recreational vehicles and storage. The applicant has indicated that it will not be used for human habitation, nor will it contain plumbing fixtures.

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

APPENDIX " F " to
REPORT COA2021-060
FILE NO. D20-2021-051

City of Kawartha Lakes
Development Services Kawartha Lakes Planning Division
180 Kent Street West
Lindsay, ON
K9V 2Y6
Attention: Kent Stainton - Planner 2

RECEIVED
SEP - 1 2021
City of Kawartha Lakes
Development Services
Planning Division

I/We George Zachopoulos support Mr. Mills's application with respect to the new build of their home at 584 1/2 Birchpoint Rd., Woodville, ON, KOM 2T0 with reduced frontage to 21.5 meters. We are also in support of his application for the garage variance detailing an increased height of 6.17 meters where bylaw allows for 5 meters.

Sincerely,

Signature: 

Date: August 30, 2021

Address: 578. Birchpoint Rd.

City of Kawartha Lakes
Development Services Kawartha Lakes Planning Division
180 Kent Street West
Lindsay, ON
K9V 2Y6
Attention: Kent Stainton - Planner 2

RECEIVED

SEP - 1 2021

City of Kawartha Lakes
Development Services
Planning Division

I/We Dave Wilkinson support Mr. Mills's application with respect to the new build of their home at 584 ½ Birchpoint Rd., Woodville, ON, K0M 2T0 with reduced frontage to 21.5 meters. We are also in support of his application for the garage variance detailing an increased height of 6.17 meters where bylaw allows for 5 meters.

Sincerely,

Signature: 

Date: Aug 28 '21

Address: 576 Birch Point Rd Woodville ON K0M 2T0

City of Kawartha Lakes
Development Services Kawartha Lakes Planning Division
180 Kent Street West
Lindsay, ON
K9V 2Y6
Attention: Kent Stainton - Planner 2

RECEIVED
SEP - 1 2021
City of Kawartha Lakes
Development Services
Planning Division

I/We LEITH HENRY support Mr. Mills's application with respect to the new build of their home at 584 1/2 Birchpoint Rd., Woodville, ON, K0M 2T0 with reduced frontage to 21.5 meters. We are also in support of his application for the garage variance detailing an increased height of ~~to~~ 6.17 meters where bylaw allows for 5 meters.

Sincerely,

Signature: Leith Henry Date: 08/28/2021

Address: 582 BIRCH POINT RD, WOODVILLE ON K0M 2T0

City of Kawartha Lakes
Development Services Kawartha Lakes Planning Division
180 Kent Street West
Lindsay, ON
K9V 2Y6
Attention: Kent Stainton - Planner 2

RECEIVED
SEP - 1 2021
City of Kawartha Lakes
Development Services
Planning Division

I/We Stevenson / T. McLeod support Mr. Mills's application with respect to the new build of their home at 584 ½ Birchpoint Rd., Woodville, ON, K0M 2T0 with reduced frontage to 21.5 meters. We are also in support of his application for the garage variance detailing an increased height of ~~6.17~~ 6.17 meters where bylaw allows for 5 meters.

Sincerely,

Signature: Stevenson / T. McLeod Date: August 28/21
Address: 580 Birchpoint Rd Woodville ON

City of Kawartha Lakes
Development Services Kawartha Lakes Planning Division
180 Kent Street West
Lindsay, ON
K9V 2Y6
Attention: Kent Stainton - Planner 2

RECEIVED

SEP - 1 2021

City of Kawartha Lakes
Development Services
Planning Division

I/We T.A. TATCHELL support Mr. Mills's application with respect to the new build of their home at 584 ½ Birchpoint Rd., Woodville, ON, K0M 2T0 with reduced frontage to 21.5 meters. We are also in support of his application for the garage variance detailing an increased height of ~~10~~ 6.17 meters where bylaw allows for 5 meters.

Sincerely,

Signature: 

Date: 28 AUG 21

Address: 506 Birchpoint Rd Woodville

City of Kawartha Lakes
Development Services Kawartha Lakes Planning Division
180 Kent Street West
Lindsay, ON
K9V 2Y6
Attention: Kent Stainton - Planner 2

RECEIVED

SEP - 1 2021

City of Kawartha Lakes
Development Services
Planning Division

I/We Barb Harrison support Mr. Mills's application with respect to the new build of their home at 584 ½ Birchpoint Rd., Woodville, ON, K0M 2T0 with reduced frontage to 21.5 meters. We are also in support of his application for the garage variance detailing an increased height of 6.17 meters where bylaw allows for 5 meters.

Sincerely,

Signature: Barb Harrison Date: AUG 28, 21

Address: 590 BIRCH POINT Rd WOODVILLE, ONT

City of Kawartha Lakes
Development Services Kawartha Lakes Planning Division
180 Kent Street West
Lindsay, ON
K9V 2Y6
Attention: Kent Stainton - Planner 2

RECEIVED
SEP - 1 2021
City of Kawartha Lakes
Development Services
Planning Division

AS PER
I/We DOUG SIMMONDS support Mr. Mills's application with respect to the new
build of their home at 584 ½ Birchpoint Rd., Woodville, ON, K0M 2T0 with reduced frontage to 21.5
meters. We are also in support of his application for the garage variance detailing an increased height of ~~6.17~~
6.17 meters where bylaw allows for 5 meters.

Sincerely,

Signature:  Date: Aug 28/21

Address: 594 BIRCH POINT ROAD

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Leo Anagnostakos
Report Number COA2021-061

Public Meeting

Meeting Date: September 16, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 3 – Geographic Township of Fenelon

Subject: The purpose and effect is to request relief from Section 13.2.1.2(c) to reduce the minimum lot frontage requirement from 35 metres to 25.11 metres in order to fulfill a condition of provisional Consent associated with a lot line adjustment as part of Consent File D03-2021-002.

Relief is also being requested from Section 3.1.3.2 to increase the maximum allowable height of an accessory building (detached garage) in a residential zone from 5 metres to 6.17 metres.

The variance is requested at 584 Birch Point Road, geographic Township of Fenelon (File D20-2021-052).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2021-061 Anagnostakos, be received;

That minor variance application D20-2021-052 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 COA2021-061, which shall be attached to and form part of the Committee's Decision;
- 2) **That** the building construction related to the minor variances shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection, and;

- 3) **That** this minor variance shall be deemed to be refused if the related Application for Consent, D03-2021-002, lapses.

This approval pertains to the application as described in report COA2021-061. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The Acting Director of Development Services, as delegated by Council, granted provisional consent for file D03-2021-002 to sever approximately 207 square metres from the abutting property addressed as 584 ½ Birch Point Road and add the lands to the subject property. The applicant has agreed to the conditions of the staff recommendation. The resultant lands are approximately 3,119 square metres (0.77 acres) in size. The lot addition will facilitate each property to be redeveloped with a new two-storey single detached dwelling, a detached garage and private individual septic system.

Through review of the consent application, it was determined that both the benefitting and retained shoreline lots do not meet the minimum lot frontage requirement of the Zoning By-law. Condition 3 of the provisional consent approval requires a variance for both the retained and benefitting lands such that relief from the minimum lot frontage provisions is recognized.

When reviewing the Building Plans associated with a detached garage proposed as part of the redevelopment of the lot, it was identified that relief would also be required to increase the maximum allowable height for the detached garage.

The application is concurrent with minor variance file no. D20-2021-051; whereby, a reduced lot frontage and an identical increase in the maximum allowable height for an accessory building (detached garage) is being proposed. The loft area of the detached garage is not to be used for human habitation.

This application was deemed complete on August 20, 2021.

Proposal: To demolish an existing one-storey cottage and construct a new 370 square metre (3,983 square feet) two-storey dwelling and a 111.5 square metre (1,200 square feet) detached garage.

Owner: Leo Anagnostakos

Legal Description: 584 Birch Point Road, Part Lots 12 and 13, Plan 291, Parts 2 to 10, 57R-10683, geographic Township of Fenelon, City of Kawartha Lakes

Official Plan: Waterfront and Environmental Protection within the City of Kawartha Lakes Official Plan (2021)

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

Site Size: 3,116.80 square metres (0.77 acres)

Site Servicing: Private individual well and private septic system

Existing Uses: Shoreline Residential

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

Rationale:

1) Are the variances minor in nature? Yes

And

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

The subject property is situated in a shoreline residential neighbourhood on the southern shore of Balsam Lake, north of a small peninsula. This specific neighbourhood consists of a fair mix of older cottages and larger infill development. It is anticipated that the surrounding properties will undergo intensification in the years to come.

The associated Consent application proposes to partially reverse the decision of City of Kawartha Lakes File No. D03-2017-016; whereby, lands were severed and added to 584 ½ Birch Point Road through a lot line adjustment. Concurrently, Consent application (City of Kawartha Lakes File No. D03-2017-015) was approved for a Right-of-Way for an easement over the subject lands in favour of the property at 582 Birch Point Road, the abutting property to the south. No changes are proposed to the existing easement through the consent application.

The proposed location of the garage is set behind an established vegetative buffer and Birch Point Road, as the western portion of the lot is comprised of cedar and mixed conifer species. While some vegetation will be cleared to facilitate the septic system, a buffer of vegetation will be left for privacy. The proposed location of the garage will not present any massing impacts as a result, since the height of the garage is less than the proposed height of the two-storey dwelling at approximately 7.62 metres. Moreover, the reduction in lot frontage will be imperceptible given the location of the development in relation to the established vegetative screening along Birch Point Road and the distance of approximately 50 metres between the location of the garage and front lot line.

As a professional angler and wildlife enthusiast, the ground floor of the garage will contain a variety of boats, ATVs and associated equipment with one of the

boats to be stored containing equipment that is approximately 3.66 metres (12 feet) in height. As the proposed dwelling does not have a basement, additional storage is required in the form of a storage loft. The applicant has specified that the loft will not be used for human habitation with the roofline limiting such and no plumbing fixtures are proposed in the plans. The garage will compliment the character of the property and overall neighbourhood by providing enclosed storage for the vulnerable larger items that would otherwise be stored outside.

The design elements of the garage including an east-facing dormer with window above the two garage doors and windows on all sides. The design works towards blending in the appearance of the garage with the dwelling unit. The result is a building that appears more aesthetically-pleasing than a typical utilitarian accessory building. Moreover, letters supporting both reliefs applied for through the application have been received from seven (7) of the neighbouring property owners in the immediate vicinity of the subject lands. The letters can be found in Appendix F of the report.

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 Rural Residential Type Three (RR3) Zone permits a variety of uses, including single detached dwellings and accessory buildings. Accessory buildings by their nature should compliment both the dwelling on the property and the general neighbourhood streetscape. This neighbourhood contains accessory buildings within the front yards.

One of the intents of the General Provisions of the Zoning By-law is to restrict the height of accessory buildings to ensure the use is accessory to a primary use. The requested 1.17 metre relief from the Zoning By-law is imperceptible when viewing the building from ground-level. As mentioned, the garage will be less than the height of the existing dwelling and will comply with all other development standards. Given the design treatments proposed for the garage and the presence of nearly identical garage to the north, the garage will compliment rather than dominate the presence of the proposed two-storey dwelling. When viewed from the water, the residential dwelling will attract the majority of the visual interest, as the garage would be shielded by the dwelling.

The purposes of the minimum lot frontage requirement for shoreline lots is to ensure the parcel is wide enough to support a dwelling, well and septic system through creating adequate spatial separation while maintaining appropriate setbacks from the shoreline. Moreover, the lot frontage requirement ensures buildings and structures do not dominate the parcel in terms of massing and lot coverage. Through spreading out development, adequate accessibility and lot drainage can also be maintained. The Supervisor of Part 8 Sewage Systems confirms that there is adequate room for a replacement septic system based on the new lot boundaries. Engineering and Corporate Assets Division also confirms that there will be no impacts with respect to lot drainage as a result of

the reduced lot frontage. It is important to note that the previous lot frontage created through Plan 291 was non-compliant with the 35 metre requirement.

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

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

Yes

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

The Environmental Protection designation follows a Provincially Significant Wetland (PSW) that follows the shoreline of the property. No development is proposed within the EP designation nor within 15 metres of the shoreline. The detached garage will be greater than 30 metres from the shoreline and will not impact the overall character of the shoreline of Balsam Lake. Kawartha Conservation provided comments on the consent application indicating there will be no negative impacts with respect to natural heritage, watershed management and natural hazards components of Planning Policies.

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

Other Alternatives Considered:

No alternatives are considered at this time.

Servicing Comments:

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

Consultations:

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

Agency Comments:

Engineering and Corporate Assets Division (September 2, 2021): No objections.

Building and Septic Division (September 3, 2021): The applicant has submitted an Application for a Sewage System Permit to upgrade the system serving the property. This system has been designed to accommodate a new single detached dwelling on the property. As well, the sewage system has been located to provide adequate space for the detached garage and the lot size.

The detached garage height is to accommodate recreational vehicles and storage. The applicant has indicated that it will not be used for human habitation, nor will it contain plumbing fixtures.

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

Building and Septic Division – Chief Building Official (September 7, 2021): No concerns, applications have already been filed for building permits relating to the replacement dwelling and detached garage.

Public Comments: Public comments in support of both reliefs requested through the application were submitted by the following:

George Zachopolous of 578 Birch Point Road, dated August 30, 2021;

Diane Williamson of 576 Birch Point Road, dated August 28, 2021;

Leith Henry of 582 Birch Point Road, dated August 27, 2021;

Tom Trelford of 580 Birch Point Road, dated August 28, 2021;

Tim Tatchell of 586 Birch Point Road, dated August 28, 2021;

Barb Harrison of 590 Birch Point Road, dated August 28, 2021;

Doug Simmonds of 594 Birch Point Road, dated August 28, 2021.

The associated documentation can be found in Appendix F of the report.

Attachments:



Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant’s Sketch (Lot Drainage and Grading Plan)

Appendix D – Elevation Drawings

Appendix E– Department and Agency Comments

Appendix F – Public Comments

Phone: 705-324-9411 extension 1367

E-Mail: kstainton@kawarthalakes.ca

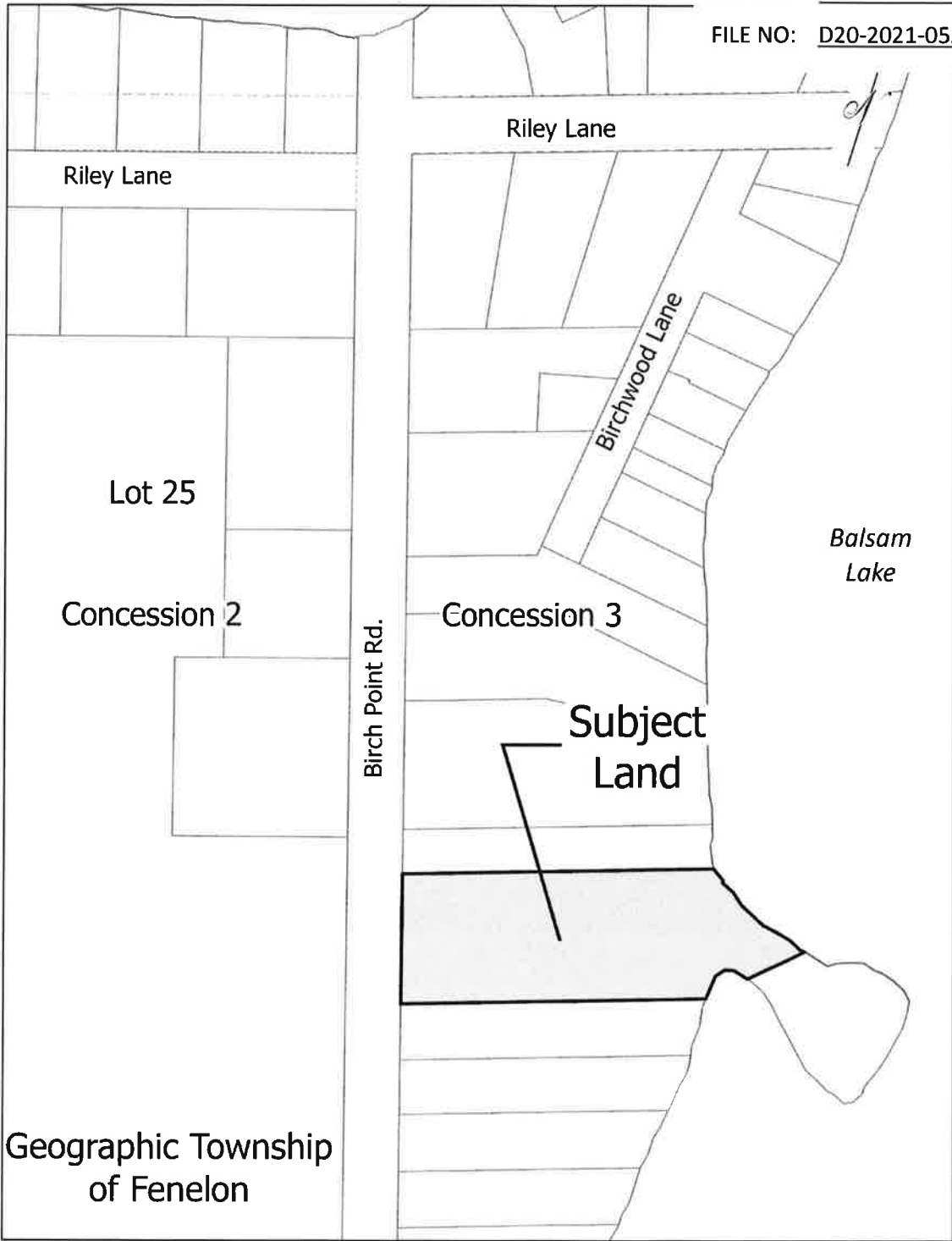
Department Head: Richard Holy, Acting Director of Development Services

Department File: D20-2021-052

APPENDIX " A "

D20-2021-051 & -052

to
REPORT COA2021-061
FILE NO: D20-2021-052



584 & 584 1/2 Birch Point Road, Geographic Township of Fenelon



- Legend**
- Property Roll Number
 - Lots and Concessions
 - Road Centreline (2016 Needs)

Notes
Notes

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

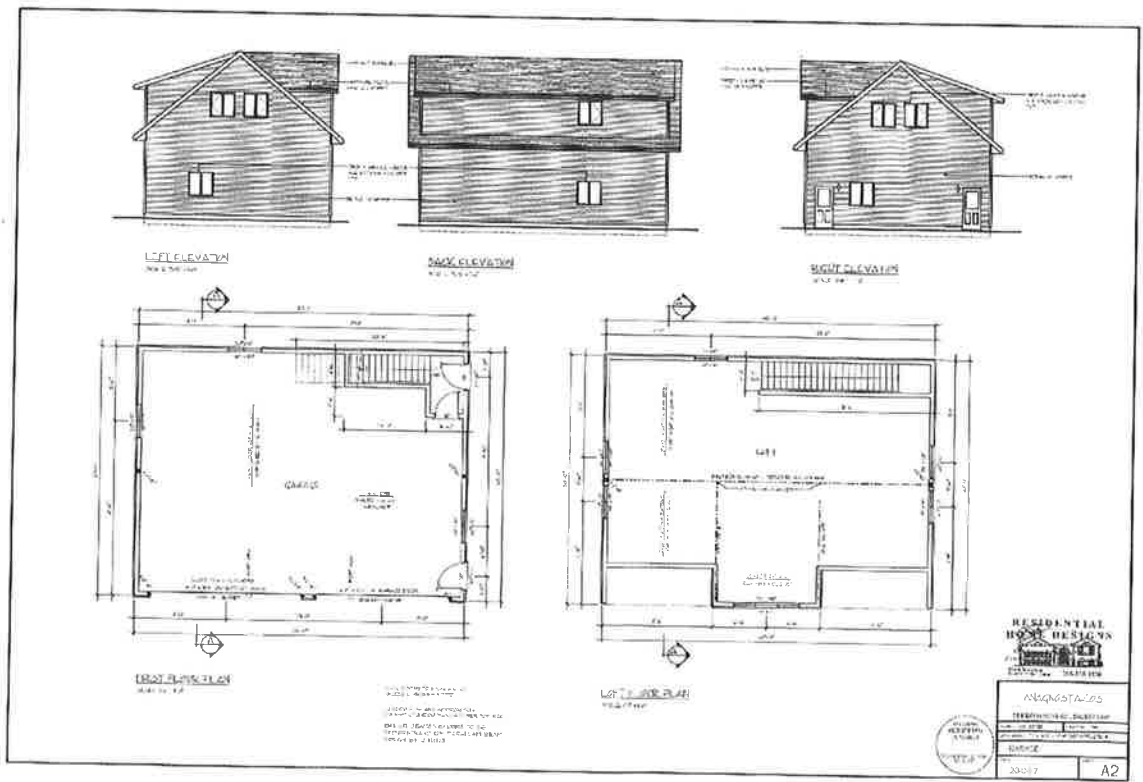
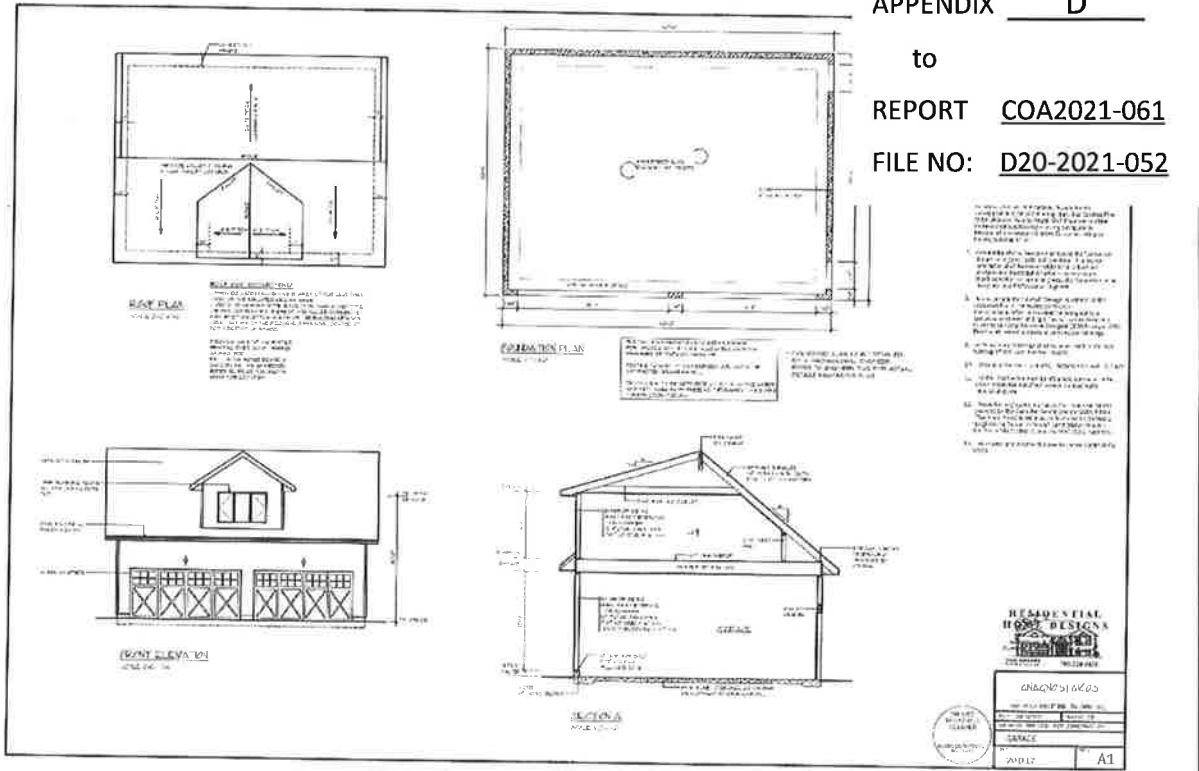
APPENDIX " B "
to
REPORT COA2021-061
FILE NO: D20-2021-052

APPENDIX " D "

to

REPORT COA2021-061

FILE NO: D20-2021-052



Charlotte Crockford

From: Susanne Murchison
Sent: Tuesday, September 7, 2021 7:08 PM APPENDIX " E "
To: Charlotte Crockford to
Cc: David Harding; Kent Stainton REPORT COA2021-061
Subject: MV comments

FILE NO. D20-2021-052

The following reflect the Building and Septic Division comments, save and except those relating to on-site sewage systems which will be provided under separate email by Part 8 Supervisor:

D20-2021-047: no concerns at this stage, further comments will be provided through the site plan approval process, building permit required for proposed hotel building, development is subject to development charges bylaw

D20-2021-050: no concerns, structure built without benefit of building permit but owner is working with staff to correct issues, building permit required for proposed dwelling, development charges apply to this development

D20-2021-051: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-052: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-053: no concerns, applications have already been filed for building permits relating to this proposed detached garage, outstanding building permit relating to construction of a deck BPH2015-0576 requires final inspection

D20-2021-054: no concerns, building permit required for the proposed detached garage, outstanding building permit relating to construction of the single detached dwelling BPH2007-0325 requires final inspection

D20-2021-055: no concerns at this stage, further comments will be provided through the site plan approval process, building permits required for proposed self-storage buildings, development is subject to development charges bylaw, the following are some of the major building code items that may affect the placement and size of the proposed self-storage buildings: design of on-site supply of water for fire fighting, spatial separation and related construction materials, fire route design – these items will be reviewed at site plan approval stage

D20-2021-056: no concerns, application has already been filed for building permit relating to the construction of this proposed foundation

D20-2021-057: no concerns, building permit required for proposed dwelling, development charges apply to this development

Susanne Murchison, CBCO
Chief Building Official

Kent Stainton

From: Charlotte Crockford
Sent: Friday, September 3, 2021 12:26 PM
To: Kent Stainton
Subject: FW: D20-2021-052 - 584 Birch Point Rd

fyi

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



Please note: The Development Services offices at 180 Kent St W, Lindsay remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.

For COVID-19 information including service levels and how to access services, please call 705-324-9411 extension 4000 or visit www.kawarthalakes.ca/covid19

From: Anne Elmhirst <aelmhirst@kawarthalakes.ca>
Sent: Friday, September 3, 2021 12:23 PM
To: Charlotte Crockford <ccrockford@kawarthalakes.ca>
Subject: D20-2021-052 - 584 Birch Point Rd

Hello Charlotte,

I have received and reviewed the application for minor variance D20-2021-052 to request a reduction in the minimum lot frontage as well as to provide an allowance for an increased height for a detached garage.

The applicant has submitted an Application for a Sewage System Permit to upgrade the system serving the property. This system has been designed to accommodate a new single detached dwelling on the property. As well, the sewage system has been located to provide adequate space for the detached garage and the lot size.

The detached garage height is to accommodate recreational vehicles and storage. The applicant has indicated that it will not be used for human habitation, nor will it contain plumbing fixtures.

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

Kent Stainton

From: Kim Rhodes
Sent: Thursday, September 2, 2021 1:29 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms
Subject: 20210902 D20-2021-052 Engineering review

Importance: High

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

Minor Variance – D20-2021-052
584 Birch Point Road
Part of Lot 12 and 13, Plan 291
Geographic Township of Fenelon

It is the understanding by Engineering that the purpose and effect is to request relief from Section 13.2.1.2(c) to reduce the minimum lot frontage from 35 metres to 25.11 metres in order to fulfil a condition of provisional consent (File No. D03-2021-002) for a lot line adjustment. Relief is also being requested from Section 3.1.3.2 to increase the maximum allowable height of an accessory building (detached garage) in a residential zone from 5 metres to 6.17 metres to permit the construction of a detached garage.

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

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

Thanks,

Christina

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



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.

APPENDIX " F "

to
REPORT COA 2021-061

FILE NO. D20-2021-052 RECEIVED

City of Kawartha Lakes
Development Services Kawartha Lakes Planning Division
180 Kent Street West
Lindsay, ON
K9V 2Y6
Attention: Kent Stainton - Planner 2

SEP - 1 2021
City of Kawartha Lakes
Development Services
Planning Division

I/we George Zachopoulos support Mr. Anagnostakos's application with respect to the new build of their home at 584 Birchpoint Rd., Woodville, ON, KOM 2T0 with reduced frontage to 25.1 meters. We are also in support of his application for the garage variance detailing an increased height of 6.17 meters where bylaw allows for 5 meters.

Sincerely,

Signature: 

Date: August 30, 2021

Address: 578 Birchpoint Rd.

City of Kawartha Lakes
Development Services Kawartha Lakes Planning Division
180 Kent Street West
Lindsay, ON
K9V 2Y6
Attention: Kent Stainton - Planner 2

RECEIVED
SEP - 1 2021
City of Kawartha Lakes
Development Services
Planning Division

I/we Dane Wilkerson support Mr. Anagnostakos's application with respect to the new build of their home at 584 Birchpoint Rd., Woodville, ON, K0M 2T0 with reduced frontage to 25.1 meters. We are also in support of his application for the garage variance detailing an increased height of 6.17 meters where bylaw allows for 5 meters.

Sincerely,

Signature: 

Date: Aug 28 '21

Address: 576 Birch Point Rd Woodville ON K0M 2T0.

City of Kawartha Lakes
Development Services Kawartha Lakes Planning Division
180 Kent Street West
Lindsay, ON
K9V 2Y6
Attention: Kent Stainton - Planner 2

RECEIVED

SEP - 1 2021

City of Kawartha Lakes
Development Services
Planning Division

I/we LEITH HENRY support Mr. Anagnostakos's application with respect to the new build of their home at 584 Birchpoint Rd., Woodville, ON, K0M 2T0 with reduced frontage to 25.1 meters. We are also in support of his application for the garage variance detailing an increased height of 6.17 meters where bylaw allows for 5 meters.

Sincerely,

Signature:  Date: 08/27/2021

Address: 584 BIRCHPOINT RD, WOODVILLE ON K0M 2T0

City of Kawartha Lakes
Development Services Kawartha Lakes Planning Division
180 Kent Street West
Lindsay, ON
K9V 2Y6
Attention: Kent Stainton - Planner 2

RECEIVED

SEP - 1 2021

City of Kawartha Lakes
Development Services
Planning Division

I/we S. Gordon / Tom Trudford support Mr. Anagnostakos's application with respect to the new build of their home at 584 Birchpoint Rd., Woodville, ON, K0M 2T0 with reduced frontage to 25.1 meters. We are also in support of his application for the garage variance detailing an increased height of 6.17 meters where bylaw allows for 5 meters.

Sincerely,

Signature:  Date: August 28/21

Address: 580 Birchpoint Rd Woodville ON

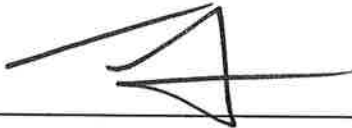
City of Kawartha Lakes
Development Services Kawartha Lakes Planning Division
180 Kent Street West
Lindsay, ON
K9V 2Y6
Attention: Kent Stainton - Planner 2

RECEIVED
SEP - 1 2021
City of Kawartha Lakes
Development Services
Planning Division

I/we TIA TATELL support Mr. Anagnostakos's application with respect to the new build of their home at 584 Birchpoint Rd., Woodville, ON, K0M 2T0 with reduced frontage to 25.1 meters. We are also in support of his application for the garage variance detailing an increased height of ^{6.17} 6.17 meters where bylaw allows for 5 meters.

Sincerely,

Signature: _____



Date: _____

29 Aug 21

Address: _____

584 BIRCHPOINT RD WOODVILLE ON

City of Kawartha Lakes
Development Services Kawartha Lakes Planning Division
180 Kent Street West
Lindsay, ON
K9V 2Y6
Attention: Kent Stainton - Planner 2

RECEIVED

SEP - 1 2021

City of Kawartha Lakes
Development Services
Planning Division

I/we Barb Harrison support Mr. Anagnostakos's application with respect to the new build of their home at 584 Birchpoint Rd., Woodville, ON, K0M 2T0 with reduced frontage to 25.1 meters. We are also in support of his application for the garage variance detailing an increased height of 6.17 meters where bylaw allows for 5 meters.

Sincerely,

Signature: Barb Harrison Date: AUG 28, 21

Address: 590 BIRCH POINT Rd WOODVILLE, ONT.

City of Kawartha Lakes
Development Services Kawartha Lakes Planning Division
180 Kent Street West
Lindsay, ON
K9V 2Y6
Attention: Kent Stainton - Planner 2

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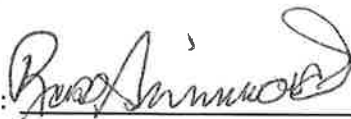
SEP - 1 2021

City of Kawartha Lakes
Development Services
Planning Division

AS PER.

I/we DOUG SIMMONDS support Mr. Anagnostakos's application with respect to the new build of their home at 584 Birchpoint Rd., Woodville, ON, K0M 2T0 with reduced frontage to 25.1 meters. We are also in support of his application for the garage variance detailing an increased height ~~of~~ 6.17 meters where bylaw allows for 5 meters.

Sincerely,

Signature: 

Date: AUG 28/21

Address: 594 BIRCH POINT ROAD

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Michael & Linda Bosiljevac
Report Number COA2021-062

Public Meeting

Meeting Date: September 16, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 8 – Geographic Township of Emily

Subject: The purpose and effect is to request relief from Section 13.2.1.3 b)(ii) to reduce the minimum interior side yard setback from 3 metres to 1.2 metres in order to permit the construction of a 75.8 square metre detached garage.

The variance is requested at 7 Bayside Street, geographic Township of Emily (File D20-2021-053).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2021-062 Bosiljevac, be received;

That minor variance application D20-2021-053 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 COA2021-062, which shall be attached to and form part of the Committee's Decision;
- 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 COA2021-062. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background:

Proposal: To construct a new 75.8 square metre (816 square feet) detached garage on the subject lands.

Owners: Michael and Linda Bosiljevac

Legal Description: 7 Bayside Street, Lot 5, Plan 384, Part Lot 29, Concession 7, Lot 17, geographic Township of Emily, City of Kawartha Lakes

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

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

Site Size: Approximately 1,935.16 square metres (0.47 acres)

Site Servicing: Private individual well and private individual septic system

Existing Uses: Shoreline Residential

Adjacent Uses: North, South: Shoreline Residential
East: Rural Residential, Kenedon Drive
West: Pigeon Lake

Rationale:

**1) Are the variances minor in nature? Yes
And**

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

The subject property is situated in a shoreline residential neighbourhood on the southern end of Pigeon Lake. This specific neighbourhood consists of older seasonal dwellings and smaller residences. The eastern side of Bayside Street is well vegetated with the majority of the lots being established on the western or lake side of the street.

The subject lands contain a single detached dwelling, which was constructed in 1959 (according to MPAC). A storage shed exists near the shoreline that predates the Township of Emily Zoning By-law 1996-30. A deck was added to the north side of the dwelling in 2015. The northern side yard also provides the larger access to the water side of the dwelling when compared to the southern interior side yard. The majority of the land between the dwelling and Bayside Street is occupied by vegetable and flower gardens as well as some fruit trees. The grade does increase from Bayside Street westward towards the dwelling and if the garage was proposed closer to the Street, larger grade modifications would be required to provide level access to the garage.

The southern lot boundary contains some sparse vegetation in the form of shrubs before transitioning to a mature cedar hedge that begins at the dwelling and grows to the west. The doors of the garage do not face towards Bayside

Street as to negate any potential traffic or sightline implications arising from the location of the garage. Since the garage would be located on the street side of the property, no impedance of the lake views from neighbouring properties will arise.

The design of the garage is conventional with two garage doors for accessibility and an access door and window on both eastern and western sides. Existing vegetation along the southern lot line will be maintained to break up the southern face of the garage. Through shifting the location of the garage towards the southern lot line, the prominence of the dwelling is maintained when viewed from Bayside Street.

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

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

The subject lands are zoned Limited Service Residential (LSR) Zone within the Township of Emily Zoning By-law 1996-30.

Through locating the garage towards the southern lot line, the dwelling retains its visual prominence as the primary use and building on the property. The intent of the zoning by-law is to relegate accessory uses to the interior side or rear yard, and maintain sufficient spatial separation between accessory uses and interior side lot lines. Where a lot fronts onto a navigable waterway, the Township of Emily Zoning By-law does permit a private garage between the main building on the lot and the street line provided the garage complies with the yard provisions of the zone. The proposed garage complies with all other development standards of the of the Zoning By-law. The Development Engineering Division has no concerns with the proposal in regard to drainage impacts on adjacent properties resulting from the reduced interior side yard setback.

The location of the septic system to the west of the dwelling of the garage combined with the need to maintain accessibility to the rear yard from the northern interior side yard, relegates the location of the garage on the east side of the dwelling.

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

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

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

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

Other Alternatives Considered:

Through the pre-screening process, it was identified that the eave projections of the detached garage would need to be reduced in order to prevent abutting the interior side lot line. The applicant subsequently revised the dimensions of the eaves to project 0.6 metres (2 feet) in order to be compliant with the development standard.

Servicing Comments:

The property is serviced by a private individual water supply (well) 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:

Development Engineering Division (September 2, 2021): No objections.

Building and Septic Division – Chief Building Official (September 7, 2021): No concerns, applications already filed for building permits relating to the detached garage, outstanding building permit relating to construction of a deck BPH2015-0576 requires final inspection.

Building and Septic Division – Supervisor, Part 8 Sewage Systems (September 3, 2021): A sewage system review was conducted in 2015 for the construction of deck and proposed detached garage. A sewage system use permit has been located for this property as well. Based on the observations from the 2015 site visit and the existing sewage system report, the detached garage will be constructed outside of the sewage system area and will be maintained in the opposite yard to the system.

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

Kawartha Region Conservation Authority (KRCA) – Resources Planner Technician (August 6, 2021): Circulation of the minor variance application is not required as there are no concerns with the proposal.

Public Comments:

No comments have been received as of September 8, 2021.

Attachments:



- Appendix A – Location Map
- Appendix B – Aerial Photo
- Appendix C – Applicant’s Sketch (Site Plan)
- Appendix D – Elevation Drawings
- 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: D20-2021-053

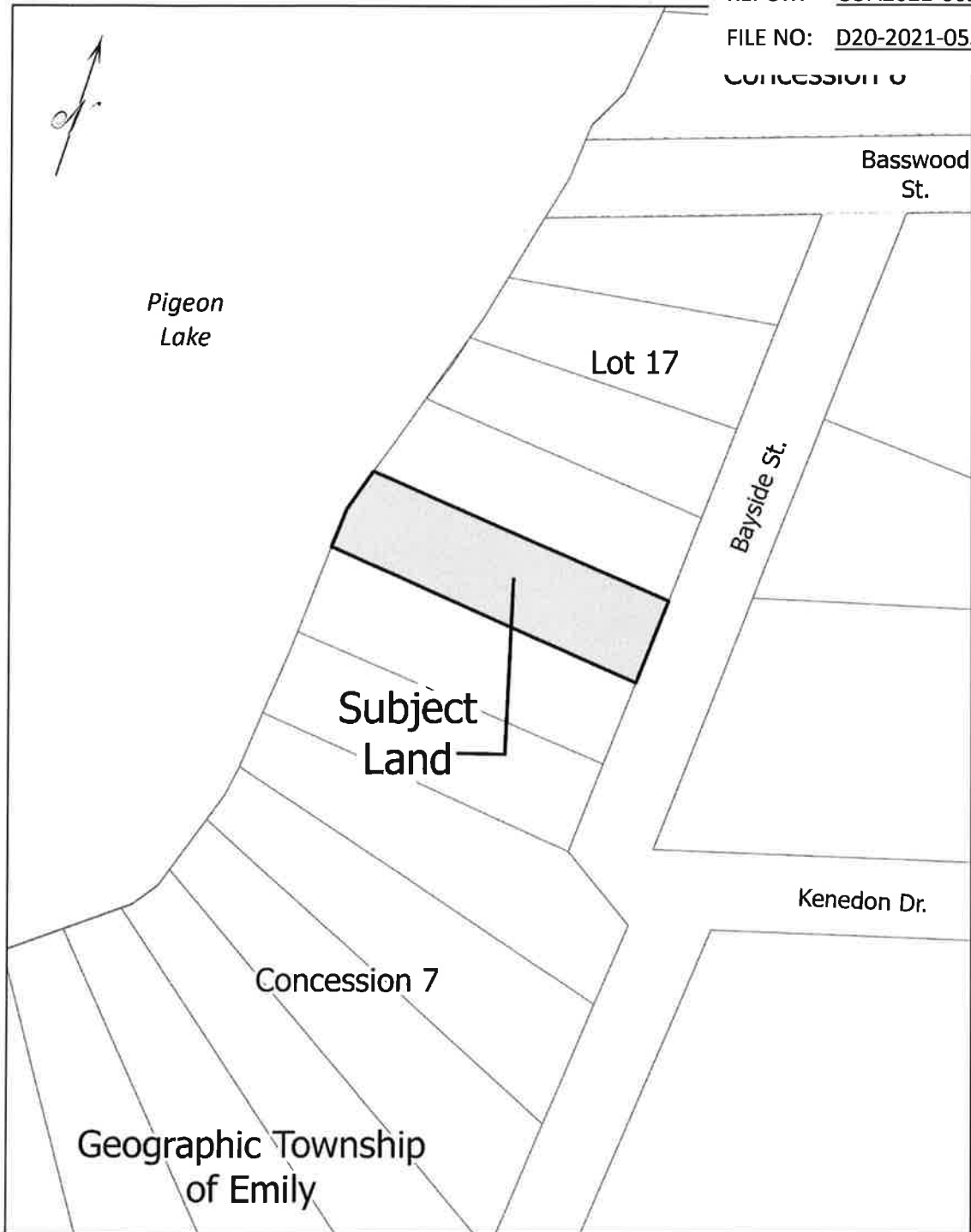
D20-2021-053

APPENDIX " A "

to
REPORT COA2021-062

FILE NO: D20-2021-053

CONCESSION 6



7 Bayside Street, Geographic Township of Emily



- Legend**
- Property Roll Number
 - Lots and Concessions

Notes
Notes

APPENDIX " B "
to
REPORT COA2021-062
FILE NO: D20-2021-053

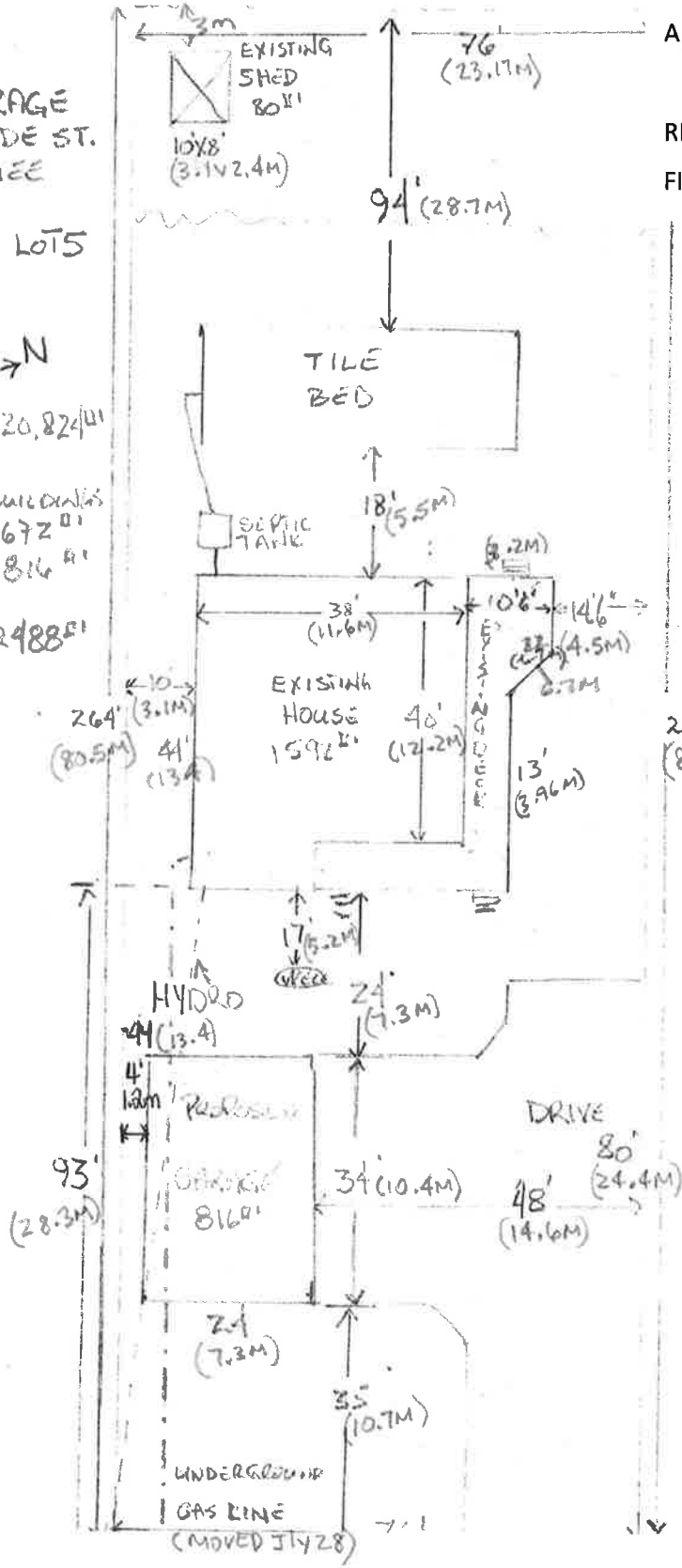
0.11 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



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

NEW GARAGE
7 BAYSIDE ST.
OMEMEE
PLAN 384 LOTS

LOT AREA 20,824^{sq}ft
EXISTING BUILDINGS 1672^{sq}ft
NEW BUILD 816^{sq}ft
TOTAL 2488^{sq}ft



APPENDIX " C "
to
REPORT COA2021-062
FILE NO: D20-2021-053

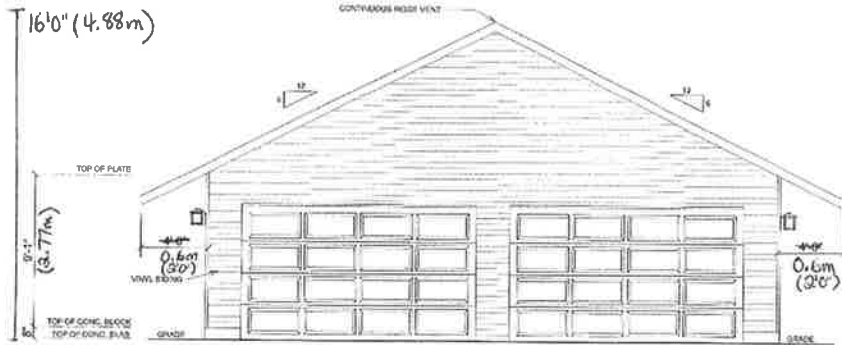
House 134'
FROM LAKE
(40.84m)

APPENDIX " D "

to

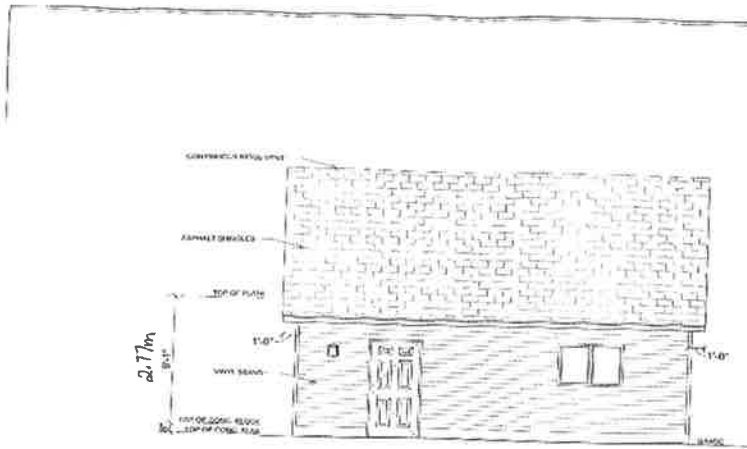
REPORT COA2021-062

FILE NO: D20-2021-053



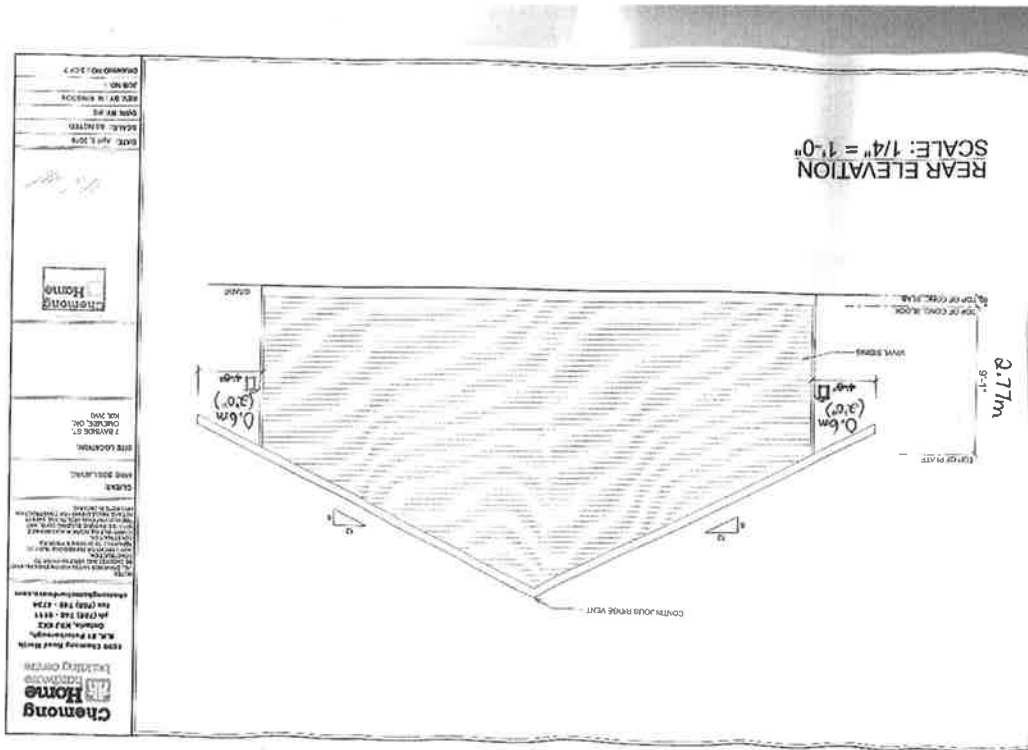
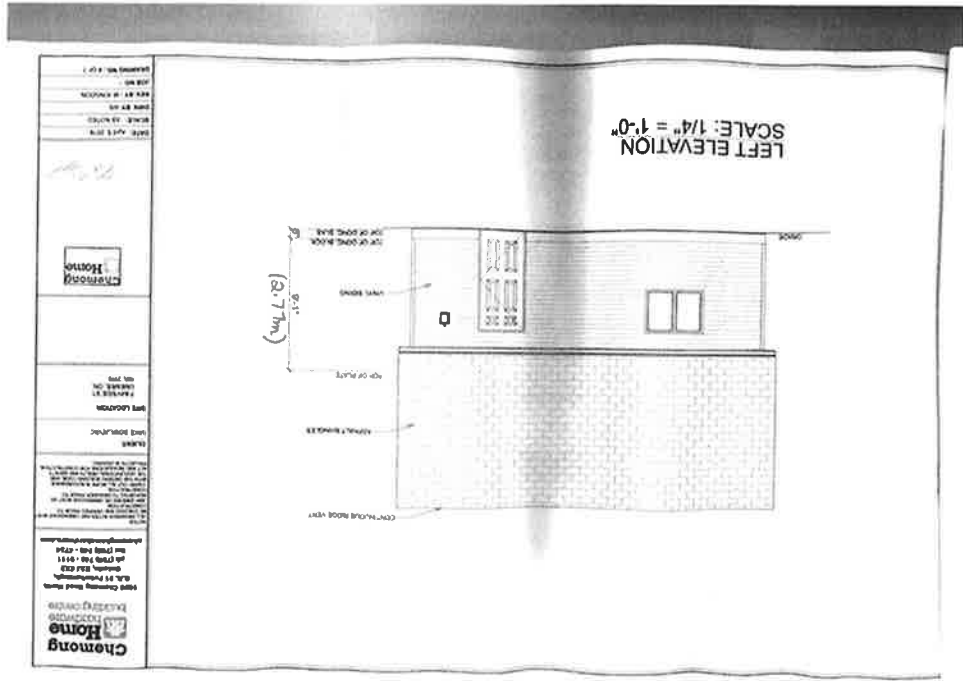
FRONT ELEVATION
SCALE: 1/4" = 1'-0"

<p>Chemong Home</p>	
<p>DATE: April 2021</p>	
<p>SCALE: AS NOTED</p>	
<p>DRAWN BY: AS</p>	
<p>REV. BY: M. KAVOUCI</p>	
<p>JOB NO.</p>	
<p>DRAWING NO.: 1-C-7</p>	



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

<p>Chemong Home</p>	
<p>1808 Chemong Road North Rt. 99 Pottersburgh, Chemung, PA 16822 PH (814) 746 - 8111 FAX (814) 746 - 8754 chemonghome.com</p>	
<p>DATE: April 2021</p>	
<p>SCALE: AS NOTED</p>	
<p>DRAWN BY: AS</p>	
<p>REV. BY: M. KAVOUCI</p>	
<p>JOB NO.</p>	
<p>DRAWING NO.: 1-C-7</p>	



Charlotte Crockford

From: Susanne Murchison
Sent: Tuesday, September 7, 2021 7:08 PM
To: Charlotte Crockford
Cc: David Harding; Kent Stainton
Subject: MV comments

APPENDIX " E "
to
REPORT COA2021-062
FILE NO. D20-2021-052

The following reflect the Building and Septic Division comments, save and except those relating to on-site sewage systems which will be provided under separate email by Part 8 Supervisor:

D20-2021-047: no concerns at this stage, further comments will be provided through the site plan approval process, building permit required for proposed hotel building, development is subject to development charges bylaw

D20-2021-050: no concerns, structure built without benefit of building permit but owner is working with staff to correct issues, building permit required for proposed dwelling, development charges apply to this development

D20-2021-051: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-052: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-053: no concerns, applications have already been filed for building permits relating to this proposed detached garage, outstanding building permit relating to construction of a deck BPH2015-0576 requires final inspection

D20-2021-054: no concerns, building permit required for the proposed detached garage, outstanding building permit relating to construction of the single detached dwelling BPH2007-0325 requires final inspection

D20-2021-055: no concerns at this stage, further comments will be provided through the site plan approval process, building permits required for proposed self-storage buildings, development is subject to development charges bylaw, the following are some of the major building code items that may affect the placement and size of the proposed self-storage buildings: design of on-site supply of water for fire fighting, spatial separation and related construction materials, fire route design – these items will be reviewed at site plan approval stage

D20-2021-056: no concerns, application has already been filed for building permit relating to the construction of this proposed foundation

D20-2021-057: no concerns, building permit required for proposed dwelling, development charges apply to this development

Susanne Murchison, CBCO
Chief Building Official

Kent Stainton

From: Anne Elmhirst
Sent: Friday, September 3, 2021 4:33 PM
To: Charlotte Crockford
Subject: D20-2021-053 - 7 Bayside St

Hello Charlotte,

I have received and reviewed the application for minor variance D20-2021-053 to request relief to permit a detached garage in the front yard of the property with an allowance for a reduced side yard setback.

A sewage system review was conducted in 2015 for the construction of deck and proposed detached garage. A sewage system use permit has been located for this property as well. Based on the observations from the 2015 site visit and the existing sewage system report, the detached garage will be constructed outside of the sewage system area and will be maintained in the opposite yard to the system.

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

Best Regards,

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



Please note: The Building Division offices at 180 Kent St W, Lindsay remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.

Kent Stainton

From: Kim Rhodes
Sent: Thursday, September 2, 2021 2:43 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms
Subject: 20210902 D20-2021-053 - Engineering review

Importance: High

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

Minor Variance – D20-2021-053
7 Bayside Street
Lot 5, Plan 384, Part Lot 17, Concession 7
Geographic Township of Emily

It is the understanding by Engineering that the purpose and effect is to request relief from Section 13.2.1.3(b)(i) in order to reduce the minimum interior side yard setback requirements from 3 metres to 1.2 metres in order to facilitate the construction of a detached garage.

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

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

Thanks,

Christina

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



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: Erin McGregor <emcgregor@kawarthaconservation.com>
Sent: Friday, August 6, 2021 3:40 PM
To: Kent Stainton
Cc: Imbosiljevac@msn.com
Subject: 7Bayside St - MV

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Kent,

I'm emailing with regards to a potential minor variance at 7 Bayside St. After speaking with the owner, Linda Bosiljevac, we won't require circulation of the minor variance application once submitted.

Have a good weekend,
Erin McGregor
Resources Planner Technician
KAWARTHA CONSERVATION
277 Kenrei Road
Lindsay, ON K9V 4R1

Tel: 705.328.2271 ext. 232

Fax: 705.328.2286

IMPORTANT COVID-19 NOTICE: In light of health concerns related to the COVID-19 virus and in response to the Province's state of emergency the Kawartha Conservation Administrative office is closed to the public at this time. Staff are available remotely to assist with all business needs. Further information can be obtained by calling the office or visiting our website.

KawarthaConservation.com



**KAWARTHA
CONSERVATION**

Discover · Protect · Restore

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The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – George Butterworth and Molly Cooper

Report Number COA2021-063

Public Meeting

Meeting Date: September 16, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 4 – Geographic Township of Mariposa

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

1. Section 3.1.3.1(b) to increase the total lot coverage of all accessory buildings and structures, excluding outdoor swimming pools, from 10% of the lot area (to a maximum of 150 square metres) to 313.07 square metres, and;
2. Section 3.1.3.2 to increase the maximum allowable height for accessory buildings from 5 metres to 6.63 metres.

The variance is requested at 872 The Glen Road, geographic Township of Mariposa (File D20-2021-054).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2021-063 Butterworth/Cooper, be received;

That minor variance application D20-2021-054 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 COA2021-063, which shall be attached to and form part of the Committee's Decision;
- 2) **That** the applicant enters into a Development Agreement addressing the landscaping components and planting plan associated with the application within twelve (12) months after the date of Notice of Decision, failing which this application shall be deemed to be refused;

- 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 COA2021-063. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The applicant submitted a pre-screening application for a detached garage (see Other Alternatives Considered) on the subject lands in the middle of March 2021. Subsequently, a pre-screening meeting was held on June 4, 2021. During the meeting, the overall footprint of the proposed garage was discussed and reduced with the applicant agreed to enter into a Development Agreement in order to establish landscape plantings to further screen the location of the garage.
This application was deemed complete August 27, 2021.

Proposal: To construct a 297.33 square metre (3,200 square feet) detached garage in the southeast corner of the subject lands.

Owners: George Butterworth and Molly Cooper

Legal Description: 872 The Glen Road, Part Lot 15, Concession 13, Part 1, 57R-6298, geographic Township of Mariposa, City of Kawartha Lakes

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

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

Site Size: 4, 047.50 square metres (1 acre)

Site Servicing: Private individual well and septic system

Existing Uses: Rural Residential

Adjacent Uses: North: Agricultural, The Glen Road
East, South, West: Agricultural lands

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 rural area southeast of Woodville. The parcel is surrounded by agricultural land under production. The closest rural residential dwelling is approximately 200 metres to the southeast. The property itself sits atop a hill that rises to the west before plateauing at the property. The property, itself, is uniformly flat.

The subject property was created through Consent with a two-storey single detached dwelling with attached double garage being constructed in 2007. The house is approximately 185.82 square metres (2,000 square feet) in size. The property also contains an in-ground swimming pool and an associated 15.74 square metre (169.4 square feet) pool house for the storage of pool equipment.

The proposed location of the garage is set in-line with the rear of the existing dwelling in the southeast corner of the lot. An established hedgerow comprised of deciduous tree and shrub species delineating the approximate limit of the eastern lot line offers significant screening for the garage when viewed from the east and will remain in-tact. Access to the garage will be achieved through a 2nd entrance to the east of the existing entrance (see Appendix C); an Entrance Permit has been issued for the proposed location of the 2nd entrance on the property.

The proposed location and height of the garage at 6.63 metres will not present any massing impacts on the adjacent agricultural properties. The height of the garage is also less than the height of the two-storey dwelling, which is approximately 9.44 metres. While the property does contain a row of Crimson maple trees spanning east-to-west across the front of the lot, the applicant has expressed a desire to plant six (6) additional trees that, once established, will offer veritable visual screening of the garage when viewed from the road. A condition is recommended in order to ensure a Development Agreement is entered into, including the collection of securities and a monitoring component.

As a former dealer of collector automobiles, the applicant requires storage for his personal collection of vehicles as well as a large motor home and tractor (for property maintenance purposes) that is currently stored in the driveway of the property, as it cannot fit in the two-bay garage attached to the dwelling. The motor home requires a door height of approximately 4.27 metres (14 feet) in order to be stored. There is no second storey or storage loft proposed within the garage. The garage will compliment the character of the property by emulating the design of the existing pool house and provide enclosed storage for the motor home and automobiles that would otherwise be stored outside and vulnerable to the elements.

The design elements of the garage include an ornamental vent above the two garage. Three security windows and an access door are proposed on the western elevation with three additional windows breaking up the southern face of the garage. The design and colours will match the pool house in order to tie the garage together with the property. The result is a building that appears more aesthetically-pleasing than a typical utilitarian accessory building.

The increased lot coverage does not impair the area of available landscaped amenity space or the appearance of the property.

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

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

Yes

The subject property is zoned Agricultural (A1) Zone in the Township of Mariposa Zoning By-law 94-07, as amended. As the lot was created via Consent, Section 8.2.1.7 of the Zoning By-law applies and the lot shall only be used in accordance with Sections 12.1 and 12.2 of the By-law (Uses Permitted and Zone Provisions for the Rural Residential Type One (RR1) Zone). Single detached dwellings and accessory uses are permitted within the zone.

The General Provisions set a maximum coverage of 10% for accessory buildings to a maximum area of 150 square metres. The proposal would result in only a 7.72 % lot coverage percentage for both the garage and the pool house. The proposal also complies with the total lot coverage provision of the RR1 Zone. As a result of the location of the garage and the landscaping proposed, the dwelling retains its visual prominence as the primary use and building on the property. The increase in coverage also maintains the intent of the zoning by-law to maintain adequate landscaped open space for amenity, servicing (i.e. sewage system and well) and stormwater infiltration. Neither of the Supervisor of Part 8 Sewage Systems nor the Development Engineering Division have concerns with the proposal with respect to servicing and stormwater management.

One of the intents of the General Provisions of the Zoning By-law is to restrict the height of accessory buildings to ensure the use is accessory to a primary use. The requested 1.63 metre relief from the Zoning By-law would be imperceptible when viewing the building from The Glen Road. As mentioned, the garage will be less than the height of the existing dwelling and is situated as far away from the road as possible. Given the design treatments proposed for the garage and the additional tree plantings proposed in order to further soften the presence of the garage, the garage will compliment rather than dominate the presence of the proposed two-storey dwelling.

The property is of sufficient size to accommodate the detached garage within the large open space to the southeast of the dwelling and is not anticipated to adversely impact the use of the rear yard. As mentioned in Rationale 1 & 2, no massing and height incompatibilities with the primary residential use and surrounding properties are anticipated.

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

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

Yes

The property is designated Prime Agricultural within the City of Kawartha Lakes Official Plan. Residential lots existing within the designation prior to the adoption of the Official Plan (2012) are to be recognized.

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

Other Alternatives Considered: Through the pre-screening process, the garage was decreased in size from 356.75 square metres (3,840 square feet) to the current size of 297.33 square metres.

Servicing Comments:

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

Consultations:

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

Agency Comments:

Engineering and Corporate Assets Division (September 2, 2021): No objections.

Building and Septic Division (September 3, 2021): The applicant has submitted an Application for a Sewage System Permit to upgrade the system serving the property. This system has been designed to accommodate a new single detached dwelling on the property. As well, the sewage system has been located to provide adequate space for the detached garage and the lot size.

The detached garage height is to accommodate recreational vehicles and storage. The applicant has indicated that it will not be used for human habitation, nor will it contain plumbing fixtures.

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

Building and Septic Division – Chief Building Official (September 7, 2021): No concerns, Building Permit required for the proposed detached garage, outstanding Building Permit relating to construction of the single detached dwelling BPH2007-0325 requires a final inspection.

Public Comments: No comments have been received from the public as of September 8, 2021

Attachments:



- Appendix A – Location Map
- Appendix B – Aerial Photo
- Appendix C – Applicant's Sketches (Site Plans)
- Appendix D – Elevation Drawings
- 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: D20-2021-054

D20-2021-054

APPENDIX " A "

to

REPORT COA2021-063

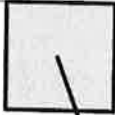
FILE NO: D20-2021-054

Geographic Township
of Mariposa

Lot 15

Concession 14

The Glen Rd.



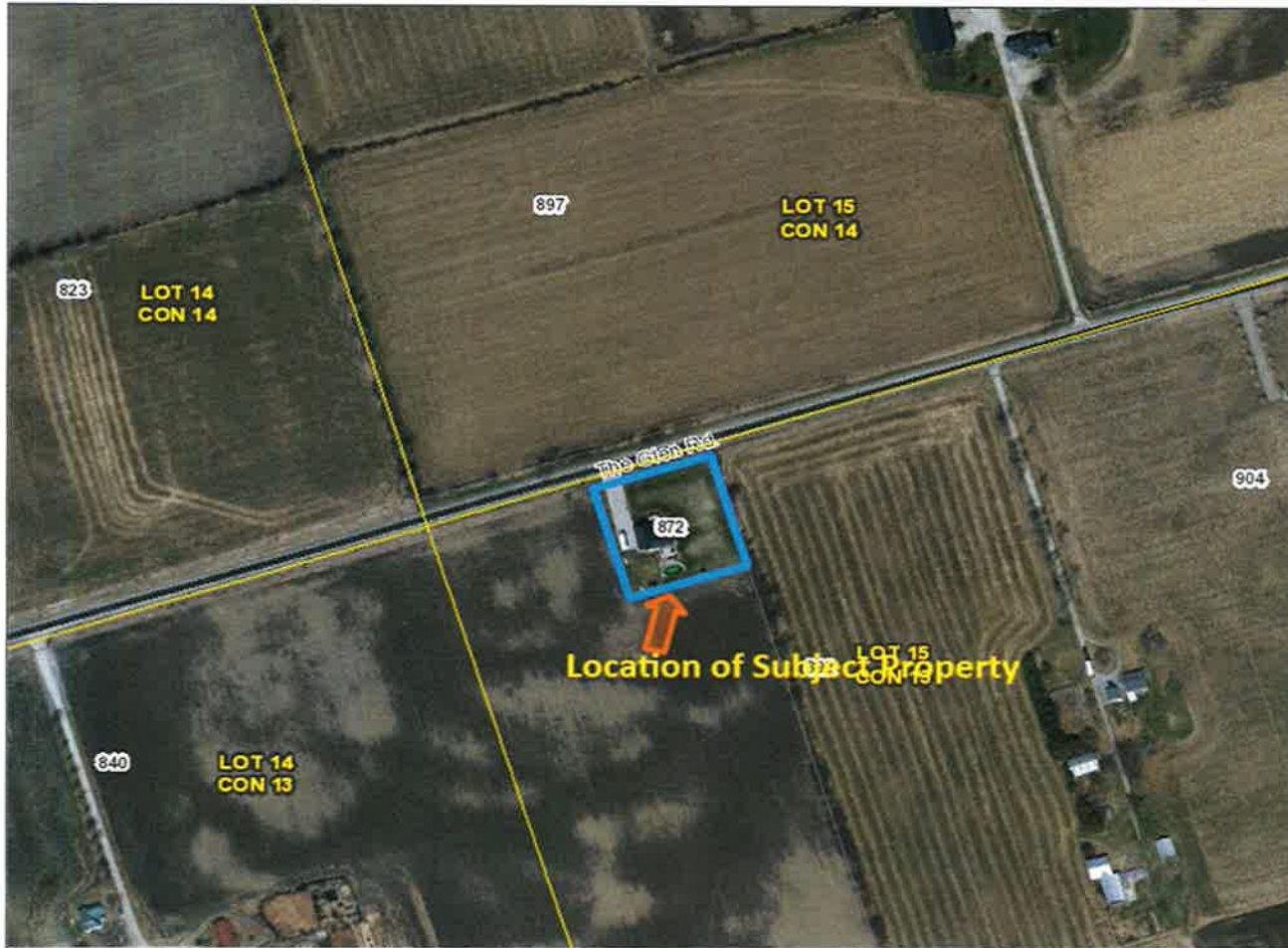
Subject
Land

Lot 15

Concession 13

Eldon Rd.

872 The Glen Road, Geographic Township of Mariposa



- Legend**
- Property Roll Number
 - Lots and Concessions
 - Road Centreline (2016 Needs)

Notes
Notes

APPENDIX " B "

to

REPORT COA2021-063

FILE NO: D20-2021-054

0.22 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



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Farm Field 897

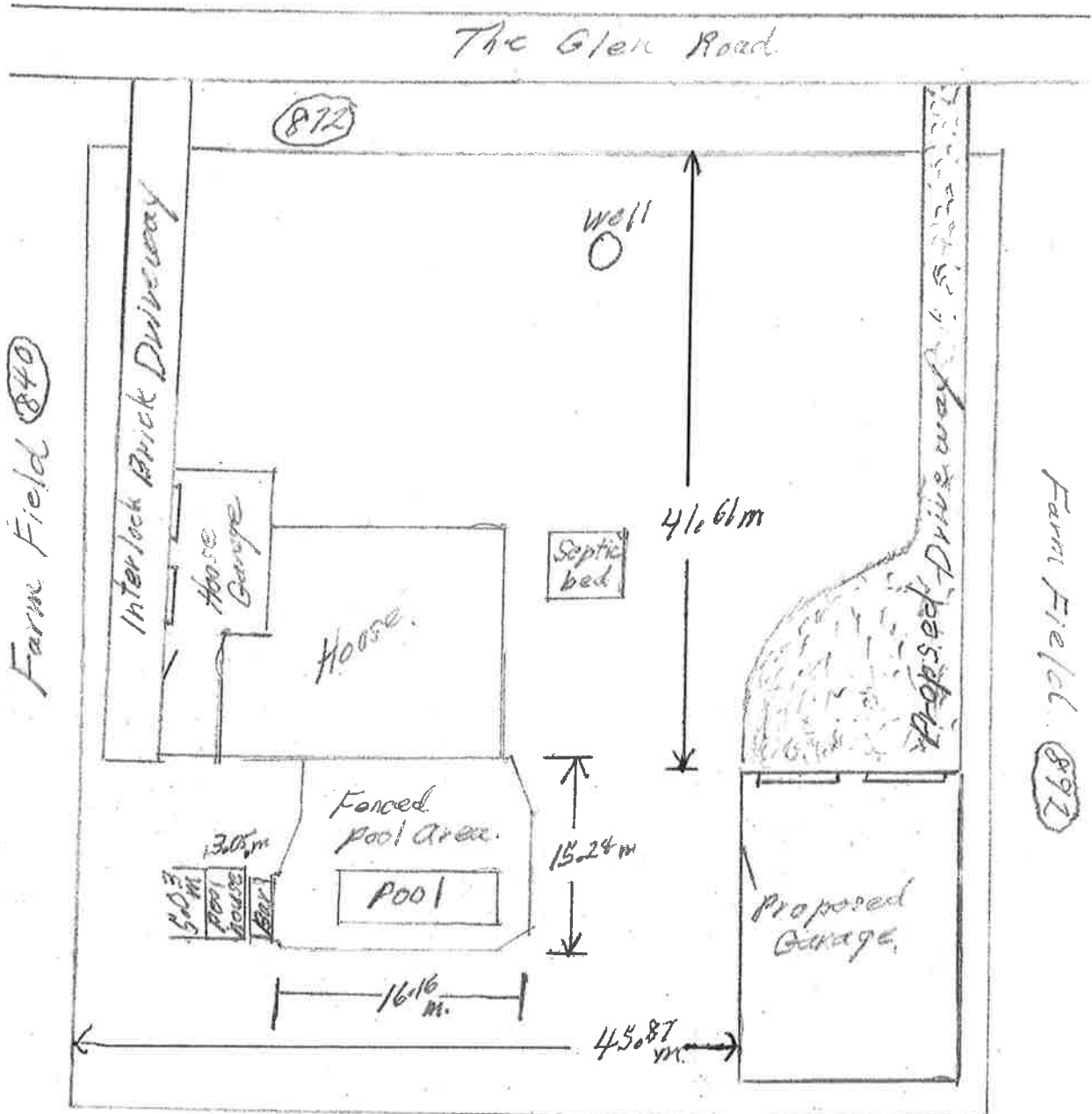
APPENDIX " C "

to

George Butterworth to Kent Stainton
re Pre screening, Minor Variance Appl

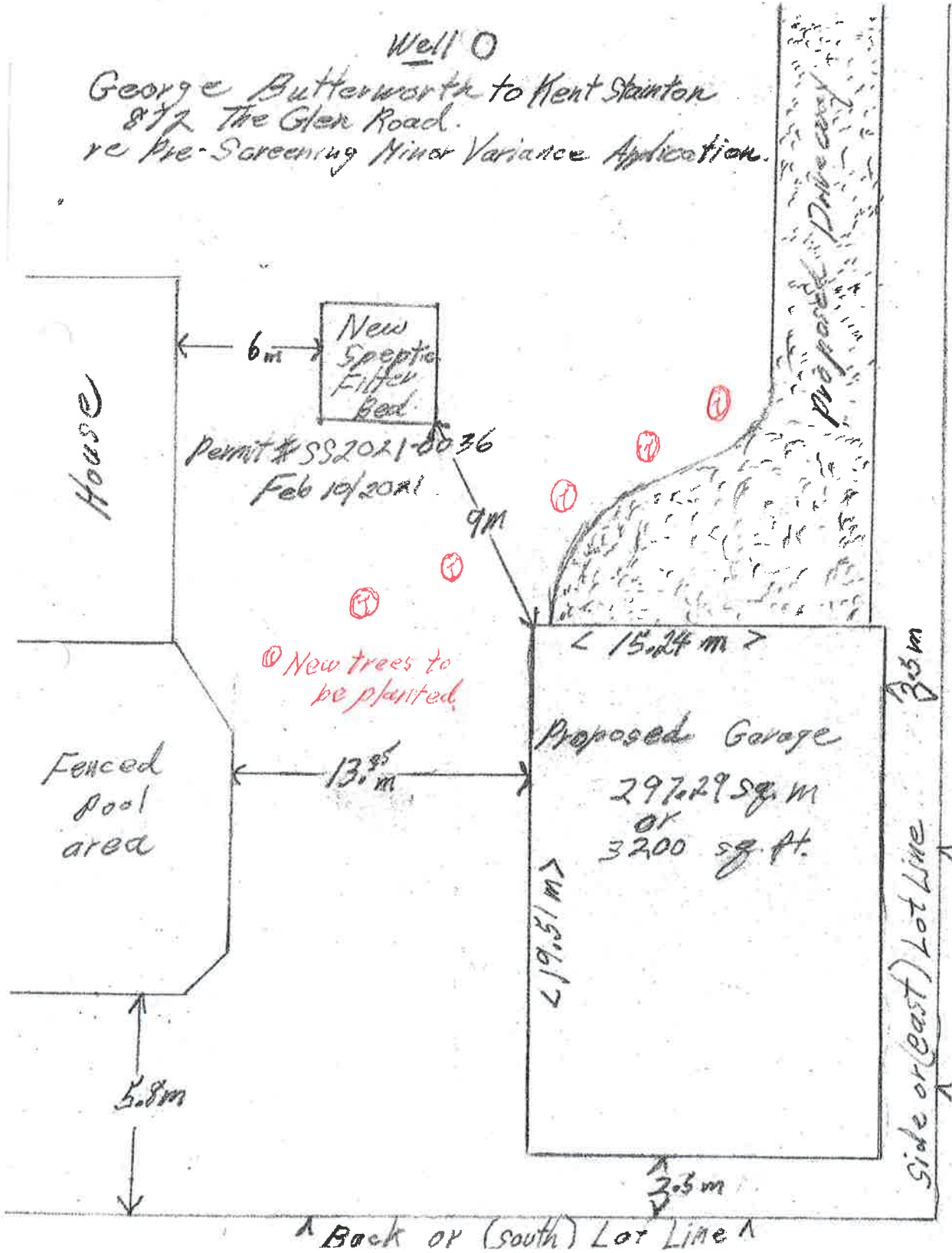
REPORT COA2021-063

FILE NO: D20-2021-054



Farm Field 840

Well O
 George Butterworth to Kent Stanton
 877 The Glen Road.
 re Pre-Screening Minor Variance Application.



APPENDIX " D "

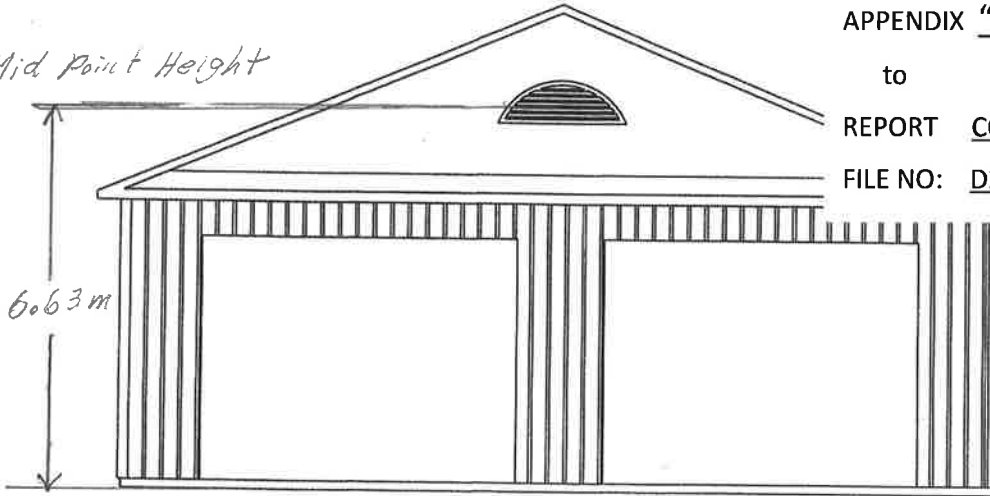
to

REPORT COA2021-063

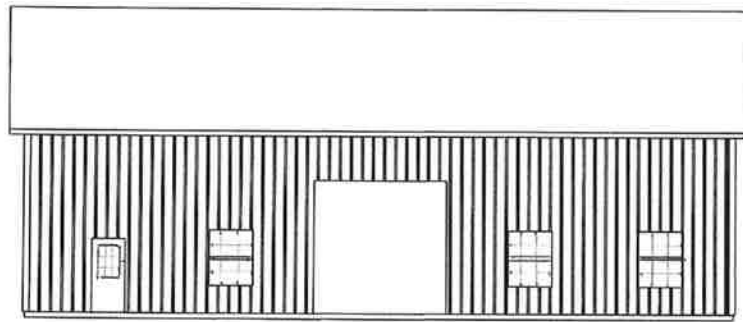
FILE NO: D20-2021-054

Mid Point Height

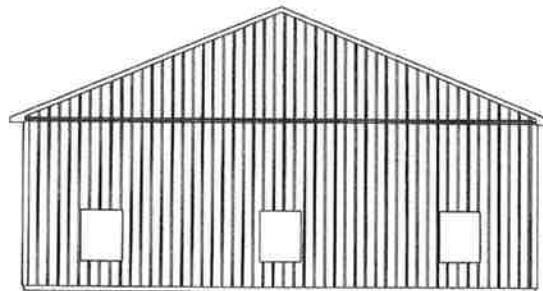
6.63m



North Elevation



West Elevation



South Elevation

Charlotte Crockford

From: Susanne Murchison
Sent: Tuesday, September 7, 2021 7:08 PM
To: Charlotte Crockford
Cc: David Harding; Kent Stainton
Subject: MV comments

APPENDIX " E "
to

REPORT COA2021-063

FILE NO. D20-2021-054

The following reflect the Building and Septic Division comments, save and except those relating to on-site sewage systems which will be provided under separate email by Part 8 Supervisor:

D20-2021-047: no concerns at this stage, further comments will be provided through the site plan approval process, building permit required for proposed hotel building, development is subject to development charges bylaw

D20-2021-050: no concerns, structure built without benefit of building permit but owner is working with staff to correct issues, building permit required for proposed dwelling, development charges apply to this development

D20-2021-051: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-052: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-053: no concerns, applications have already been filed for building permits relating to this proposed detached garage, outstanding building permit relating to construction of a deck BPH2015-0576 requires final inspection

D20-2021-054: no concerns, building permit required for the proposed detached garage, outstanding building permit relating to construction of the single detached dwelling BPH2007-0325 requires final inspection

D20-2021-055: no concerns at this stage, further comments will be provided through the site plan approval process, building permits required for proposed self-storage buildings, development is subject to development charges bylaw, the following are some of the major building code items that may affect the placement and size of the proposed self-storage buildings: design of on-site supply of water for fire fighting, spatial separation and related construction materials, fire route design – these items will be reviewed at site plan approval stage

D20-2021-056: no concerns, application has already been filed for building permit relating to the construction of this proposed foundation

D20-2021-057: no concerns, building permit required for proposed dwelling, development charges apply to this development

Susanne Murchison, CBCO
Chief Building Official

Kent Stainton

From: Anne Elmhirst
Sent: Friday, September 3, 2021 4:01 PM
To: Charlotte Crockford
Subject: D20-2021-054 - 872 The Glen Rd

Hello Charlotte,

I have received and reviewed the application for minor variance D20-2021-054 to request relief to permit a detached garage in the rear yard of the property with an allowance for an increased height.

The applicant has submitted an Application for a Sewage System Permit to upgrade the system serving the property. This system has been designed to accommodate the existing single detached dwelling on the property. As well, the sewage system has been located to provide adequate space for the detached garage proposal.

The detached garage height is to accommodate recreational vehicles and storage. The applicant has indicated that there will be no human habitation, nor will it contain plumbing fixtures.

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

Best Regards,

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

Supervisor – Part 8 Sewage Systems

Development Services - Building and Septic Division, City of Kawartha Lakes

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



Please note: The Building Division offices at 180 Kent St W, Lindsay remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.

Kent Stainton

From: Kim Rhodes
Sent: Thursday, September 2, 2021 1:17 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms
Subject: 20210902 D20-2021-054 - Engineering review

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

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

Minor Variance – D20-2021-054
872 The Glen Road
Part Lot 15, Concession 13, Part 1, 57R6298
Geographic Township of Mariposa

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

1. Section 3.1.3.1(b) to increase the total lot coverage of all accessory buildings and structures, excluding outdoor swimming pools, from 10% of the lot area to a maximum of 150 square metres to 313.07 square metres, and;
2. Section 3.1.3.2 to increase the maximum allowable height for accessory buildings from 5 metres to 6.63 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



The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Allen

Report Number COA2021-064

Public Meeting

Meeting Date: September 16, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay


Ward: 7 – Geographic Township of Lindsay

Subject: The purpose and effect is to permit the approximately 1,160 square metre expansion of the legal non-conforming mini-storage use and Section 5.14(c), (e) and (f) to provide relief from the requirements to provide a continuous hedgerow of evergreens and shrubs, not less than 1.2 metres high at the time of planting situated immediately adjacent to the front, rear, and side lot lines, instead allowing for more variation in the vegetation, placement, and length/location of the required landscape strips.

The permission/variance is requested at 50 Greenfield Road, former Town of Lindsay (File D20-2021-055).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2021-064 Allen, be received;

That minor variance application D20-2021-055 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2021-064, which shall be attached to and form part of the Committee's Decision,
- 2) **That** a landscaping plan in the form sought by requesting variances from Section 5.14(c)(e) and (f) shall be submitted to the satisfaction of the Planning Division as part of the site plan application; and

- 3) **That** the amended site plan agreement shall be registered 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 approval pertains to the application as described in report COA2021-064. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The owner proposes an approximately 1,160 square metre expansion to the existing mini-storage use operating as Kawartha Mini-Storage. The expansion, proposed in two phases, will establish the mini-storage use across the entire site and facilitate the demolition of the existing residential use. An example of the type of storage unit proposed is contained within Appendix D.

This application was last amended August 30, 2021.

Proposal: To recognize two accessory buildings (cabin and shed). The cabin is not proposed to contain washroom or kitchen facilities.

Owner: Brian Allen

Applicant: Tom deBoer – TD Consulting

Legal Description: Part Lot 20, Concession 4, Part 1, 57R-7536, former Town of Lindsay, City of Kawartha Lakes

Official Plan: General Employment within the Town of Lindsay Official Plan

Zone: General Employment (GE) Zone within the Town of Lindsay Zoning By-law 2000-7

Site Size: 7,021.67 square metres (1.73 acre)

Site Servicing: Private individual well and septic system

Existing Uses: Residential/Industrial

Adjacent Uses: North, South, East: Vacant Land, Commercial (Peavy Mart, Plaza)
West: Commercial (Rona), Agriculture

Rationale: Section 45(2)(a)(i) of the Planning Act permits the Committee of Adjustment to consider an expansion to a legal non-conforming use. The tests of 45(1) of the Planning Act are not prescribed for applications considered under 45(2). However, the application must be analysed to determine whether the proposal meets good planning principles. The four tests for minor variance shall be used as a guide to establish good planning principles.

Prior to examining the tests, the circumstances must be established to lay the foundation upon which legal non-conforming use may be demonstrated.

Within By-law 45-78, the property was zoned General Industrial (M2) Zone. Mini-storage use, as a form of warehousing, was a permitted use within the M2 Zone. A site plan agreement was registered March 27, 2007 to permit the development of the site for mini-storage use.

On October 23, 2000, the Town of Lindsay repealed By-law 45-78 and adopted comprehensive by-law 2000-75. The subject property was zoned General Employment (GE) Zone in By-law 2000-75 (the current by-law). The current by-law created a definition for mini-storage warehouse use and listed it as a permitted use in the Prestige Employment (PE) Zone. The GE Zone does permit a mini-storage warehouse use.

An affidavit was provided to demonstrate the continuity of the use from the date the use became non-conforming. The factual information is established for the Committee of Adjustment to find the use legal non-conforming.

Part of the below analysis is provided to examine the appropriateness of the expansion should the Committee deem it legal non-conforming.

- 1) **Is the permission sought and 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 contains a mini-storage warehouse use since approximately 1997 along with a dwelling which has existed since about 1946 according to MPAC. The dwelling is located to the north of the mini-storage use. The mini-storage use is set back a bit from the road and is surrounded by a fence.

The subject property is nearly triangular in nature, decreasing in width as it progresses east. There is vacant land abutting the north, east and south lot lines, with commercial uses further along in those directions (commercial plaza on Kent Street, Peavy Mart). To the west is the Rona lumber yard. There are also industrial operations further south where Greenfield Road connects with Highway 7. The built environment along Greenfield Road is characterized by large buildings surrounded by large paved and/or gravelled areas. There are also large parcels in the immediate area that are either vacant or being farmed. Therefore, Greenfield Road has a distinctly more rural industrial nature given the form of businesses and uses established along the road.

The expansion will allow the subject property to be fully converted to mini-storage warehouse use. While a mini-storage warehouse use is no longer permitted on the property, the use is of a more industrial nature given its similarities to warehousing. The expansion of the mini-storage use is in keeping with the rural industrial character of Greenfield Road.

Current landscaping zoning standards require continuous buffers of coniferous trees and/or shrubs. The applicant is seeking to alter the City's minimum landscaping requirements to provide for a more visually appealing site by

having greater flexibility in the placement and type of landscaping. The landscaping variances, if granted, will allow the City and applicant to register a site plan agreement with enhanced landscaping.

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

3) Does the permission sought and do the variances maintain the intent and purpose of the Zoning By-law? Yes

Non-conforming uses by their nature cannot comply with the zone category because the use is not permitted. However, analysis may be performed to determine whether the request for expansion is a substantial deviation from the direction the zoning by-law intends.

The subject property is zoned General Employment (GE) Zone within the Town of Lindsay Zoning By-law 2000-75. The GE Zone permits an assortment of commercial, industrial, institutional and community facility uses. While mini-storage warehouse is not specifically listed as a permitted use, the GE Zone does permit warehousing. Therefore, the proposed use is similar to what the by-law permits and as a result is not anticipated to cause a land use conflict with the abutting commercial and industrial uses.

While the proposed use will expand in all directions from the current storage building on the south side of the property, the proposed use will continue to meet the yard and parking requirements of the GE Zone, ensuring minimal impact to abutting properties.

The vegetative buffering around the south, east and north edges of the site are wild trees and shrubs. It is anticipated most of this natural vegetation will be removed as part of the transformation of the entire site to a mini-storage warehouse use. Therefore, additional landscaping will be required. The intent of the landscaping provisions of the zoning by-law is to provide minimum landscaping requirements in the form of continuous coniferous vegetative plantings around the immediate perimeter of the property and parking areas to buffer the property from surrounding uses. In this case, the applicant is seeking flexibility in applying the landscaping requirements. The flexibility will allow for items such as interruptions in the landscape buffers, the placement of the buffers in some locations that are not immediately abutting the lot line, and adjusting their composition to include items such as perennials and deciduous shrubs and trees in addition to coniferous plantings. As landscape drawings have not been submitted or approved under the amended site plan review process at this time, but are anticipated to be a vast improvement over the current lack of landscaping, Condition 2 is requested to permit staff the flexibility to work with the owner to develop a more favourable landscape design.

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

4) Does the permission sought and do the variances maintain the intent and purpose of the Official Plan? Yes

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

The General Employment designation anticipates uses that require the open storage of goods and materials, such as manufacturing, processing, and warehousing. The designation also sets out the objective for adequate landscaping and other forms of buffering to enhance all parking lots and storage areas.

In consideration of the above the expansion and 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 on a private individual well and private individual 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 (September 2, 2021): No objection.

Building and Septic Division (September 8, 2021): No concerns at this stage. Further comments to be provided through the site plan approval process. Building permits required, and development is subject to the development charges by-law. See Appendix E for additional comments.

Public Comments:

No comments received as of September 7, 2021.

Attachments:



Appendices A-E to
COA2021-064.pdf

- 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: D20-2021-055

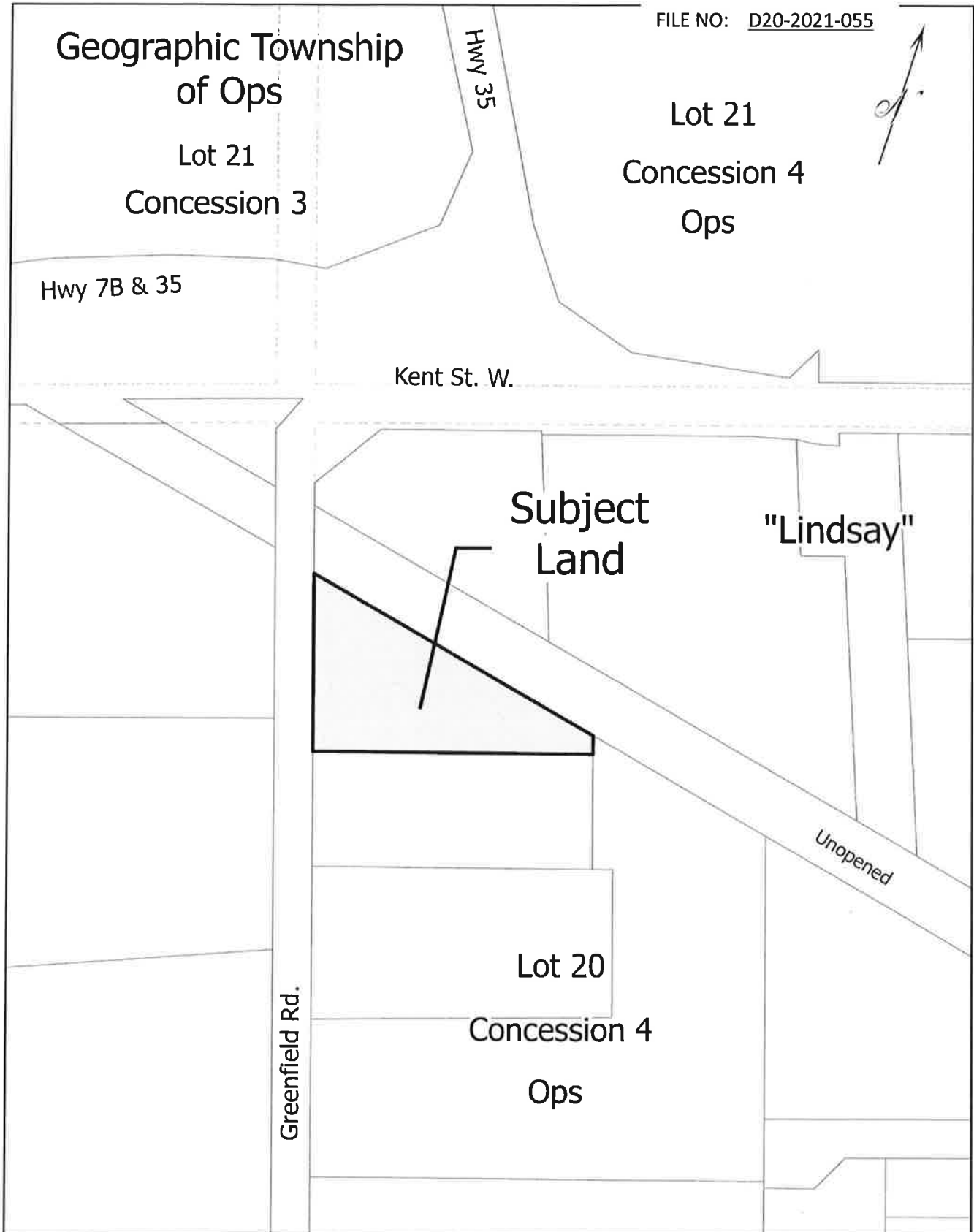
D20-2021-055

APPENDIX " A "

to

REPORT COA2021-064

FILE NO: D20-2021-055



50 Greenfield Road, former Town of Lindsay



0.14 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes

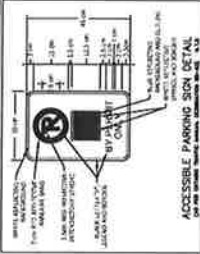
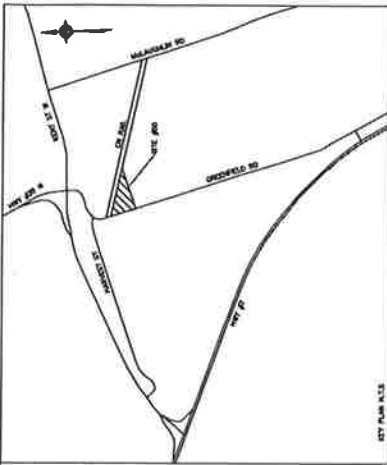


This map is a user generated static map output and is for reference data. layers and text that appear on this map may or may not be current, or otherwise

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

REPORT COA2021-064
FILE NO: D20-2021-055

APPENDIX " B "
to



SITE STATISTICS

GENERAL EMPLOYMENT (GE) LINDSAY ZONING BY LAW #2000-75

PERMITTED	EXISTING	PROPOSED PHASE 1	PROPOSED PHASE 2
3000m ²	620.4m ²	NEW 692.37m ²	NEW 466.26m ²
MIN. LOT AREA 45.0m	7021.67m ²	1312.77m ²	1779.06m ²
MIN. FRONT YARD 12.0m	88.71m	7021.67m	7021.67m
MIN. INT SIDE YARD 4.0m	12.8m	12.0m	13.2m
MIN. MIN REAR YARD 3.0m	25.1m	5.1m	4.0m
MIN. LOT DEPTH 60.0m	0.3m	4.8m	82.3m
MAX. LOT COVERAGE 50.0%	145.08m	145.08m	145.08m
	8.8%	18.7%	28.3%
	5.0mtr	5.0mtr	5.0mtr

PARKING REQUIREMENTS

REQUIRED	EXISTING	PROPOSED PHASE 1	PROPOSED PHASE 2
TOTAL G.F.A. - 1779.06m ²	620.4m ²	692.37m ²	466.29m ²
1 PER 140m ² G.F.A.	5 SPACES	10 SPACES	3 SPACES
ACCESSIBLE @ 3% - 1 REQUIRED		TOTAL 13 SPACES	

PHASE 1	G.F.A.
BLOCK 1	226.08m ²
BLOCK 2	395.84m ²
BLOCK 3	70.65m ²
PHASE 2	
BLOCK 4	155.43m ²
BLOCK 5	211.96m ²
BLOCK 6	98.91m ²

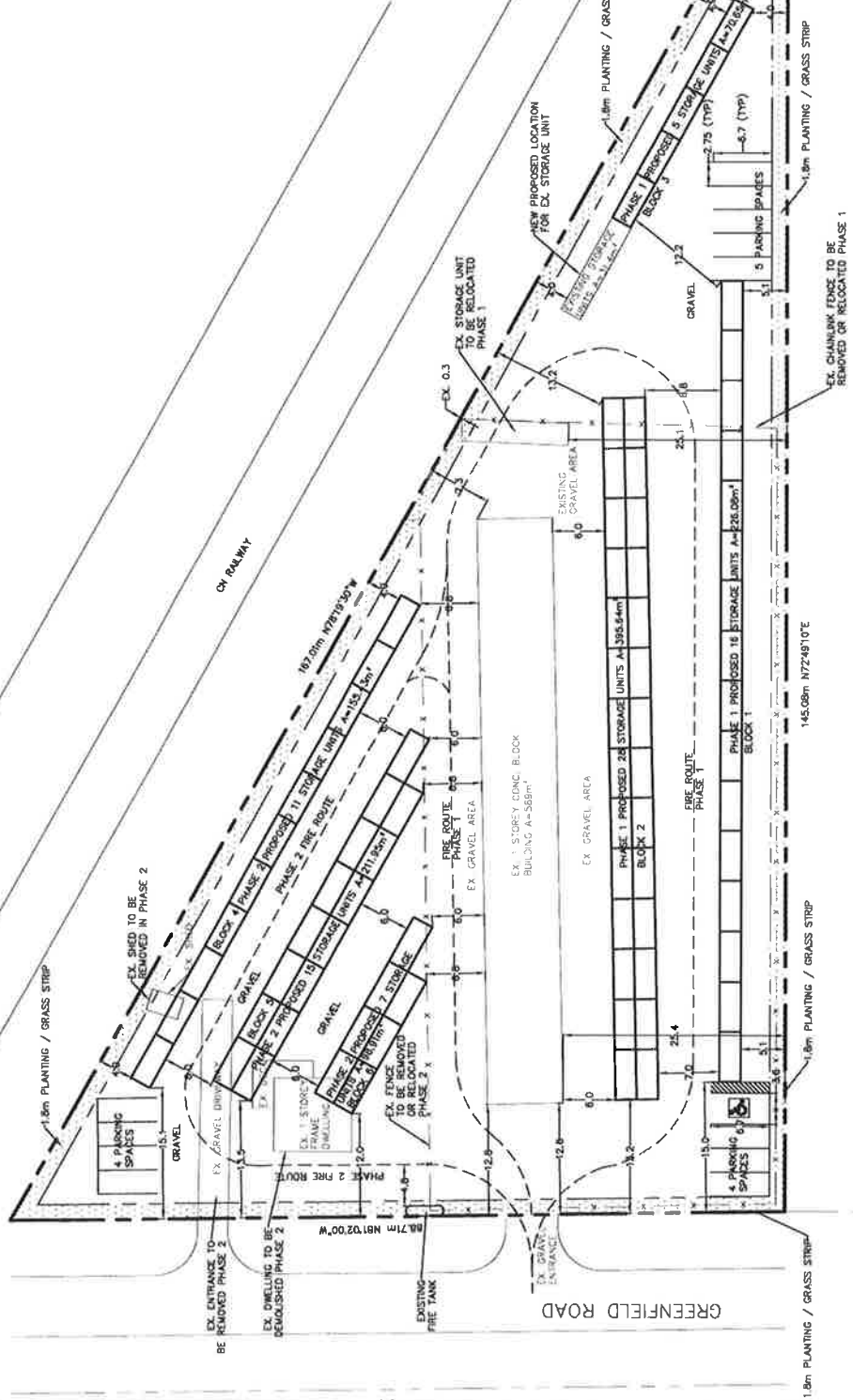
SURVEY INFORMATION PROVIDED BY:
 LAWRENCE A. NESTER, PORT PERRY, LBL 187
 254 NORTH STREET, PORT PERRY, LBL 187
 REFERENCE NO. 96022 - PLAN 57R-7538

APPENDIX " C "

to

REPORT COA2021-064

FILE NO: D20-2021-055

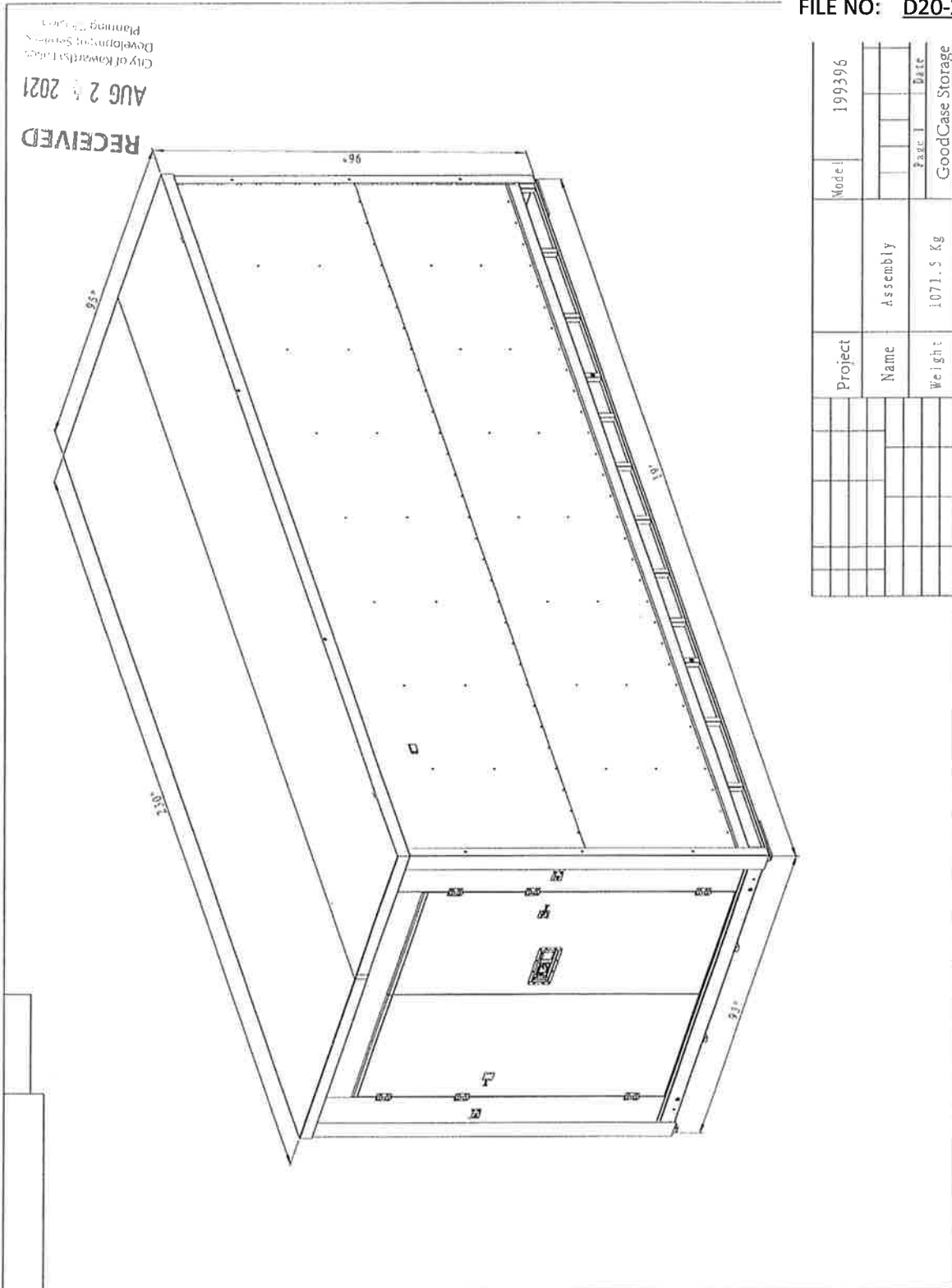


VACANT LOT ZONED GENERAL EMPLOYMENT (GE)

to

REPORT COA2021-064

FILE NO: D20-2021-055



Project	199396
Name	Assembly
Weight	1071.5 Kg
	GoodCase Storage

David Harding

From: Susanne Murchison
Sent: Tuesday, September 7, 2021 7:08 PM
To: Charlotte Crockford
Cc: David Harding; Kent Stainton
Subject: MV comments

APPENDIX " E "
to
REPORT COA2021-064
FILE NO. D20-2021-055

The following reflect the Building and Septic Division comments, save and except those relating to on-site sewage systems which will be provided under separate email by Part 8 Supervisor:

D20-2021-047: no concerns at this stage, further comments will be provided through the site plan approval process, building permit required for proposed hotel building, development is subject to development charges bylaw

D20-2021-050: no concerns, structure built without benefit of building permit but owner is working with staff to correct issues, building permit required for proposed dwelling, development charges apply to this development

D20-2021-051: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-052: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-053: no concerns, applications have already been filed for building permits relating to this proposed detached garage, outstanding building permit relating to construction of a deck BPH2015-0576 requires final inspection

D20-2021-054: no concerns, building permit required for the proposed detached garage, outstanding building permit relating to construction of the single detached dwelling BPH2007-0325 requires final inspection

D20-2021-055: no concerns at this stage, further comments will be provided through the site plan approval process, building permits required for proposed self-storage buildings, development is subject to development charges bylaw, the following are some of the major building code items that may affect the placement and size of the proposed self-storage buildings: design of on-site supply of water for fire fighting, spatial separation and related construction materials, fire route design – these items will be reviewed at site plan approval stage

D20-2021-056: no concerns, application has already been filed for building permit relating to the construction of this proposed foundation

D20-2021-057: no concerns, building permit required for proposed dwelling, development charges apply to this development

Susanne Murchison, CBCO
Chief Building Official

David Harding

From: Kim Rhodes
Sent: Thursday, September 2, 2021 1:18 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms
Subject: 20210902 D20-2021-055 - Engineering review

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

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

Minor Variance – D20-2021-055
50 Greenfield Road
Part Lot 20, Concession 4 (Formerly Ops), Part 1, 57R-7536
Former Town of Lindsay

It is the understanding by Engineering that the purpose and effect is to permit the approximately 1,160 square metre expansion of the legal non-conforming mini-storage use and Section 5.14(c), (e) and (f) to provide relief from the requirements to provide a continuous hedgerow of evergreens and shrubs, not less than 1.2 metres high at the time of planting situated immediately adjacent to the front, rear, and side lot lines, instead allowing for more variation in the vegetation, placement, and length/location of the required landscape strips.

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

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

Thanks,

Christina

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



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

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Renfer

Report Number COA2021-065

Public Meeting

Meeting Date: September 16, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 3 – Former Village of Sturgeon Point

Subject: The purpose and effect is to consider relief under Section 45(1) of the Planning Act, R.S.O., as amended, from the Village of Sturgeon Point Zoning By-law 339, as amended. The purpose and effect is to request relief from Section 5.2(c) to reduce the minimum front yard setback from 9 metres to 2.3 metres in order to permit an increase in height to the building to add a basement.

The variance is requested at 11 Second Street, former Village of Sturgeon Point (File D20-2021-056).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2021-065 Renfer, be received;

That minor variance application D20-2021-056 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 COA2021-056, 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 COA2021-065. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background:	This application was deemed complete July 30, 2021.
Proposal:	To permit a reduced front yard setback in order to allow for the raising of the dwelling by about 0.61 metres to add a basement.
Owners:	Jo-Anne Mary Frances Renfer and Mark Stephen Renfer
Legal Description:	11 Second Street, Lot 57, Part Lot 58, Plan 73, Part Lot 10, Concession 10, Parts 1 and 4, 57R8221, former Village of Sturgeon Point, City of Kawartha Lakes
Official Plan:	Waterfront within the City of Kawartha Lakes Official Plan
Zone:	Single Residential Type One (R1) Zone within the Village of Sturgeon Point Zoning By-law 339
Site Size:	1,884 square metres (0.47 acre)
Site Servicing:	Private individual well and septic system
Existing Uses:	Residential
Adjacent Uses:	North, South, East, West: Residential

Rationale:

1) Is the variance minor in nature? Yes

The subject property is situated in the village community of Sturgeon Point. Second Street, like most of the streets within the village, is narrow. The proximity of built form along Second Street varies, and the dwelling on the subject property is among the closest buildings to the street on the west side. The built form along is primarily characterized by 1 to 2 storey dwellings built at different times.

This is an established neighbourhood with older homes and mature vegetation. Part of the neighbourhood's character is defined by the varied distances of built form from the street along with the variety of building ages.

The dwelling, constructed circa 1933 according to MPAC, forms part of the varied streetscape. Increasing the height of the dwelling by about 0.61 metres will allow for the creation of a full basement. The raising will require stairway modifications to the south and north building entry points and will add basement windows to the north, west and south walls. No changes are proposed to the south building face. The newly created wall which is adding to the building's

overall height is at ground level. The 0.61 metre increase in height is not anticipated to be perceptible nor cause and adverse massing impacts.

The variance is minor in nature.

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

The additional height will facilitate the creation of a full basement, increasing the function of the dwelling. The increased wall height will also allow for the insertion of windows, allowing for natural light to enter the basement.

The raising of the dwelling will not result in a footprint expansion of the dwelling. As such, no yard space is impacted.

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 Single Residential Type One (R1) Zone within the Village of Sturgeon Point Zoning By-law 339. The R1 Zone permits single detached dwellings.

The intent of the R1 Zone provisions is to ensure adequate spatial separation between built form and the travelled portion of the street to ensure for the maintenance of features such as sight lines, snow storage, and surface parking. In this instance, the parking area is situated to the north of the dwelling, not in front of it. The height increase is not anticipated to alter the established circumstances surrounding sightlines and snow storage.

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.

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

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

The property 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 (September 2, 2021): No concerns.

Building and Septic Division – Chief Building Official (September 8, 2021): No concerns. An application for a building permit has been filed for the proposed works.

Public Comments:

No comments received as of September 7, 2021.

Attachments:



Appendices A-E to
COA2021-065.pdf

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Elevations

Appendix E – Department and Agency Comments

Phone: 705-324-9411 extension 1206

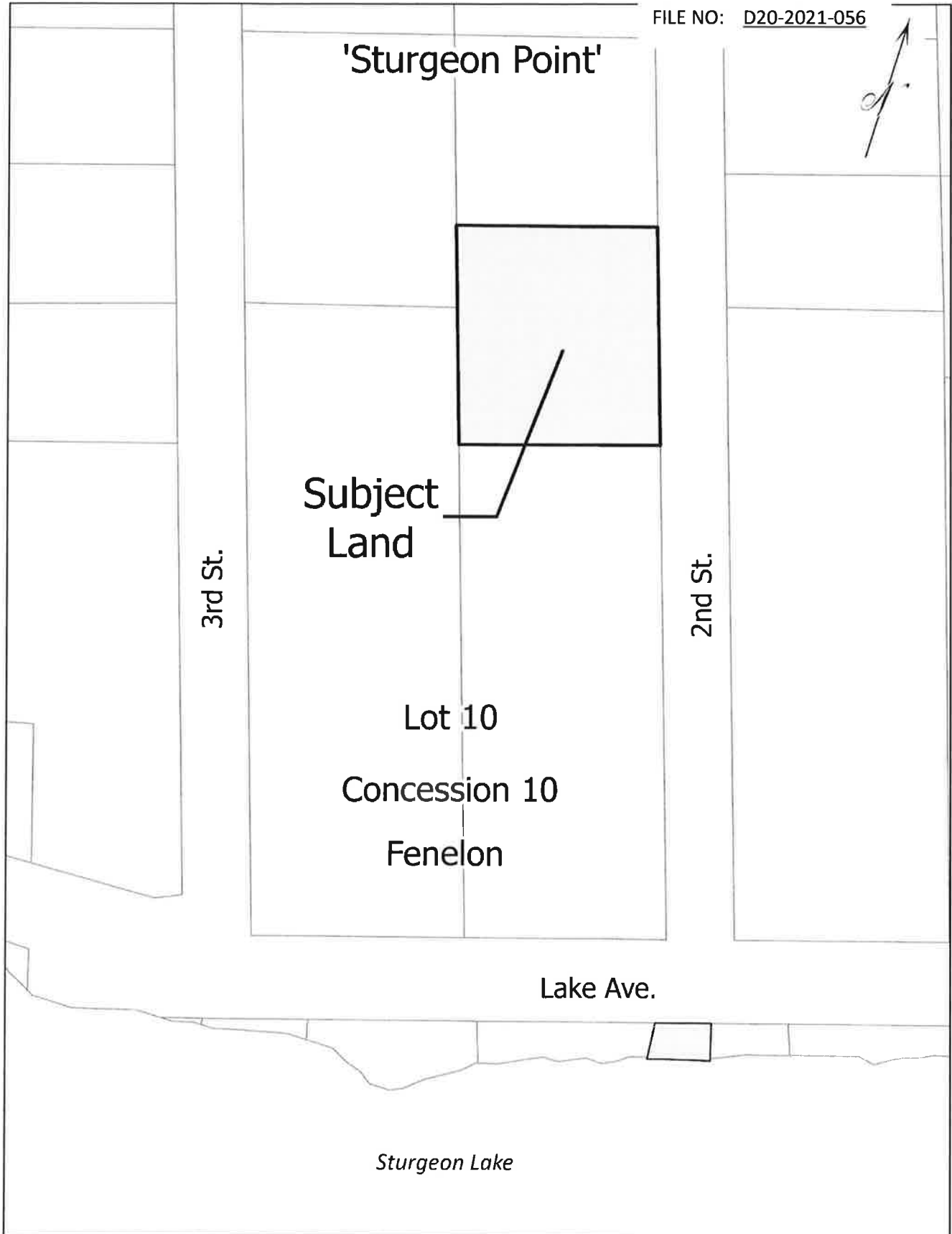
E-Mail: dharding@kawarthalakes.ca

Department Head: Richard Holy, Acting Director of Development Services

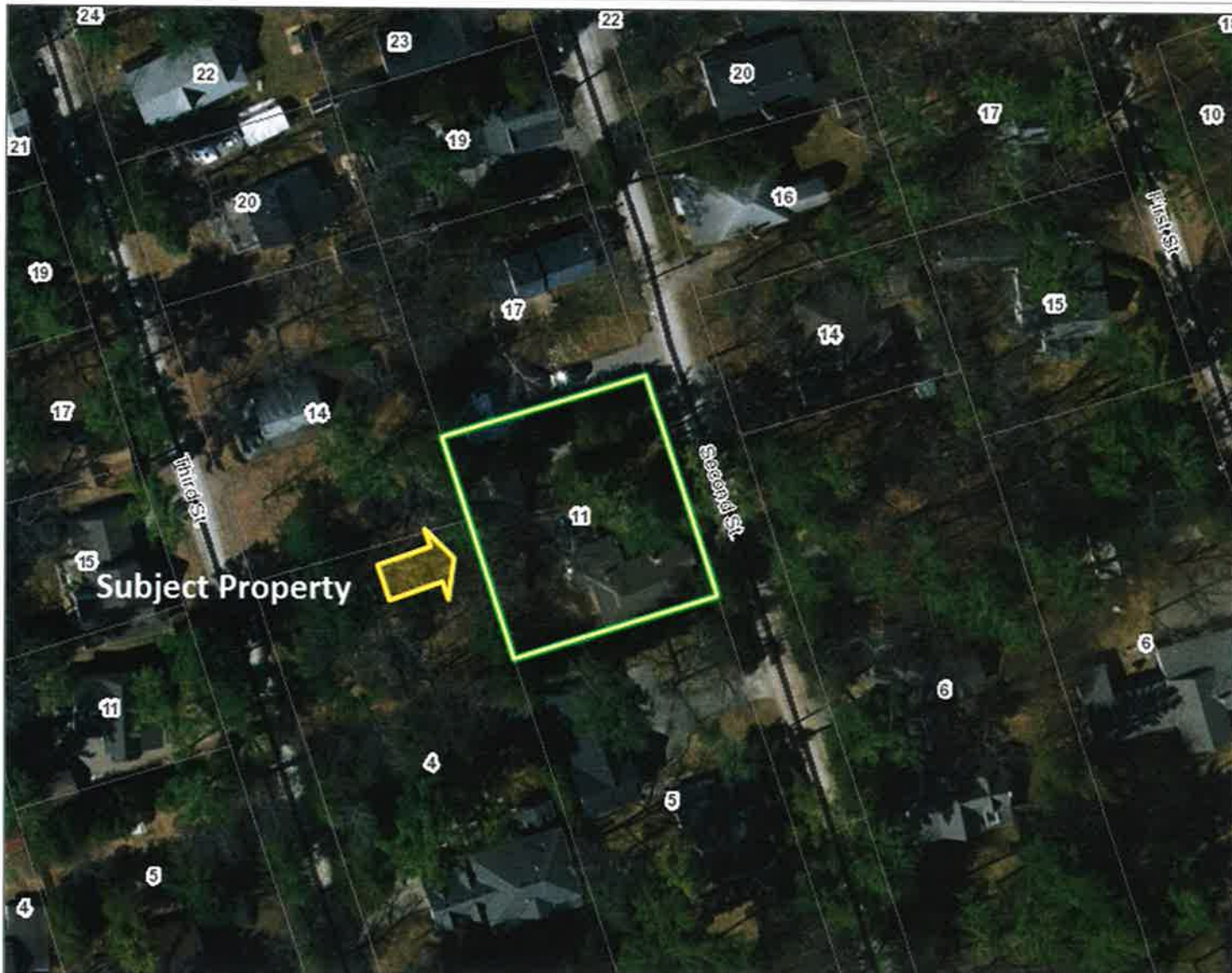
Department File: D20-2021-056

D20-2021-056

to
REPORT COA2021-065
FILE NO: D20-2021-056



11 Second Street, former Village of Sturgeon Point



0.06 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



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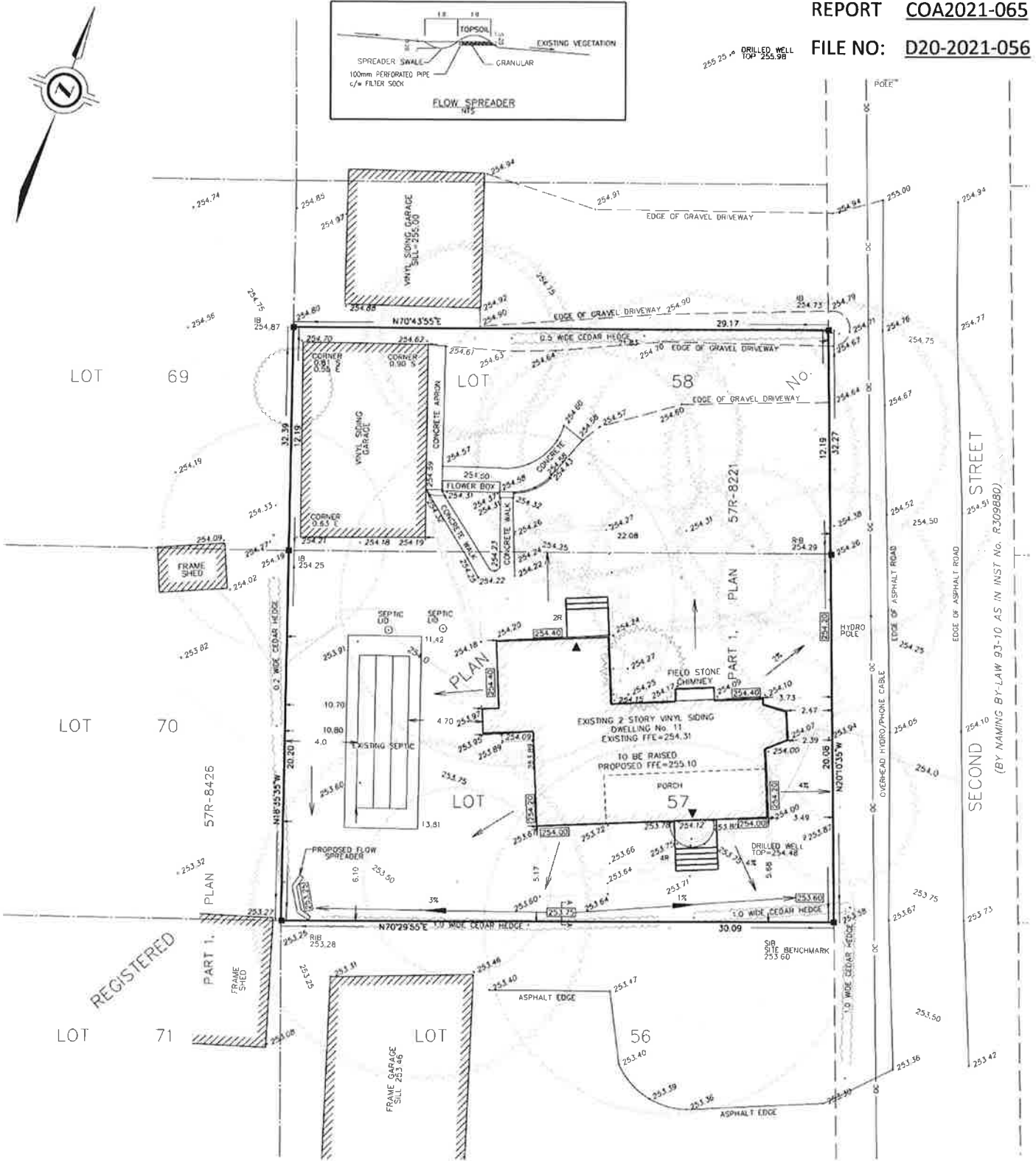
APPENDIX " B "
to
REPORT COA2021-065
FILE NO: D20-2021-056

APPENDIX " C "

to

REPORT COA2021-065

FILE NO: D20-2021-056



APPENDIX " D "

to

REPORT COA2021-065

FILE NO: D20-2021-056





PROP. WEST ELEVATION
SCALE: 1/4" = 1'-0"


PROP. EAST ELEVATION
SCALE: 1/4" = 1'-0"



PROP. SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



PROP. NORTH ELEVATION
SCALE: 1/4" = 1'-0"

 Southern Homes Sturgeon Point Ontario Canada K0M-1N0 705-887-5800	Designed: D.J.S. Drawn: Checked: BCN: 22216 Scale: 1/4" = 1'-0"	Drawing Title: ELEVATIONS PROPOSED RESIDENTIAL BUILDING JO-ANNE & MARK RENFER 11 SECOND STREET FENELON FALLS Ont. L9S-7S1-8766	Date: JUNI, 2021 Project No. 21-21 Drawing No.
			A2

David Harding

From: Susanne Murchison
Sent: Tuesday, September 7, 2021 7:08 PM
To: Charlotte Crockford
Cc: David Harding; Kent Stainton
Subject: MV comments

APPENDIX " E "
to
REPORT COA2021-065
FILE NO. D20-2021-056

The following reflect the Building and Septic Division comments, save and except those relating to on-site sewage systems which will be provided under separate email by Part 8 Supervisor:

D20-2021-047: no concerns at this stage, further comments will be provided through the site plan approval process, building permit required for proposed hotel building, development is subject to development charges bylaw

D20-2021-050: no concerns, structure built without benefit of building permit but owner is working with staff to correct issues, building permit required for proposed dwelling, development charges apply to this development

D20-2021-051: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-052: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-053: no concerns, applications have already been filed for building permits relating to this proposed detached garage, outstanding building permit relating to construction of a deck BPH2015-0576 requires final inspection

D20-2021-054: no concerns, building permit required for the proposed detached garage, outstanding building permit relating to construction of the single detached dwelling BPH2007-0325 requires final inspection

D20-2021-055: no concerns at this stage, further comments will be provided through the site plan approval process, building permits required for proposed self-storage buildings, development is subject to development charges bylaw, the following are some of the major building code items that may affect the placement and size of the proposed self-storage buildings: design of on-site supply of water for fire fighting, spatial separation and related construction materials, fire route design – these items will be reviewed at site plan approval stage

D20-2021-056: no concerns, application has already been filed for building permit relating to the construction of this proposed foundation

D20-2021-057: no concerns, building permit required for proposed dwelling, development charges apply to this development

Susanne Murchison, CBCO
Chief Building Official

David Harding

From: Kim Rhodes
Sent: Thursday, September 2, 2021 1:24 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms
Subject: 20210902 D20-2021-056 - Engineering review

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

Minor Variance – D20-2021-056

11 Second Street

Lot 57 and Part Lot 58, Plan 73, Part Lot 10, Concession 10, Parts 1 to 4, 57R-8221

Former Village of Sturgeon Point

It is the understanding by Engineering that the purpose and effect is to request relief from Section 5.2(c) to reduce the minimum front yard setback from 9 metres to 2.3 metres in order to permit an increase in height to the building to add a basement.

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

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

Thanks,

Christina

Christina Sisson, P.Eng.

Supervisor, Development Engineering

Lean Six Sigma Black Belt

Engineering & Corporate Assets, City of Kawartha Lakes

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



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

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Alexander
Report Number COA2021-066

Public Meeting

Meeting Date: September 16, 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 permit the reconstruction and expansion of an existing dwelling, permit modification to the existing deck, and permit the construction of deck stairs by requesting relief from the following provisions:

Dwelling

1. Section 15.2.1.3(e) to reduce the minimum water setback from 15 metres to 12.1 metres,
2. Section 3.18.1.1 to reduce the minimum setback from the Environmental Protection (EP) Zone from 15 metres to 12.1 metres,
3. Section 15.2.1.3(b)(ii) to reduce the minimum interior side yard from 2.3 metres to 1.9 metres,

Deck with Stairs

4. Section 15.2.1.3(e) to reduce the minimum water setback from 15 metres to 11.7 metres; and
5. Section 3.18.1.1 to reduce the minimum setback from the Environmental Protection (EP) Zone from 15 metres to 11.7 metres.

The variances are requested at 57 Sugar Bush Trail, geographic Township of Fenelon (File D20-2021-057).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2021-066 Alexander, be received;

That minor variance application D20-2021-057 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 COA2021-066, 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 COA2021-066. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background:

The application seeks the following modifications to the property:

1. Rebuild the main level of the single detached dwelling,
2. Expand the main level of the single detached dwelling through the addition of an attached garage; and
3. Shorten and reconfigure the deck along the east wall of the dwelling and add deck stairs.

Expansions to the dwelling are also proposed to the south that will add living space and a covered screened porch, but these features are proposed to comply with the required setbacks.

This application was last amended August 30, 2021.

Proposal:

To reconstruct the main level of the single detached dwelling, add an attached garage, modify the existing deck, and add deck stairs.

Owners:

Robert Arthur Alexander and Nancy Alexander

Applicant:

Brian Armstrong – B. Armstrong Contracting

Legal Description:

Part Lot 26, Concession 10, Parts 12 and 13, 57R-175, geographic Township of Fenelon, City of Kawartha Lakes

Official Plan:

Waterfront within the City of Kawartha Lakes Official Plan

Zone:

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

Site Size:

1,684 square metres (18,126.4 square feet)

Site Servicing: Lake-based water supply and private individual well septic system

Existing Uses: Shoreline Residential

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

Rationale:

**1) Are the variances minor in nature? Yes
And**

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

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

The variances, if granted, will facilitate the replacement of the main floor of the dwelling. The walkout basement is being retained. As no additional storeys are being proposed, there is not anticipated to be any significant change in massing impacts or to the character of the shoreline. The variances will also allow for the creation of an attached garage on the north side, providing additional storage and a second stairway access to the basement.

The north interior side yard currently functions as a utility area that also facilitates access between the front (shoreline) and rear (roadside) yards.

The reconstruction proposes the removal of approximately half of the deck which currently runs along the entire east wall of the dwelling, which improves the setback separation between the built form and shoreline and increases the depth of yard available to establish open landscaped amenity space. The removal is proposed in the area where the deck is closest to the shoreline. The southern addition will remove the current yard access to the deck. Stairs are proposed over a portion of the area where the deck is to be removed in order to provide new yard access to the main level of the dwelling.

Parking on the property is currently in the form of surface parking to the southwest of the dwelling. Parking is to be relocated to the north and west side of the dwelling in the form of an attached garage and circular driveway in order to accommodate a new sewage system. The garage, while within the shoreline and EP Zone setback, is further away from the shoreline than the existing dwelling and is proposed as far away as is possible while still maintaining a viable connection to the dwelling.

The lot appears as a single storey on the road side, sloping quickly between the rear and front walls in order to provide a walk-out basement design on the front wall. As a walkout basement exists and continues to be proposed, the building is considered a two storey dwelling and as such a greater yard setback applies on its narrow side. However, as the grade along the north garage wall is proposed to be kept relatively uniform, no adverse massing impacts are anticipated to the abutting lot to the north addressed as 55 Sugar Bush Trail. Further, the north garage wall is not proposed to contain any windows, so there are no privacy or land use conflicts anticipated with number 55.

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

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

Yes

The property is zoned Limited Service Residential (LSR) Zone within the Township of Fenelon Zoning By-law 12-95. The zone category permits seasonal and year round residential uses.

The intent of the enhanced interior side yard setback for buildings that are more than one storey is likely to maintain sufficient spatial separation between dwellings on abutting lots to avoid massing/loss of privacy and additional space to perform maintenance on the taller building face. However, retaining features are proposed to ensure the north garage wall remains as close to one storey when viewed along the north lot line as possible. As only a small portion of the basement wall will be seen along the north side, no adverse massing impacts are anticipated, nor is it anticipated that the ability to perform maintenance will be impeded.

Other functions of an interior side yard include facilitating access between the front and rear yards and providing for lot drainage. The reduced interior side yard will not impact these interior side yard functions.

The intent of the Environmental Protection (EP) Zone setback is to protect built form from natural hazards, and protect and enhance the ecological function of waterbodies by creating a buffer between built form and water for the establishment of vegetation. The setback reduction for the dwelling proposes no further impact as the dwelling is not being expanded closer to the shoreline. The garage addition has been stepped back to preserve as much of a buffer to the shoreline as possible given the unique configuration of the lot. The distance between the existing built form and the shoreline is also being improved with the removal of a part of the existing deck.

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

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

Yes

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

The Official Plan establishes water setback policies in Section 3.11 to provide sufficient spatial separation to protect development from erosion hazards and protect and enhance the ecological function of the waterbody. Through the creation of a water setback, a buffer is created between the built form and waterbody for the establishment of vegetation to protect and enhance the ecological function of the waterbody and its fish habitat. This vegetation provides the following benefits to the waterbody: attenuation of warm water runoff, trapping of sediments and nutrients carried by storm water runoff, enhancement to water quality, and habitat enhancement in the riparian area.

The policies permit existing lots of record where development must be accommodated less than 30 metres from the shoreline to maintain a shoreline setback of 15 metres. The lot at its deepest point is approximately 37 metres. The intent of the policy framework is not to extinguish the residential use of an unusually-shaped lot, but to improve upon shoreline setbacks when development or redevelopment occurs. The garage addition is proposed to be stepped back from the shoreline.

The Waterfront policies in Section 20 encourage development to maintain a low profile so that natural features dominate the shoreline landscape. The main floor of the dwelling is being replaced. No additional stories are being proposed. While the existing hip roof design of the dwelling is being replaced with a gable roof design in sections, this is anticipated to add to visual interest more than it is to massing impacts. The dwelling will continue to remain low profile in relation to the shoreline landscape. The deck setback is being improved through the partial removal of the existing deck which provides additional opportunity for the establishment of further vegetation between the dwelling's closest point and the shoreline.

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

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

The property is serviced by a private individual sewage system and lake-based water supply.

Consultations:

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

Agency Comments:

Development Engineering (September 2, 2021): No objections.

Building and Septic Division – Part 8 Sewage Systems (September 3, 2021): No concerns. An Application for Sewage System Permit to upgrade the sewage system servicing the property has been received. The new sewage system is designed and located to ensure appropriate clearance distances.

Building and Septic Division – Chief Building Official (September 8, 2021): No concerns. Building permit required. Development charges apply.

Public Comments:

No comments received as of September 7, 2021.

Attachments:



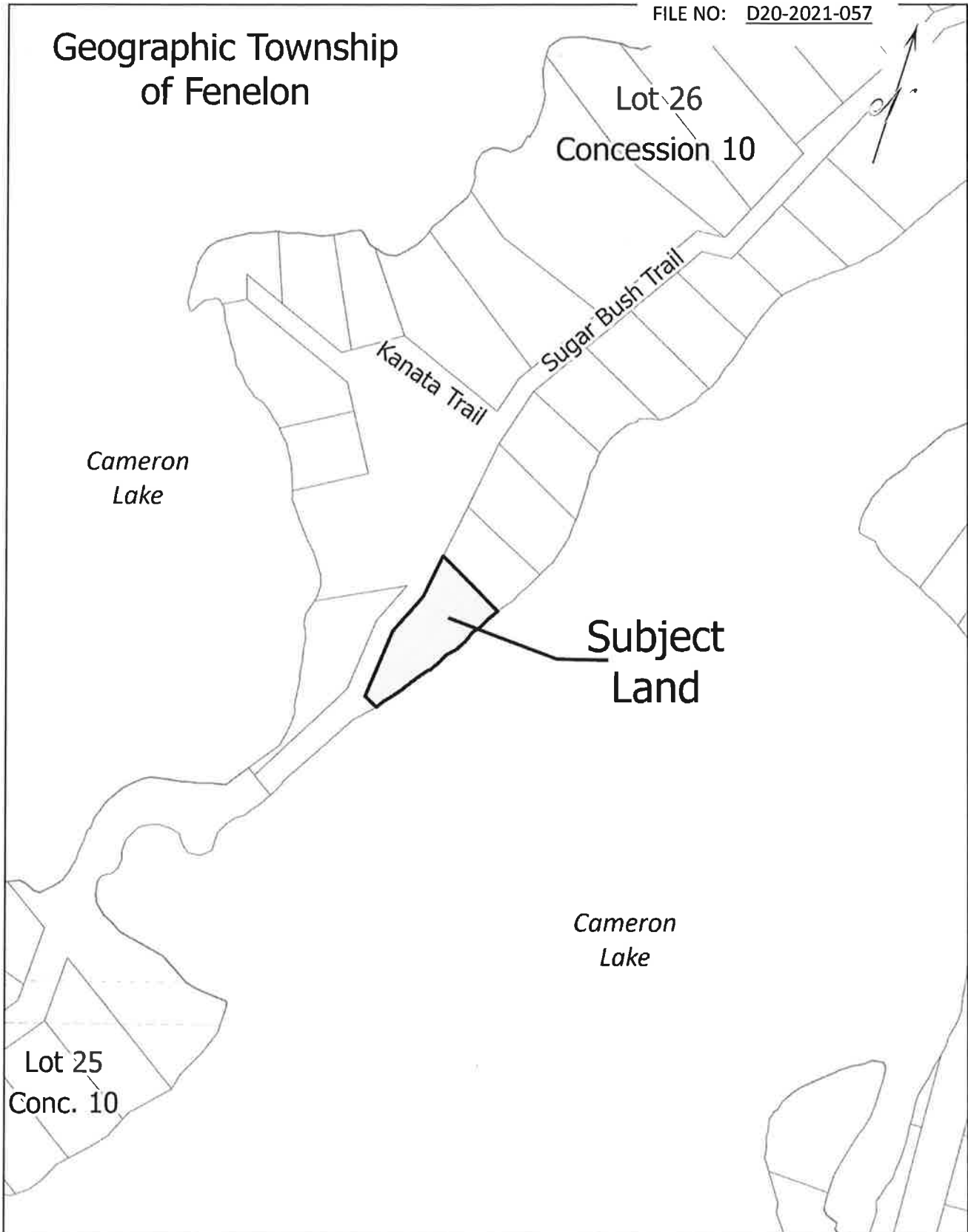
Appendices A-E to
COA2021-066.pdf

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

Phone: 705-324-9411 extension 1206
E-Mail: dharding@kawarthalakes.ca
Department Head: Richard Holy, Acting Director of Development Services
Department File: D20-2021-057

D20-2021-057

to
REPORT COA2021-066
FILE NO: D20-2021-057



57 Sugar Bush Trail, geographic Twp. of Fenelon



0.07 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



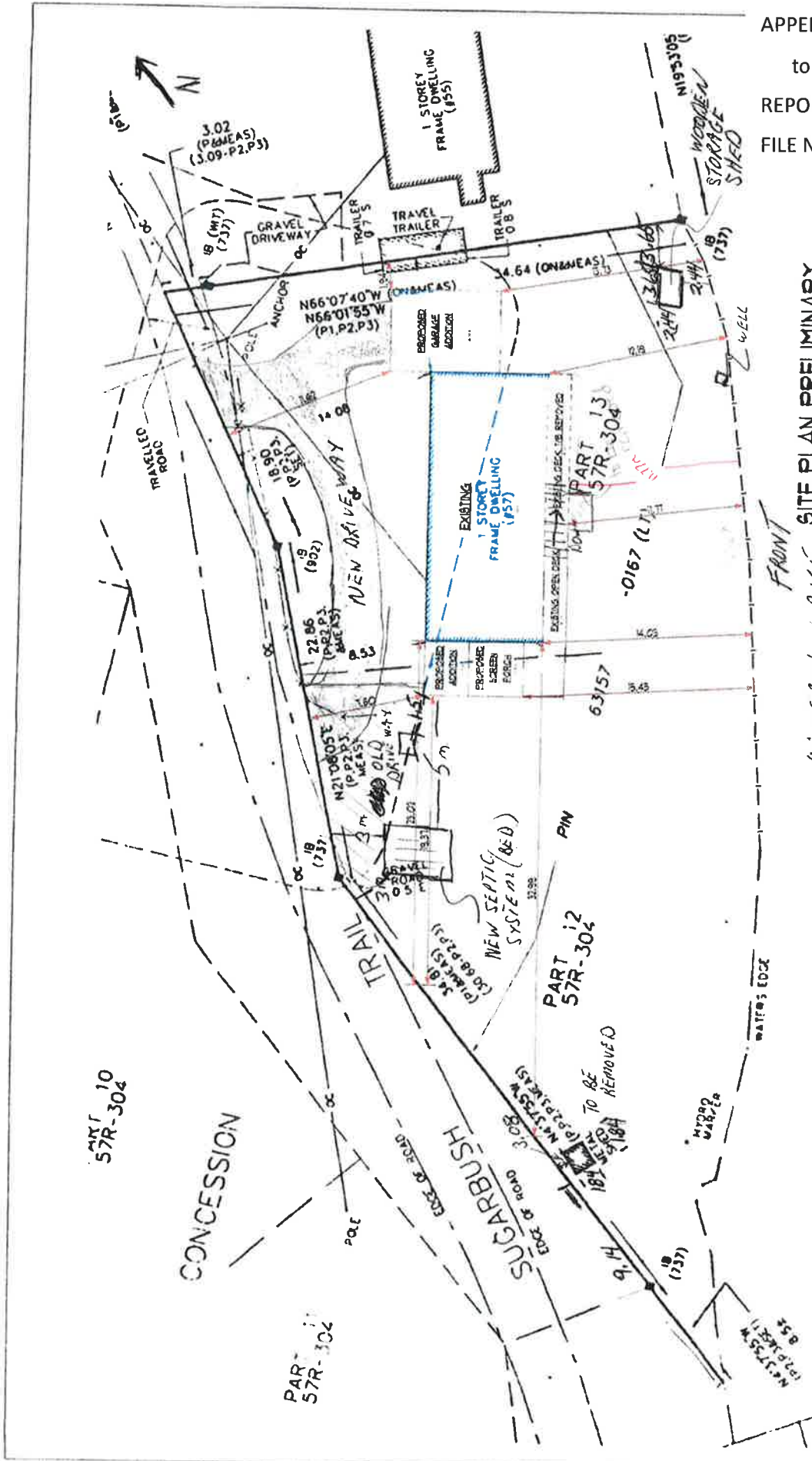
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REPORT COA2021-066
FILE NO: D20-2021-057

APPENDIX " B "
to

to
 REPORT COA2021-066
 FILE NO: D20-2021-057



CIMMERON LAKE SITE PLAN PRELIMINARY

 PHILL JENKINSON HOME & COTTAGE DESIGN LIMITED Scarborough, Ontario phil@philljensondesign.com	Prepares For: Nancy & Bob Alexander	Project: COTTAGE RENO 57 Sugarbush Trail, Fenelon Falls, ON	CLIENT APPROVAL Signature: _____ Date: _____
	Mod 5/15 Scale: A1 Proj. No. 2021-057		

APPENDIX " D "

to

REPORT COA2021-066

FILE NO: D20-2021-057



Existing Main Floor: 1,540 SF
Finished Basement: 1,238 SF
Entry Covered Porch: 40 SF
Screen Porch: 144 SF
Open Deck: 248 SF
Addition Main Floor: 104 SF
Garage: 432 SF

Lakeside Perspective



Driveside Right Perspective



Driveside Perspective



Lakeside Perspective

David Harding

From: Susanne Murchison
Sent: Tuesday, September 7, 2021 7:08 PM
To: Charlotte Crockford
Cc: David Harding; Kent Stainton
Subject: MV comments

APPENDIX " E "
to
REPORT COA2021-066
FILE NO. D20-2021-057

The following reflect the Building and Septic Division comments, save and except those relating to on-site sewage systems which will be provided under separate email by Part 8 Supervisor:

D20-2021-047: no concerns at this stage, further comments will be provided through the site plan approval process, building permit required for proposed hotel building, development is subject to development charges bylaw

D20-2021-050: no concerns, structure built without benefit of building permit but owner is working with staff to correct issues, building permit required for proposed dwelling, development charges apply to this development

D20-2021-051: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-052: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-053: no concerns, applications have already been filed for building permits relating to this proposed detached garage, outstanding building permit relating to construction of a deck BPH2015-0576 requires final inspection

D20-2021-054: no concerns, building permit required for the proposed detached garage, outstanding building permit relating to construction of the single detached dwelling BPH2007-0325 requires final inspection

D20-2021-055: no concerns at this stage, further comments will be provided through the site plan approval process, building permits required for proposed self-storage buildings, development is subject to development charges bylaw, the following are some of the major building code items that may affect the placement and size of the proposed self-storage buildings: design of on-site supply of water for fire fighting, spatial separation and related construction materials, fire route design – these items will be reviewed at site plan approval stage

D20-2021-056: no concerns, application has already been filed for building permit relating to the construction of this proposed foundation

D20-2021-057: no concerns, building permit required for proposed dwelling, development charges apply to this development

Susanne Murchison, CBCO
Chief Building Official

David Harding

From: Charlotte Crockford
Sent: Friday, September 3, 2021 12:39 PM
To: David Harding
Subject: FW: D20-2021-057 - 57 Sugar Bush Trail

fyi

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



Please note: The Development Services offices at 180 Kent St W, Lindsay remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.

For COVID-19 information including service levels and how to access services, please call 705-324-9411 extension 4000 or visit www.kawarthalakes.ca/covid19

From: Anne Elmhirst <aelmhirst@kawarthalakes.ca>
Sent: Friday, September 3, 2021 12:31 PM
To: Charlotte Crockford <ccrockford@kawarthalakes.ca>
Subject: D20-2021-057 - 57 Sugar Bush Trail

Hello Charlotte,

I have received and reviewed the application for minor variance D20-2021-057 to request relief from required setbacks to permit the expansion of the existing dwelling, permit the modification to an existing deck and permit the construction of deck stairs.

The owner has submitted an Application for a Sewage System Permit to upgrade the system serving the property. This system has been designed to accommodate the expansion to the single detached dwelling on the property. As well, the sewage system has been designed and located to ensure appropriate clearance distances from any new construction while following the minimum requirements of the Ontario Building Code for installation.

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

Best Regards,

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

Supervisor – Part 8 Sewage Systems

Development Services - Building and Septic Division, City of Kawartha Lakes

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



Please note: The Building Division offices at 180 Kent St W, Lindsay remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.

David Harding

From: Kim Rhodes
Sent: Thursday, September 2, 2021 1:23 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms
Subject: 20210902 D20-2021-057 - Engineering review

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

Minor Variance – D20-2021-057
57 Sugar Bush Trail
Part Lot 26, Concession 10, Parts 12 and 13, 57R-175
Geographic Township of Fenelon

It is the understanding by Engineering that the purpose and effect is to permit the reconstruction and expansion of an existing dwelling, permit modification to the existing deck, and permit the construction of deck stairs by requesting relief from the following provisions:

Dwelling

1. Section 15.2.1.3(e) to reduce the minimum water setback from 15 metres to 12.1 metres,
2. Section 3.18.1.1 to reduce the minimum setback from the Environmental Protection (EP) Zone from 15 metres to 12.1 metres,
3. Section 15.2.1.3(b)(ii) to reduce the minimum interior side yard from 2.3 metres to 1.9 metres,

Deck with Stairs

4. Section 15.2.1.3(e) to reduce the minimum water setback from 15 metres to 11.7 metres; and
5. Section 3.18.1.1 to reduce the minimum setback from the Environmental Protection (EP) Zone from 15 metres to 11.7 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

