

# **The Corporation of the City of Kawartha Lakes**

## **Agenda**

### **Committee of Adjustment Meeting**

**COA2022-001**

**Thursday, January 20, 2022**

**1:00 P.M.**

**Council Chambers**

**City Hall**

**26 Francis Street, Lindsay, Ontario K9V 5R8**

**Members:**

**Councillor Emmett Yeo**

**Betty Archer**

**David Marsh**

**Lloyd Robertson**

**Janice Robinson**

**Sandra Richardson**

**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.”

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1.	<b>Call to Order</b>	
2.	<b>Administrative Business</b>	
2.1.	Adoption of Agenda	
2.1.1.	COA2022-01.2.1.1 January 20, 2022 Committee of Adjustment Agenda	
2.2.	Declaration of Pecuniary Interest	
2.3.	Adoption of Minutes	
2.3.1.	COA2022-01.2.3.1. November 25, 2021 Committee of Adjustment Minutes	5 - 20
3.	<b>New Applications</b>	
3.1.	Minor Variances	
3.1.1.	COA2022-002 Kent Stainton, Planner II File Number: D20-2021-071 Location: 145 Fells Point Road Part Lot 31, Concession 10 Geographic Township of Fenelon Owners: Michael and Sheila Carey	21 - 35
3.1.2.	COA2022-003 Kent Stainton, Planner II File Number: D20-2021-075 Location: 6 John Street Part Lot 10, Concession 1, Lot 1 of Plan 57M781 Geographic Township of Manvers Owner: 2396559 Ontario Ltd. c/o Harry Schilling	36 - 47

3.1.3.	COA2022-004	48 - 60
	<p>Kent Stainton, Planner II  File Number: D20-2021-076  Location: 527 Cottage Road  Part South Half of Lot 24, Concession A  Geographic Township of Mariposa  Owners: Jeremy Graham and Kailey Flindall</p>	
3.1.4.	COA2022-005	61 - 77
	<p>David Harding, Planner II, RPP, MCIP  File Number: D20-2021-078  Location: 24 Royal Estate Drive  Lot 54, Plan M-731  Geographic Township of Manvers  Owners: Aaron Pudlis and Cheryl Green</p>	
3.1.5.	COA2022-006	78 - 94
	<p>David Harding, Planner II, RPP, MCIP  File Number: D20-2021-079  Location: 69 Pinewood Crescent  Lot 37, Plan M715, Part Lot 11,  Concession 3  Geographic Township of Manvers  Owners: Jeffrey and Christine Schaafsma</p>	
3.1.6.	COA2022-007	95 - 109
	<p>David Harding, Planner II, RPP, MCIP  File Number: D20-2021-080  Location: 4 Cadillac Blvd  Block A less 57R-893, Plan 450  Geographic Township of Emily  Owner: Ronald Russell</p>	
3.1.7.	COA2022-008	110 - 123
	<p>David Harding, Planner II, RPP, MCIP  File Number: D20-2021-081  Location: 22 Forest Road  Part Lot 11, Concession 10, geographic Township of Fenelon  Part 4, 57R-7271, former Village of Sturgeon Point  Owners: Howard Gopsill and Antonja Mulder</p>	

3.2. Consents

**4. Deferred Applications**

4.1. Minor Variances

4.2. Consents

**5. Other Business**

**6. Correspondence**

**7. Next Meeting**

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

**8. Adjournment**

# **The Corporation of the City of Kawartha Lakes**

## **Minutes**

### **Committee of Adjustment Meeting**

**COA2021-012**  
**Thursday, November 25, 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**  
**Janice Robinson**  
**Stephen Strangway**

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## 1. **Call to Order**

Chair Robertson called the meeting to order at 1:03pm.

Chair Robertson and Members D. Marsh, S. Richardson, B. Archer, S. Strangway and J. Robinson were in attendance in person.

Staff, M. LaHay, Acting Secretary-Treasurer, L. Barrie, Acting Manager of Planning and C. Crockford, Recording Secretary were in attendance in person.

Staff, K. Stainton, Planner II, D. Harding, Planner II and S. Murchison, Chief Building Official were in attendance via electronic participation.

Absent: Councillor Yeo.

The Chair introduced Ms. Robinson, the new member of the Committee, Ms. Robinson spoke to the Committee and Staff.

## 2. **Administrative Business**

### 2.1 Adoption of Agenda

November 25, 2021

Committee of Adjustment Agenda

#### **CA2021-115**

**Moved By** D. Marsh

**Seconded By** S. Richardson

**That** the agenda for November 25, 2021 meeting be approved.

**Carried**

### 2.2 Declaration of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

### 2.3 Adoption of Minutes

November 4, 2021

Committee of Adjustment Minutes

#### **CA2021-116**

**Moved By** B. Archer

**Seconded By** S. Strangway

**That** the minutes of the previous meeting held November 4, 2021 be adopted as printed.

**Carried**

### **3. Deferred Applications**

#### **3.1 Minor Variances**

##### **3.1.1 COA2021-038**

Kent Stainton, Planner II  
 File Number: D20-2021-029  
 Location: Vacant Lands  
 Part of Lots 16 and 17, Concession 10  
 Geographic Township of Somerville, Ward 2  
 Owner: Steven Harjula

Member Marsh motioned to defer application D20-2021-029 until such time that the City has completed its review of the corporate procedures for obtaining access to private lots by means of unassumed public right-of-ways and that staff are able to provide a copy of any Development Agreement imposed as part of the application.

Mr. Harjula did not have an issue with the deferral.

##### **CA2021-117**

**Moved By** D. Marsh

**Seconded By** S. Strangway

**That** Minor Variance Application D20-2021-029 be deferred for a period of not more than seven (7) months, returning at the latest to the June 16, 2022 meeting.

The deferral is until such time to ensure the Committee of Adjustment has the benefit of the outcome of the review in its decision-making as it pertains to this application. Should a resolution to the process arise before that time, the application may be brought back to the Committee ahead of that time.

**Carried**

#### **3.2 Consents**

### **4. New Applications**

#### 4.1 Minor Variances

##### 4.1.1 COA2021-079

Kent Stainton, Planner II  
 File Number: D20-2021-066  
 Location: 31 Westview Drive  
 Part Lot 17, Concession 8  
 Geographic Township of Emily, Ward 8  
 Owner: Aaron Thompson  
 Applicant: Holly Richards-Conley

Mr. Stainton summarized Report COA2021-079, to request relief in order to permit the construction of a single detached dwelling and attached deck. Mr. Stainton noted an error on page 1 of the report. The name of the street should read Westview Drive not Westview Street.

Commentary was received after the writing of the report from the Chief Building Official, Ms. Murchison of the Building and Septic Division, noting a building permit is required for the proposed construction and Kawartha Region Conservation Authority stating no concerns with the proposal.

Staff stated that the application meets the four tests for minor variance. Staff respectfully recommends the application be granted subject to the conditions identified within the report.

The applicant, Ms. Richards-Conley of Blackpoint Services was present and available for questions.

There were no questions from the Committee or other persons.

#### **CA2021-118**

**Moved By** S. Strangway

**Seconded By** D. Marsh

**That** minor variance application D20-2021-066 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

#### **Conditions:**

1. **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C and generally in



accordance with Appendix D submitted as part of Report COA2021-079, 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 COA2021-079. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Carried**

#### 4.1.2 COA2021-080

David Harding, Planner II, RPP, MCIP  
 File Number: D20-2021-067  
 Location: 552 Fleetwood Road  
 Part Lot 10, Concession 11  
 Geographic Township of Manvers, Ward 8  
 Owners: Wesley Langmaid and Amy-Sue Ironside

Mr. Harding summarized Report COA2021-080, to request relief from the maximum height, minimum front yard setback, and O1 Zone setback provisions to permit an addition to a detached garage.

Commentary was received after the writing of the report from the Chief Building Official, Ms. Murchison of the Building and Septic Division, stating the completion of a building permit application BP2020-0794 is required for the proposed construction of the addition to the detached garage.

Public comments were received from Ms. Flintoff and Mr. Hudson of 530 Fleetwood Road outlining some concerns after the report was written. Staff stated that the concerns did not alter the staff recommendation.

Staff stated that the application meets the four tests for minor variance. Staff respectfully recommends the application be granted subject to the conditions identified within the report.

The applicant, Mr. Langmaid, was present and spoke to the Committee regarding the rear garage door. He stated that the door would allow recreational vehicle access, and that he was agreeable to removing the garage door if the Committee required it to be removed.

There were no questions from the Committee or other persons.

**CA2021-119**

**Moved By** D. Marsh

**Seconded By** S. Richardson

**That** minor variance application D20-2021-067 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 COA2021-080, 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 COA2021-080. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Carried**

4.1.3 COA2021-081

David Harding, Planner II, RPP, MCIP

File Number: D20-2021-068

Location: 1405 Killarney Bay Road

Part Lot 26, Concession 4

Geographic Township of Fenelon, Ward 3

Owners: Rebecca and Ryan D'Silva

Applicant: Ryan D'Silva

Mr. Harding summarized Report COA2021-081, to request relief from water setback, EP Zone setback, exterior side yard, interior side yard, and spatial separation between the dwelling and an accessory building in order to permit the construction of a semi-detached boathouse, detached garage and shed.

Mr. Harding noted an error on page 2 of the report within Condition 1. Where it reads "...elevations in Appendix B", it should read "Appendix D".

Commentary was received after the writing of the report from the Chief Building Official, Ms. Murchison, Building and Septic Division stating building permits are required for the proposed construction of the boathouse and detached garage; completion of outstanding building permit BPH2011-0011 for the construction relating to repairs to the dwelling is required.

Staff stated the application meets the four tests for minor variance. Staff respectfully recommends the application be granted subject to the conditions identified within the report as amended by staff.

The Committee asked whether Parks Canada - Trent Severn Waterway (TSW) was aware of and willing to approve a semi-detached boathouse design.

Staff responded that TSW was aware of the proposal to replace the old semi-detached boathouse with a new one and had verbally advised that they did not have concerns with the proposal provided the Committee granted the application.

The Committee also asked if a condition could be tied to the variance approvals in order to resolve the outstanding building permits.

Mr. Harding responded that he did not believe this was possible. Ms. Murchison responded that the Ontario Building Code does not require one permit to be closed to issue another.

The applicant, Mr. D'Silva was present and thanked staff and the Committee. Mr. D'Silva stated he was unaware of the outstanding permit and would make a point of closing it.

The Committee asked Mr. D'Silva if he was agreeable to staff's recommendation to increase the detached garage's interior side yard setback.

Mr. D'Silva responded that he was agreeable to the change should Committee grant it.

No further questions from the Committee or other persons.

**CA2021-120****Moved By** J. Robinson**Seconded By** S. Strangway

**That** relief 4 of minor variance application D20-2021-068 be DENIED as applied for, as the application is not minor in nature, not desirable and appropriate for the use of the land, and does not meet the general intent and purpose of the zoning by-law tests as set out in Section 45(1) of the Planning Act.

**That** an increased side yard setback of 1.0 metre for relief 4 be GRANTED, as the application does meet the tests set out in Section 45(1) of the Planning Act.

**That** reliefs 1-3, and 5-7 of minor variance application D20-2021-068 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 as amended by the Committee's Decision as applicable, elevations in Appendix D submitted as part of Report COA2021-081, which shall be attached to and form part of the Committee's Decision; and
2. **That** prior to the issuance of a building permit for the detached garage, the owner shall confirm to the satisfaction of the Building and Septic Division that the existing building identified as garage on Appendix B to Report COA2021-081 has been demolished.
3. **That** the building construction related to the minor variances shall be completed within a period of thirty-six (36) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

**This approval pertains to the application as described in report COA2021-081. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Carried**

## 4.1.4 COA2021-082

David Harding, Planner II, RPP, MCIP  
 File Number: D20-2021-069  
 Location: 1415 Killarney Bay Road  
 Part Lot 26, Concession 4  
 Geographic Township of Fenelon, Ward 3  
 Owners: Maurizio and Maria Polera

Mr. Harding briefly summarized Report COA2021-082, to request relief in order to construct a semi-detached boathouse as it relates to the previous Report COA2021-081. Relief is sought from the maximum lot coverage, interior side and rear yard setbacks.

Commentary was received after the writing of the report from the Chief Building Official, Ms. Murchison, Building and Septic Division, stating a building permit is required for the proposed construction of the boathouse; completion of outstanding building permit BPH2006-0848 for the construction relating to repairs to the dwelling is required.

Staff stated the application meets the four tests for minor variance. Staff respectfully recommends the application be granted subject to the conditions identified within the report.

There were no questions from the Committee or other persons.

### **CA2021-121**

**Moved By** B. Archer

**Seconded By** S. Richardson

**That** minor variance application D20-2021-069 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 COA2021-082, 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 COA2021-082. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Carried**

#### 4.1.5 COA2021-083

David Harding, Planner II, RPP, MCIP  
 File Number: D20-2021-070  
 Location: 65 Wellington Street  
 Part of Lots 15 and 16, Town Plan  
 Former Town of Lindsay, Ward 5  
 Owner: Paul Cosburn

Mr. Harding summarized Report COA2021-083, to request relief from the front and interior side yard setbacks in order to permit the construction of a detached garage.

Since the writing of the report, commentary was received from the Chief Building Official, Ms. Murchison, Building and Septic Division noting a building permit is required for the proposed construction of the detached garage.

Since the writing of the report, public comments in support of the application were received from Mr. Kraemer and Ms. King of 66 Wellington Street.

Staff stated the application meets the four tests for minor variance. Staff respectfully recommends the application be granted subject to the conditions identified within the report.

There were no questions from the Committee of other persons.

#### **CA2021-122**

**Moved By** S. Richardson

**Seconded By** J. Robinson

**That** minor variance application D20-2021-070 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 COA2021-083, 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 COA2021-083. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Carried**

4.1.6 COA2021-084

David Harding, Planner II, RPP, MCIP  
 File Number: D20-2021-072  
 Location: 2 Newry Road  
 Part Lot 1, Concession 8  
 Geographic Township of Manvers, Ward 8  
 Owner: Ely Silva-Neto  
 Applicant: Nikole McCulloch

Mr. Harding summarized Report COA2021-084, to request relief from the front yard setback in order to permit a covered porch with stairs.

Commentary was received after the writing of the report from the Chief Building Official, Ms. Murchison, Building and Septic Division, noting completion of building permit applications BP2020-0842 and BP2020-0846 is required for the proposed construction of the addition to the dwelling and relocated garage respectively; this application is the subject of a building code enforcement file.

Since the writing of the report, Kawartha Region Conservation Authority commented that it had no concerns with the proposal and stated that a permit

has been issued by their office.

Staff stated the application meets the four tests of the minor variance. Staff respectfully recommends the application be granted subject to the conditions identified within the report.

The Chair made a request to the Chief Building Official to go through the process taken when construction has taken place without a building permit. Ms. Murchison responded.

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

### **CA2021-123**

**Moved By** S. Richardson

**Seconded By** D. Marsh

**That** minor variance application D20-2021-072 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 COA2021-084, which shall be attached to and form part of the Committee's Decision; and
2. **That** the building construction related to the minor variances shall be completed within a period of six (6) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

**This approval pertains to the application as described in report COA2021-084. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Carried**

#### 4.1.7 COA2021-085

Kent Stainton, Planner II

File Number: D20-2021-073

Location: 205 Snug Harbour Road



Part Lot 4, Concession 8 being Lot 6, Plan 129  
 Geographic Township of Fenelon, Ward 6  
 Owners: Gregory Earle and Sheila Beach

Mr. Stainton summarized Report COA2021-085, to request relief in order to recognize the location of an existing single detached dwelling and to permit the construction of a new attached deck.

Commentary was received after the writing of the report from the Chief Building Official, Ms. Murchison, Building and Septic Division, noting the completion of building permit application BP2021-0373 is required for the proposed construction of the deck.

Public comments were received in support of the application from Mr. and Mrs. Heaslip of 201 Snug Harbour Road and Mr. and Mrs. Harlos of 207 Snug Harbour Road.

Staff stated that the application meets the four tests for minor variance. Staff respectfully recommends the application be granted subject to the conditions identified within the report.

There were no questions from the Committee or other persons.

#### **CA2021-124**

**Moved By** B. Archer

**Seconded By** S. Strangway

**That** minor variance application D20-2021-073 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

#### **Conditions:**

1. **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C and generally in accordance with Appendix D submitted as part of Report COA2021-085, 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 COA2021-085. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Carried**

#### 4.1.8 COA2021-086

Kent Stainton, Planner II  
 File Number: D20-2021-074  
 Location: 358 Drum Road  
 Part Lot 6, Concession 2, Part 1, RP 9R2697  
 Geographic Township of Manvers, Ward 8  
 Owner: Jennifer and Bryant Trowsse  
 Applicant: Tom deBoer - TD Consulting Inc.

Mr. Stainton summarized Report COA2021-086, to request relief to increase the maximum allowable height for accessory buildings or structures in a residential zone or to a residential use from 5 metres to 6.4 metres.

Commentary was received after the writing of the report from the Chief Building Official, Ms. Murchison, Building and Septic Division, stating a building permit is required for the proposed construction of the detached garage.

Staff stated the application meets the four tests of the minor variance. Staff respectfully recommends the application be granted subject to the conditions identified within the report.

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

There were no questions from the Committee or other persons.

#### **CA2021-125**

**Moved By** S. Strangway

**Seconded By** J. Robinson

**That** minor variance application D20-2021-074 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

1. **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C and generally in accordance with Appendix D submitted as part of Report COA2021-086, 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 COA2021-086. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Carried**

4.2 Consents

**5. Other Business**

- Memorandum, Appointments - Secretary Treasurer and Acting Secretary Treasurer, Committee of Adjustment.
- Committee of Adjustment meeting dates for 2022.

Ms. Barrie, Acting Manager of Planning spoke to the meeting dates for 2022.

**CA2021-0126**

**Moved By** D. Marsh

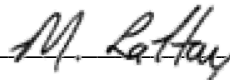
**Seconded By** S. Richardson

**That** Mr. LaHay be appointed as Secretary Treasurer.

**Carried**

**CA2021-127****Moved By** S. Richardson**Seconded By** S. Strangway**That** Ms. Rea be appointed as Acting Secretary Treasurer.**Carried****CA2021-128****Moved By** S. Strangway**Seconded By** J. Robinson**That** the Committee of Adjustment meeting dates for 2022 be approved.**Carried****6. Correspondence****7. Next Meeting**

The next meeting will be Thursday, January 20, 2022 at 1:00pm in Council Chambers, City Hall.

**8. Adjournment****CA2021-128****Moved By** S. Richardson**Seconded By** S. Strangway**That** the meeting be adjourned at 2:48pm.**Carried**


Mark LaHay, Secretary-Treasurer

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Michael and Sheila Carey**  
Report Number COA2022-002

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**Public Meeting**

**Meeting Date:** January 20, 2022  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward: 3 – Geographic Township of Fenelon**

**Subject:** The purpose and effect is to request relief from the following in order to facilitate the construction of a replacement single detached dwelling and attached deck:

- 1) Section 3.18.1.1 to reduce the minimum Environmental Protection Zone Setback for all buildings and structures from 15 metres to 9.26 metres;
- 2) Section 13.2.1.3 (e) to reduce the minimum water setback from 15 metres to 9.26 metres.

The variance is requested at 145 Fells Point Road, geographic Township of Fenelon (File D20-2021-071).

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**Author:** Kent Stainton, Planner II

**Signature:**



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**Recommendations:**

**Resolved That** Report COA2022-002 Carey, be received;

**That** minor variance application D20-2021-071 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C and generally in accordance with the drawings in Appendix D submitted as part of Report COA2022-002, which shall be attached to and form part of the Committee's Decision;
- 2) **That** within twenty-four (24) months after the date of the Notice of Decision the owners shall submit to the Secretary-Treasurer photographic evidence confirming that the remaining building identified on Appendix D to Report COA2022-002 as 'frame shed' has been removed; and

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

**This approval pertains to the application as described in report COA2022-002. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Background:** The applicant submitted a pre-screening application in June of 2021 for review of the replacement dwelling, associated deck and septic system. Through the pre-screening process, the location of the dwelling was changed with increased side yard setbacks in order to comply with the Zoning By-law.

The application was deemed complete on November 30, 2021.

**Proposal:** To construct a new 166 square metre (1,787 square feet) 2-storey single detached dwelling and attached wooden deck on the subject lands.

**Owners:** Michael and Sheila Carey

**Legal Description:** 145 Fells Point Road, Part Lot 31, Concession 10, Part of Lot 7, Plan 311, geographic Township of Fenelon, City of Kawartha Lakes

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

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

**Site Size:** 862 square metres (9,278.5 square feet)

**Site Servicing:** Private individual water system (lake draw) and private septic system

**Existing Uses:** Residential/ Seasonal Residential

**Adjacent Uses:** North: Fells Point Road, Provincially Significant Wetlands  
South, West, East: Cameron Lake, Shoreline Residential

**Rationale:**

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

**And**

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

The subject property is located on a northern peninsula in Cameron Lake adjacent to the outlet to the Burnt River. The properties along Fells Point Road are smaller and shallower in comparison to many shoreline lots along the lake, with the majority of the dwellings as well as accessory buildings and structures within the properties along the road existing within the requisite water yard setback. The neighbourhood is composed of seasonal as well as year-round residential uses that vary in built form along the Peninsula. On the opposite (north) side of Fells Point Road, a large Provincially Significant Wetland (PSW) exists at the terminus of the Burnt River.

The subject property is shallow with a changing topography that rises in the form of terraces from the shoreline to the dwelling before terracing down to Fells Point Road. A single storey seasonal dwelling constructed in 1963 (according to MPAC) with a wooden deck on the south side (water side) of the property is situated at the highest point on the property. A boathouse (also constructed in 1963) and concrete ramp, which mirrors the boathouse and ramp of the property to the east at 143 Fells Point Road. There are no structural alterations proposed to the boathouse. A single storage shed that is non-compliant with the General provisions of the Zoning By-law exists in the front yard. A condition is recommended for its removal in the rationale for Test 3 to follow.

The approximate eastern and western boundaries of the property are delineated by mature cedar hedges along with eastern white cedar trees scattered throughout the property. Kawartha Region Conservation Authority (Kawartha Conservation) has permitted the proposed dwelling in accordance with their Regulation along with proposed shoreline restoration works, ensuring the proposal poses no impacts to flooding, erosion or pollution.

The footprint of the proposed replacement dwelling ensures the proposed replacement deck does not project further into the water setback, but allows for a sufficient size to square-off the existing configuration of the deck, allowing for a transition between the main floor and the water yard. This minimal projection ensures as much area is preserved as possible between the dwelling and the shoreline for infiltration as well as amenity purposes. The proposal also ensures the maximum separation possible between the sewage system and shoreline.

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

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

The subject property is zoned Rural Residential Type Three (RR3) Zone in the Township of Fenelon Zoning By-law 12-95. Single detached and vacation dwellings are permitted within the zone category.

The intent of the water setback and 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 preserves as much of a buffer as possible. Conformity with policies pertaining to buffer maintenance is discussed within the Official Plan test. Overall, the requirement for a new, advanced wastewater treatment system combined with its location and the maintenance of a shoreline buffer results in a net benefit for Cameron Lake and its ecosystem.

The footprint of the proposed septic system, albeit smaller than a conventional septic system, prevents the dwelling from being situated further north in the lot without requiring relief from front yard requirements of the zone. As mentioned, the initial design was revised to comply with the interior side yard requirements of the RR3 Zone, ensuring no drainage impacts to the adjacent properties. The setback reduction for the dwelling proposes no further impact, as the dwelling is not being expanded closer to the shoreline.

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

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

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

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

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

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



**A. The 30 metre water setback cannot be met.**

The property is only 32.88 metres deep at the deepest point from the shoreline to the road and 18.21 metres wide at the road, being slightly greater at the shoreline. The existing dwelling is located 9.26 metres from the shoreline. In order to accommodate a driveway with adequate parking and the new septic system without presenting potential drainage implications to adjacent properties, staff is of the opinion that the general intent and purpose of this criterion is met.

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

The proposal acknowledges the extent of the existing encroachment towards the shoreline considering the constraints placed by the septic system footprint and driveway/parking on the subject lands. The continuation of the deck will be setback further than this as a result of the curvature in the shoreline.

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

The proposal attempts to direct the built form away from the shoreline. Removal of the wooden platforms (labeled as 'decks' abutting the shoreline in Appendix D of the report) and replacement with vegetation instead of strictly a manicured lawn towards the shoreline is proposed. A sloping stone shoreline is also proposed at the shoreline-littoral zone interface. The vegetation will enhance bank stability and increase water quality entering Cameron Lake.

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

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

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

The proposal acknowledges the existing limit of development within the water setback and does not encroach or expand further towards the shoreline. The lateral expansion maintains compliance with the interior side yard setbacks of the zone category.

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

The lot has insufficient depth to comply with the water setbacks for both the dwelling and septic system. The intent of the policy is not to extinguish the residential use, but to improve upon shoreline setbacks when development or redevelopment occurs. Limited opportunity remains to further enhance the shoreline setback without bringing the sewage system closer to the shoreline. Through placing the new sewage system between the shoreline and the dwelling would also direct leachate to run towards the lake, which is counter to the buffering policy to lessen environmental impacts.

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

**Other Alternatives Considered:** Through the pre-screening application, the applicant proposed a dwelling configuration that would have resulted in a 2.13 metre interior side yard setback, which is non-compliant with the Zoning By-law. The applicant modified the design of the dwelling to achieve the requisite 2.3 metres for the eastern interior side yard setback requirement.

**Servicing Comments:** The property is serviced by a private water supply (lake draw) and private septic system,

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

**Agency Comments:**

Engineering and Corporate Assets Department (January 6, 2022): No objections.

Building and Septic Division – Chief Building Official (January 10, 2022): A Building Permit will be required for the proposed replacement dwelling. No other concerns.

Building and Septic Division – Supervisor, Part 8 Sewage Systems (January 12, 2022): The property has been evaluated for a replacement system and a preliminary proposal has been submitted. Based on the preliminary proposal as well as the OBC allowances, the property would have a method for sewage disposal either through a Class 5 Holding Tank or an alternative treatment system.

As such, the Building and Septic Division has no concerns with the minor variance request as it relates to private sewage disposal.

**Public Comments:** No public comments were received as of January 12, 2022.

**Attachments:**



Appendices A-F for  
COA2022-002.pdf

Appendix A – Location Map  
Appendix B – Aerial Photo  
Appendix C – Applicant's Sketch (Site Plan)  
Appendix D – Lot Drainage and Grading Plan  
Appendix E – Conceptual Elevation Drawings  
Appendix F – Department and Agency Comments

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<b>Phone:</b>	705-324-9411 extension 1367
<b>E-Mail:</b>	kstainton@kawarthalakes.ca
<b>Department Head:</b>	Richard Holy, Acting Director of Development Services
<b>Department File:</b>	D20-2021-071

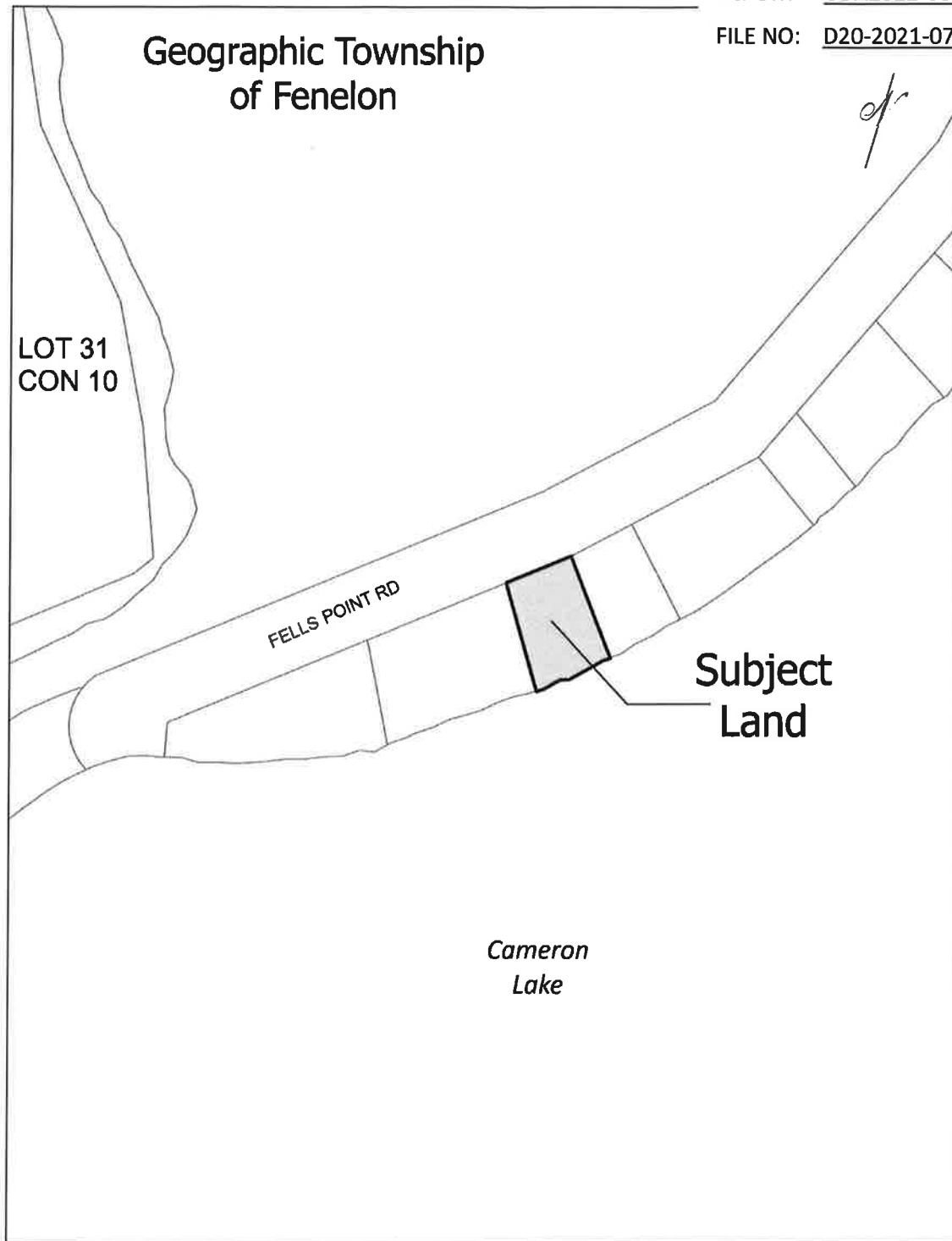
D20-2021-071

APPENDIX " A "

to

REPORT COA2022-002

FILE NO: D20-2021-071



# 145 Fells Point Road, Geographic Township of Fenelon



## Legend

- ☐ Property Roll Number
- ☒ Lots and Concessions

## Notes

Notes

APPENDIX " B "

to

REPORT COA2022-002

FILE NO: D20-2021-071

0.06 Kilometers  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City Of Kawartha Lakes



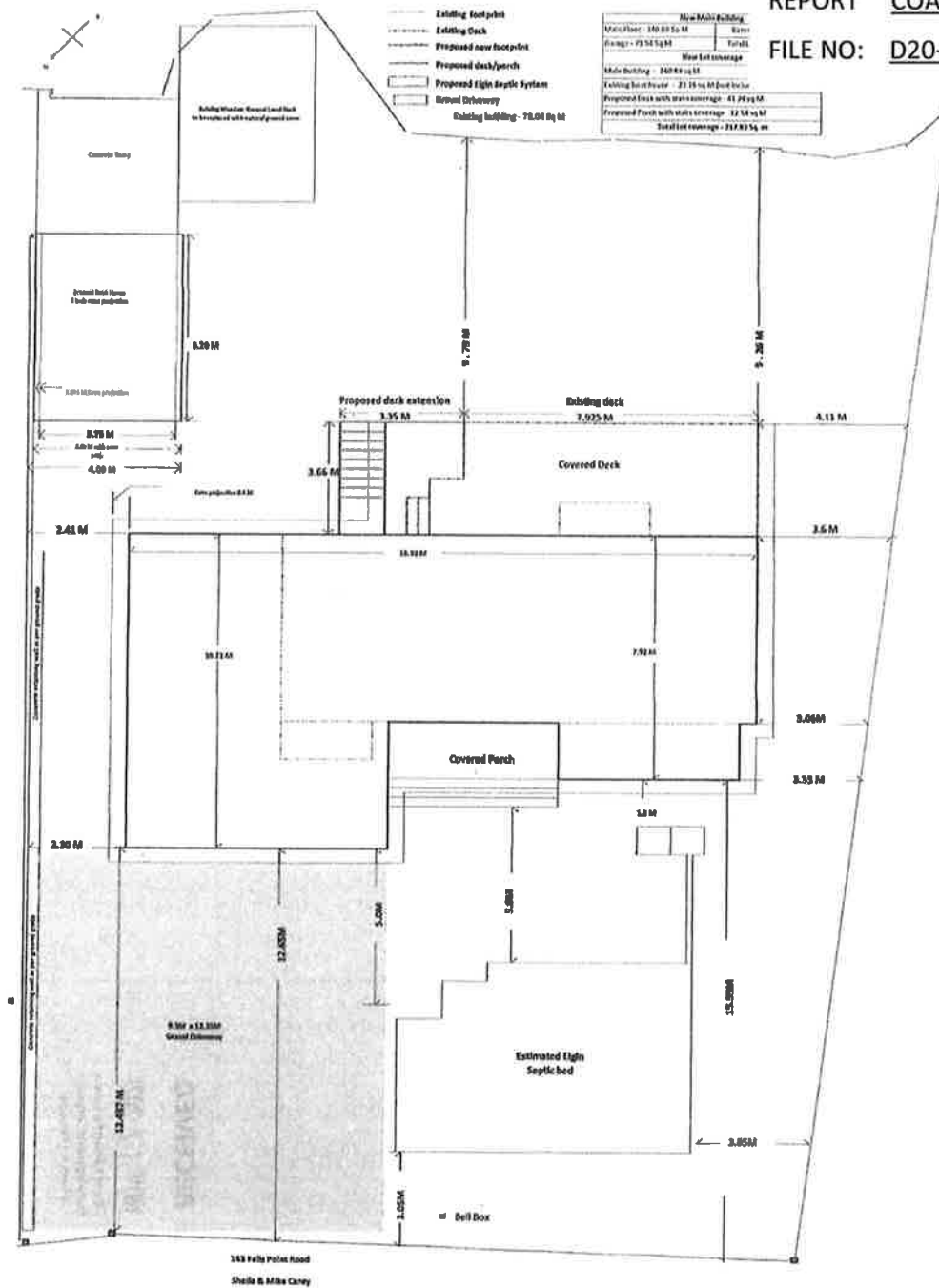
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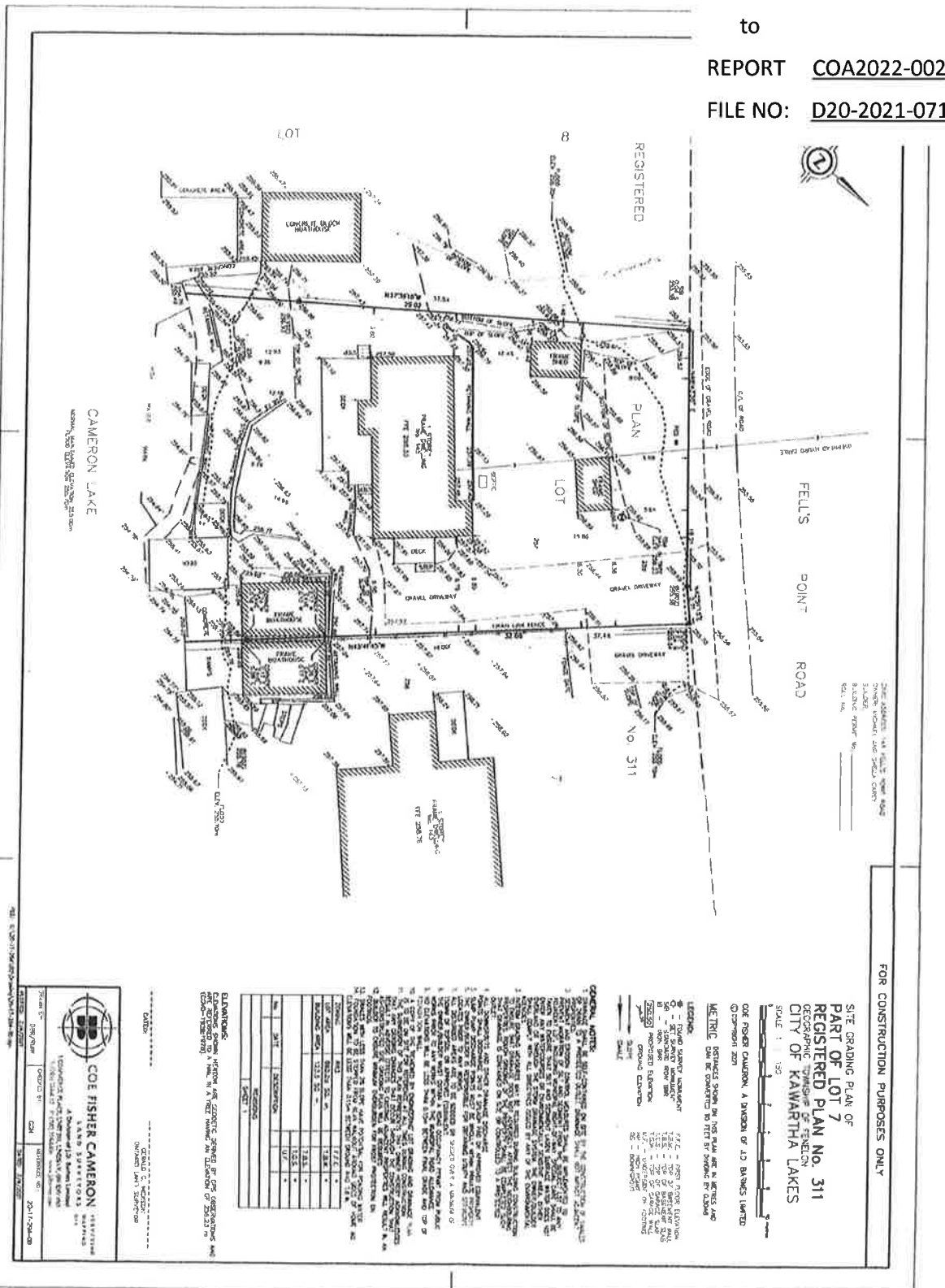
to

REPORT COA2022-002

FILE NO: D20-2021-071



to  
REPORT COA2022-002  
FILE NO: D20-2021-071



APPENDIX “ E ”

to  
REPORT COA2022-002  
FILE NO: D20-2021-071

Mike and Sheila Carey  
143 Fells Point Rd. Fennelon Falls  
Roadside Elevation View



South Elevation

Mike and Sheila Carey  
143 Fells Point Rd. Fennelon Falls  
Riverside Elevation View



## Kent Stainton

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**From:** Charlotte Crockford  
**Sent:** Wednesday, January 12, 2022 8:42 AM  
**To:** Kent Stainton  
**Subject:** FW: Notice of Public Hearing for Minor Variance D20-2021-071, 145 Fells Point Road

fyi

**Charlotte K. Crockford**  
Administrative Assistant  
Planning Department, City of Kawartha Lakes  
705-324-9411 ext. 1231 [www.kawarthalakes.ca](http://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](http://www.kawarthalakes.ca/covid19)

**From:** Anne Elmhirst <aelmhirst@kawarthalakes.ca>  
**Sent:** Tuesday, January 11, 2022 11:07 PM  
**To:** Charlotte Crockford <ccrockford@kawarthalakes.ca>  
**Subject:** RE: Notice of Public Hearing for Minor Variance D20-2021-071, 145 Fells Point Road

Hello Charlotte,

I have received and reviewed the request for Minor Variance D20-2021-071 for 145 Fells Point Road. The request for minor variance is to receive relief to facilitate the construction of a replacement single detached dwelling. As part of the construction a new sewage disposal system has been proposed.

The property has been evaluated for a replacement system and a preliminary proposal has been submitted. Based on the preliminary proposal as well as the OBC allowances, the property would have a method for sewage disposal either through a Class 5 Holding Tank or an alternative treatment system.

As such, the Building and Septic Division has no concerns with the minor variance request as it relates to private sewage disposal.

Best Regards,

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

APPENDIX " F " to

REPORT COA2022-002

FILE NO. D20-2021-071



Supervisor – Part 8 Sewage Systems  
Development Services - Building and Septic Division, City of Kawartha Lakes  
705-324-9411 ext. 1882 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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

**From:** Charlotte Crockford <[ccrockford@kawarthalakes.ca](mailto:ccrockford@kawarthalakes.ca)>  
**Sent:** Thursday, January 6, 2022 9:45 AM  
**To:** 'Erin McGregor' <[emcgregor@kawarthaconservation.com](mailto:emcgregor@kawarthaconservation.com)>; Christina Sisson <[csisson@kawarthalakes.ca](mailto:csisson@kawarthalakes.ca)>; Doug Elmslie <[delmslie@kawarthalakes.ca](mailto:delmslie@kawarthalakes.ca)>; 'alanna.boulton@canada.ca' <[alanna.boulton@canada.ca](mailto:alanna.boulton@canada.ca)>; Susanne Murchison <[smurchison@kawarthalakes.ca](mailto:smurchison@kawarthalakes.ca)>; Anne Elmhirst <[aelmhirst@kawarthalakes.ca](mailto:aelmhirst@kawarthalakes.ca)>  
**Cc:** Kim Rhodes <[krhodes@kawarthalakes.ca](mailto:krhodes@kawarthalakes.ca)>; Katie McIlmoyle <[kmcilmoyle@kawarthalakes.ca](mailto:kmcilmoyle@kawarthalakes.ca)>  
**Subject:** Notice of Public Hearing for Minor Variance D20-2021-071, 145 Fells Point Road

Good morning

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-071 to be heard at the January 20, 2022 C of A meeting.

Please respond with comments by Monday January 10, 2022 to allow Planners to include in their reports.

Many thanks

**Charlotte K. Crockford**  
Administrative Assistant  
Planning Department, City of Kawartha Lakes  
705-324-9411 ext. 1231 [www.kawarthalakes.ca](http://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](http://www.kawarthalakes.ca/covid19)

## Charlotte Crockford

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**From:** Susanne Murchison  
**Sent:** Monday, January 10, 2022 4:16 PM  
**To:** Charlotte Crockford  
**Subject:** MV comments

The Building and Septic Division comments, save and except comments being provided by the Supervisor of Part 8 Sewage Systems, are as follows:

- D20-2021-071      a building permit will be required for the proposed replacement dwelling, no other concerns
- D20-2021-075      a building permit will be required for the proposed industrial building, no other concerns
- D20-2021-076      a building permit will be required for the proposed detached garage, no other concerns
- D20-2021-078      a building permit will be required for the proposed addition to the dwelling, no other concerns
- D20-2021-079      a building permit will be required for the proposed detached garage, no other concerns
- D20-2021-080      completion of the pending building permit application will be required for the proposed second storey dwelling addition and deck addition, an outstanding building permit BP2012-1137 for the installation of solar panels on the dwelling and garage requires a final inspection to close the file
- D20-2021-081      a pool permit will be required for the proposed pool, no other concerns

### **Susanne Murchison, CBCO**

Chief Building Official

Building & Septic Division, Development Services, City of Kawartha Lakes

705-324-9411 ext. 1200 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



## Kent Stainton

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**From:** Kim Rhodes  
**Sent:** Thursday, January 6, 2022 12:58 PM  
**To:** Mark LaHay  
**Cc:** Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead  
**Subject:** 20220106 D20-2021-071 - Engineering review  
**Importance:** High  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

APPENDIX " F "  
to  
REPORT COA2022-002  
FILE # D20-2021-071

**Please see the message below from Christina Sisson:**

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

Minor Variance – D20-2021-071  
145 Fells Point Road  
Part Lot 31, Concession 10  
Geographic Township of Fenelon

It is the understanding by Engineering that the purpose and effect is to request relief from the following provisions in order to facilitate the construction of a replacement single detached dwelling and attached deck:

- 1) Section 3.18.1.1 to reduce the minimum Environmental Protection Zone Setback for all buildings and structures from 15 metres to 9.26 metres;
- 2) Section 13.2.1.3 (e) to reduce the minimum water setback from 15 metres to 9.26 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.**  
Manager, 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](http://www.kawarthalakes.ca)



**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – 2396559 Ontario Limited**  
Report Number COA2022-003

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**Public Meeting**

**Meeting Date:** January 20, 2022  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward: 8 –Geographic Township of Manvers**

**Subject:** The purpose and effect is to request relief from Section 5.13 b) in order to permit six (6) overhead doors and a loading dock on the wall of a new industrial building facing a street (John Street). The Zoning By-law does not permit a loading space or platform or loading door in any yard or wall of any building or structure which adjoins or faces a street.

The variance is requested at 6 John Street, geographic Township of Manvers (File D20-2021-075).

---

**Author:** Kent Stainton, Planner II

**Signature:**



---

**Recommendations:**

**Resolved That** Report COA2022-003 2396559 Ontario Limited, be received;

**That** minor variance application D20-2021-075 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

- 1) **That** the building construction related to this approval shall proceed generally in accordance with the site plan sketch in Appendix C and with the elevations in Appendix D submitted as part of Report COA2022-003, which shall be attached to and form part of the Committee's Decision;
- 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 COA2022-003. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Background:** The owner of the property has made application for Site Plan Approval (File No. D19-2021-006) to construct an industrial building comprised of three (3) separate warehouse units. Each unit will have two (2) overhead loading doors. There is also a larger loading dock proposed on the northern wall of the building.

Upon reviewing the site plan application, it was determined that relief is required to permit the six (6) overhead doors and a loading dock facing John Street.

This application was deemed complete on November 26, 2021.

**Proposal:** To permit the construction of a 1,118 square metre (12,034 square feet) Industrial building comprised of three warehouse units; each unit features two (2) overhead doors.

**Owner:** 2396559 Ontario Limited (c/o Harry Schillings)

**Legal Description:** Vacant Lands, Lot 1 of 57M781, Geographic Township of Manvers, City of Kawartha Lakes

**Official Plan:** Rural Settlement – Schedule 2 within the City of Kawartha Lakes' Oak Ridges Moraine Policy Area

**Zone:** General Industrial Special Exception One Holding [M1-S1(H)] Zone within the Oak Ridges Moraine Consolidated Zoning By-law 2005-133

**Site Size:** 8,097 square metres (2 Acres)

**Site Servicing:** Private individual well and private individual septic system

**Existing Uses:** Vacant lands

<b>Adjacent Uses:</b>	<b>North:</b>	Vacant Lands, Industrial Park
	<b>East:</b>	John Street, Agricultural, Rural Residential
	<b>South:</b>	Rural Residential
	<b>West:</b>	Highway 35, Industrial, Aggregate

**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 at the southern end of the Pontypool Industrial Park, south of the Hamlet of Pontypool. The lots as part of the Industrial park taper as one travels south from Sandy Hook Road to the intersection of John Street and Highway 35. To the east, the property fronts onto John Street and is accessed at this location. With Highway 35 abutting the property to the west, Ministry of Transportation (MTO) entrance criteria combined with setback requirements for the septic and well locations relegate the location of the building and its access points to their proposed locations. Two vacant industrial lots as part of the same industrial subdivision are located to the north of the property. A larger agricultural parcel is located on the east side of John Street across from the subject lands.

The loading activity is inherent to an industrial use and is not anticipated to adversely impact the neighbourhood character or any of the abutting residential lots given the fact the lot is part of an industrial park. The vast majority of lots on Sandbourne Road have at least one loading door, which face a street. Industrial businesses require sufficient area for loading and unloading activity, which includes space for truck manoeuvrability.

Any impacts resulting from the location of the overhead doors and loading dock to the residential lot to the south are negated by the greater than 45 metre separation distance from the industrial building to the residence. The residential lot is buffered from industrial activity by a substantial mature coniferous treed barrier. The adjacent agricultural lands with a single detached dwelling on the east side of John Street (34 John Street) are also well-screened by mature trees eliminating any land use incompatibility presented by the location of the overhead doors and loading dock.

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 General Industrial Special Exception One with a Holding Provision [M1-S1(H)] Zone within the Oak Ridges Moraine Zoning By-law 2005-133. The M1-S1 Zone prohibits activities within the M1 Zone to dry uses, which shall not require water for cooling or washing as it relates to an industrial process and/or consumption of water as part of the process and which do not discharge processing waste to a sub-surface waste disposal system. The holding provision is in-place as the property is located within the Pontypool Industrial Park and a Site Plan Agreement is required to be entered prior to the Holding provision being removed by City Council.

The intent of the Zoning By-law provision relating to the location of the overhead doors and loading dock relative to a street is to reduce potential land use conflict between adjacent businesses and adjacent residential uses by relegating loading activity to an interior side yard; thus, minimizing nuisances and incompatibilities with adjacent land uses. Permitting loading activity in yards and/or on walls facing John Street is not anticipated to generate any adverse impacts. The vast majority of the adjacent industrial lots on Sandbourne Road to the north contain buildings with overhead doors and loading docks that face the street. There are only two other vacant lots within the immediate vicinity of the industrial park, which are the two abutting lots to the north. The abutting lot fronts onto John Street with the lot beside it fronting onto the terminus of Sandbourne Road.

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

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

The subject lots are designated Rural Settlement Area within the Oak Ridges Moraine Policy Area (ORMPA). A range of uses, including industrial, are permitted within the Settlement Area under the ORMPA.

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

**Other Alternatives Considered:** No other alternatives were considered

**Servicing Comments:** The property is serviced by private individual water supply and private individual septic system

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

**Agency Comments:**

Engineering and Corporate Assets Department (January 6, 2022): No objections.

Building and Septic Division – Part 8 Sewage Systems (January 7, 2022): The current orientation of the proposed building with the overhead doors and loading dock towards John Street will allow for the installation of a private on-site sewage system. This system has been proposed in the north corner of the property. It would be challenging to place the sewage system in another location with the current building size and lot shape.

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

Building and Septic Division – Chief Building Official (January 10, 2022): A Building Permit is required for the proposed industrial building. No other concerns.

**Public Comments:** No public comments were received as of January 12, 2022.

**Attachments:**



Appendices A-E for  
COA2022-003.pdf

Appendix A – Location Map  
Appendix B – Aerial Photo  
Appendix C – Site Plan  
Appendix D – Elevation Drawings  
Appendix E – Department and Agency Comments

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<b>Phone:</b>	705-324-9411 extension 1367
<b>E-Mail:</b>	kstainton@kawarthalakes.ca
<b>Department Head:</b>	Richard Holy, Acting Director of Development Services
<b>Department File:</b>	D20-2021-075



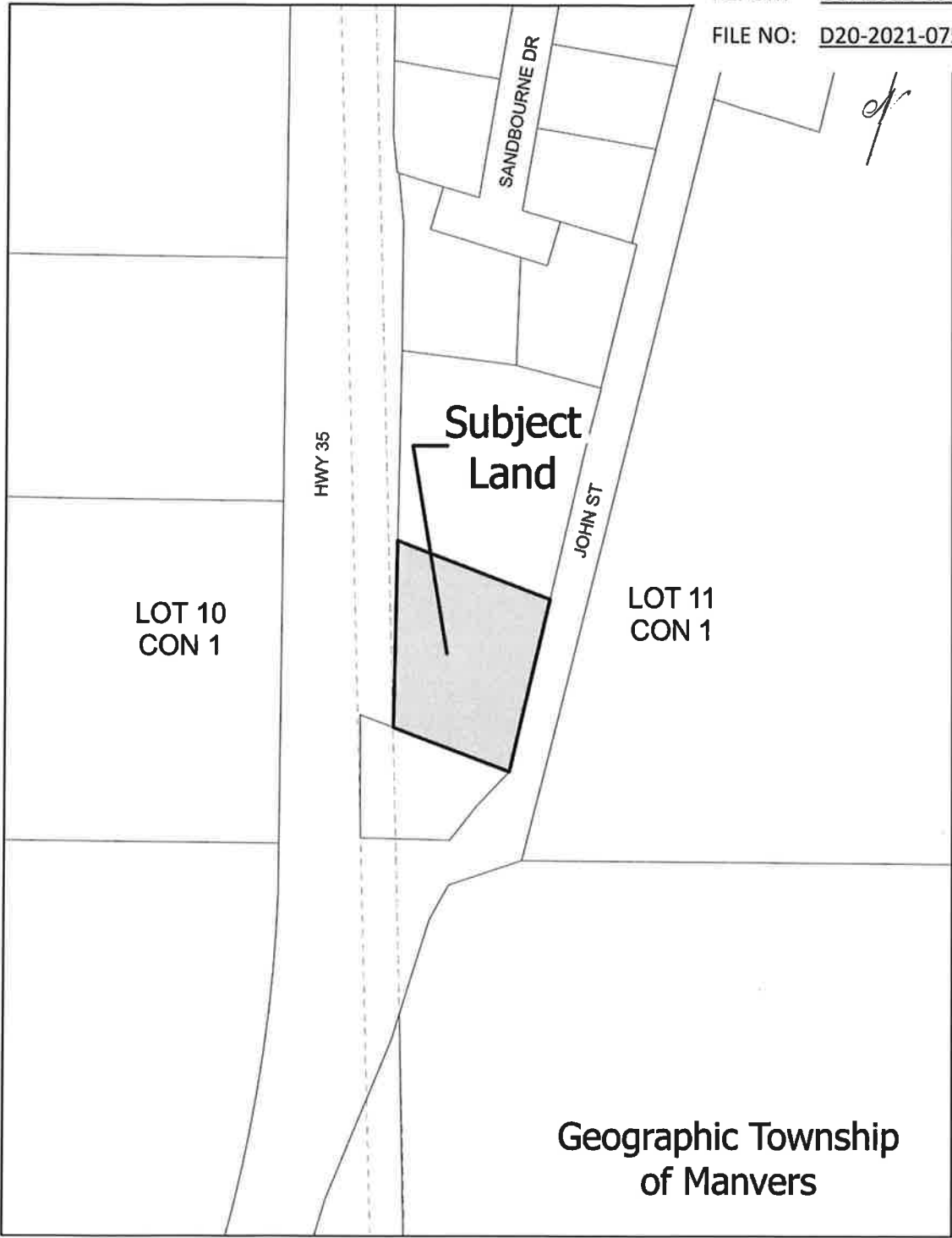
# D20-2021-075

APPENDIX " A "

to

REPORT COA2022-003

FILE NO: D20-2021-075



# Vacant Lands, John Street, Geographic Township of Manvers



## Legend

- Property Roll Number
- Lots and Concessions

## Notes

Notes

APPENDIX " B "

to

REPORT COA2022-003

FILE NO: D20-2021-075

0.45 Kilometers  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City Of Kawartha Lakes



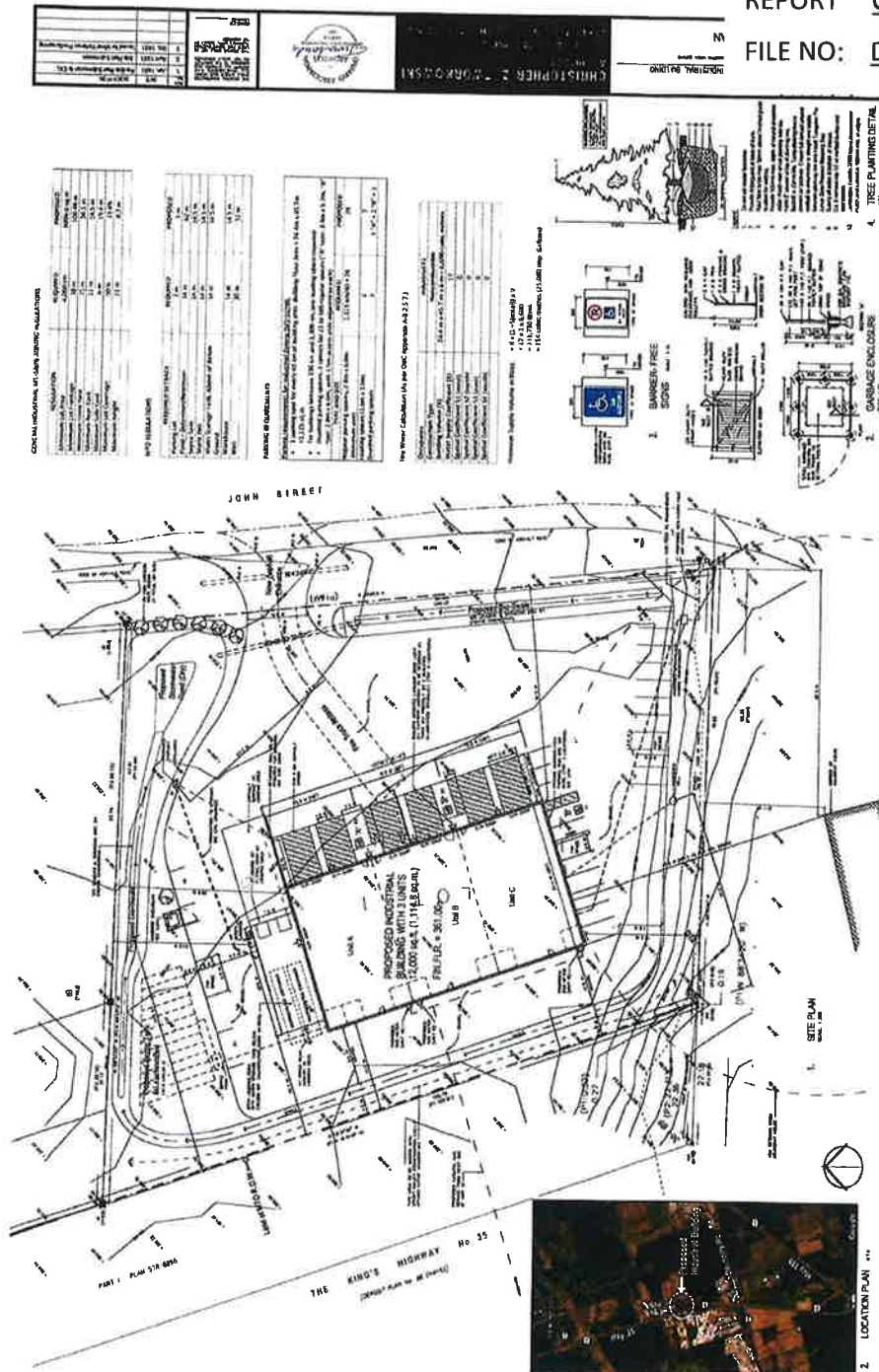
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to

REPORT COA2022-003

FILE NO: D20-2021-075





## Charlotte Crockford

---

**From:** Susanne Murchison  
**Sent:** Monday, January 10, 2022 4:16 PM  
**To:** Charlotte Crockford  
**Subject:** MV comments

APPENDIX " E " to

REPORT COA 2022-003

D20-2021-075

FILE NO.

The Building and Septic Division comments, save and except comments being provided by the Supervisor of Part 8 Sewage Systems, are as follows:

- D20-2021-071 a building permit will be required for the proposed replacement dwelling, no other concerns
- D20-2021-075 a building permit will be required for the proposed industrial building, no other concerns
- D20-2021-076 a building permit will be required for the proposed detached garage, no other concerns
- D20-2021-078 a building permit will be required for the proposed addition to the dwelling, no other concerns
- D20-2021-079 a building permit will be required for the proposed detached garage, no other concerns
- D20-2021-080 completion of the pending building permit application will be required for the proposed second storey dwelling addition and deck addition, an outstanding building permit BP2012-1137 for the installation of solar panels on the dwelling and garage requires a final inspection to close the file
- D20-2021-081 a pool permit will be required for the proposed pool, no other concerns

### Susanne Murchison, CBCO

Chief Building Official

Building & Septic Division, Development Services, City of Kawartha Lakes

705-324-9411 ext. 1200 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)





## Kent Stainton

---

**From:** Kim Rhodes  
**Sent:** Thursday, January 6, 2022 1:05 PM  
**To:** Mark LaHay  
**Cc:** Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead  
**Subject:** 20220106 D20-2021-075 - Engineering review

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

APPENDIX " E "  
to

REPORT COA-2022-003

**Please see the message below from Christina Sisson:**

FILE NO. D20-2021-075

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

Minor Variance – D20-2021-075  
6 John Street  
Part Lot 10, Concession 1, Lot 1 of Plan 57M781  
Geographic Township of Manvers

It is the understanding by Engineering that the purpose and effect is to request relief from Section 5.13 b) in order to permit six (6) overhead doors and a loading dock on the wall of a building facing a street (John Street).

*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.**  
Manager, 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](http://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:** Anne Elmhirst  
**Sent:** Thursday, January 6, 2022 2:54 PM  
**To:** Charlotte Crockford  
**Subject:** RE: Notice of Public Hearing for Minor Variance D20-2021-075, 6 John Street, Manvers

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Afternoon Charlotte,

I have received and reviewed the minor variance application D20-2021-075 to permit a building with overhead doors and loading dock facing a street.

The current orientation of the proposed building with the overhead doors and loading dock towards John Street will allow for the installation of a private on-site sewage system. This system has been proposed in the north corner of the property. It would be challenging to place the sewage system in another location with the current building size and lot shape.

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

Best Regards,

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



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

**From:** Charlotte Crockford <ccrockford@kawarthalakes.ca>  
**Sent:** Thursday, January 6, 2022 12:27 PM  
**To:** Christina Sisson <csisson@kawarthalakes.ca>; Susanne Murchison <smurchison@kawarthalakes.ca>; Anne Elmhirst <aelmhirst@kawarthalakes.ca>; Tracy Richardson <trichardson@kawarthalakes.ca>  
**Cc:** Kim Rhodes <krhodes@kawarthalakes.ca>  
**Subject:** Notice of Public Hearing for Minor Variance D20-2021-075, 6 John Street, Manvers

Good morning

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-075 to be heard at the January 20, 2022 C of A meeting.

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Jeremy Graham and Kailey Flindall**  
Report Number COA2022-004

---

**Public Meeting**

**Meeting Date:** January 20, 2022  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

---

**Ward: 7 – Geographic Township of Mariposa**

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

- 1) Section 3.1.3.1 c) to increase the maximum allowable lot coverage for accessory buildings and structures, excluding outdoor swimming pools from 10% to a maximum of 150 square metres to 160.16 square metres;
- 2) Section 3.1.3.2 to increase the maximum allowable height for accessory buildings and structures from 5 metres to 5.1 metres;

The variance is requested at 527 Cottage Road, geographic Township of Mariposa (File D20-2021-076).

---

**Author:** Kent Stainton, Planner II

**Signature:**



---

**Recommendations:**

**Resolved That** Report COA2022-004 Graham, be received;

**That** minor variance application D20-2021-076 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C and generally in accordance with the drawing in Appendix D submitted as part of Report COA2022-004, which shall be attached to and form part of the Committee's Decision;
- 2) **That** within twenty-four (24) months after the date of the Notice of Decision the owners shall submit to the Secretary-Treasurer photographic evidence confirming that the building identified on Appendix C to Report COA2022-004 as 'Pool Shed' has been removed;



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

**This approval pertains to the application as described in report COA2022-004. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

<b>Background:</b>	<p>The applicant submitted a pre-screening application for a detached garage (see Other Alternatives Considered) on the subject lands. Subsequently, a pre-screening meeting was held on November 4, 2021. During the meeting, the overall height of the proposed garage was discussed and reduced.</p> <p>The circulation of the application identified additional reliefs under Sections 8.2.1.4 and 8.2.1.8 of the Zoning By-law. Through further analysis, it has been determined that these reliefs are extraneous and do not apply to the property since the subject lands were created via consent.</p> <p>This application was deemed complete December 3, 2021.</p>	
<b>Proposal:</b>	To construct a new 148.64 square metre (1,600 square feet) detached garage.	
<b>Owners:</b>	Jeremy Graham and Kailey Flindall	
<b>Legal Description:</b>	527 Cottage Road, Part Lot 24, (Southerly ½), Concession A, Part 1, RP 57R5835, geographic Township of Mariposa, City of Kawartha Lakes	
<b>Official Plan:</b>	Prime Agricultural within the City of Kawartha Lakes Official Plan	
<b>Zone:</b>	Agricultural (A1) Zone within the Township of Mariposa Zoning By-law 94-06	
<b>Site Size:</b>	4,019 square metres (0.993 acres)	
<b>Site Servicing:</b>	Private individual well and private individual septic system	
<b>Existing Uses:</b>	Rural Residential	
<b>Adjacent Uses:</b>	North, East:	Agricultural, Rural Residential, Woodlands
	West:	Rural Residential

South:

Cottage Road, Rural residential,  
Agricultural

**Rationale:**

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

**And**

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

The subject property is situated in a rural area southwest of the Hamlet of Valentia and west of the Scugog River. The parcel is surrounded by agricultural land under production to the north and east with several rural residential dwellings on larger linear lots to the west. Across the road is another rural residence on a half-acre lot on the southwest corner of the intersection of Cottage Road and Twilight Road. The property itself is uniformly flat with mature coniferous trees situated throughout the property.

The subject property was created through consent and contains a bungalow and attached garage, constructed in 1992. The dwelling is approximately 154.6 square metres (1,664 square feet) in size. The proposed location of the garage is back in the northeast corner of the lot with the existing driveway extending north past the attached garage to provide access. Cultivated lands extend from the adjacent parcel to the property limits of the northeastern corner of the subject lands. An established hedgerow delineating approximate limit of the western lot line offers significant screening for the garage when viewed from the west and will remain intact.

As a long-haul truck driver, the applicant requires storage for his tractor trailer when not in-use. A motor home is also required to be stored. These larger vehicles cannot be stored in the existing attached garage and both require a building with a higher bay door in order to facilitate storage. There is no second storey or storage loft proposed within the garage. The garage will compliment the character of the property by introducing a modern colour scheme as shown in Appendix E of the report, which makes the building look less utilitarian than typical accessory buildings. The garage will also provide enclosed storage for the tractor trailer and motor home that would otherwise be stored outside and vulnerable to the elements.

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 3.93% lot coverage percentage for both the detached garage and garden shed; however, the total area covered is 160.16 square metres. As a result of the location of the garage, 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. private individual septic system and well) and stormwater infiltration. Neither of the Supervisor of Part 8 Sewage Systems or 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 0.1 metre relief from the Zoning By-law would be imperceptible when viewing the building from Cottage Road and is considered negligible in terms of a variation from the Zoning By-law. The garage is also situated as far away from the road as possible. No massing and height incompatibilities with the primary residential use and surrounding properties are anticipated.

It is important to note that upon conducting the site visit associated with the variance application, Planning staff identified a small shed located adjacent to the northeast corner of the dwelling. While there are options to relocate the structure on the property, the owner has expressed intent to remove the remaining structure following construction of the garage. A condition is recommended in order to ensure the remaining shed is entirely removed from the property

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

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

**Yes**

The property is designated 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.

**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 (January 7, 2022): No objections.

Building and Septic Division – Supervisor, Part 8 Sewage Systems (January 10, 2022): A sewage system use permit has been located for the property under file M-73-89. The sewage system is located on the west side of the property in the rear yard. The accessory structure is being proposed in the east side of the rear yard. The proposed structure will maintain a minimum clearance distance of 6.5 metres.

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

Building and Septic Division – Chief Building Official (January 10, 2022): A Building Permit will be required for the proposed detached garage. No other concerns.

**Public Comments:** No comments have been received from the public as of January 12, 2022

**Attachments:**

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch (Site Plan)

Appendix D - Elevation drawings

Appendix E – Photograph for Colour Scheme

Appendix F– Department and Agency Comments

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**Phone:** 705-324-9411 extension 1367

**E-Mail:** kstainton@kawarthalakes.ca

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

**Department File:** D20-2021-076

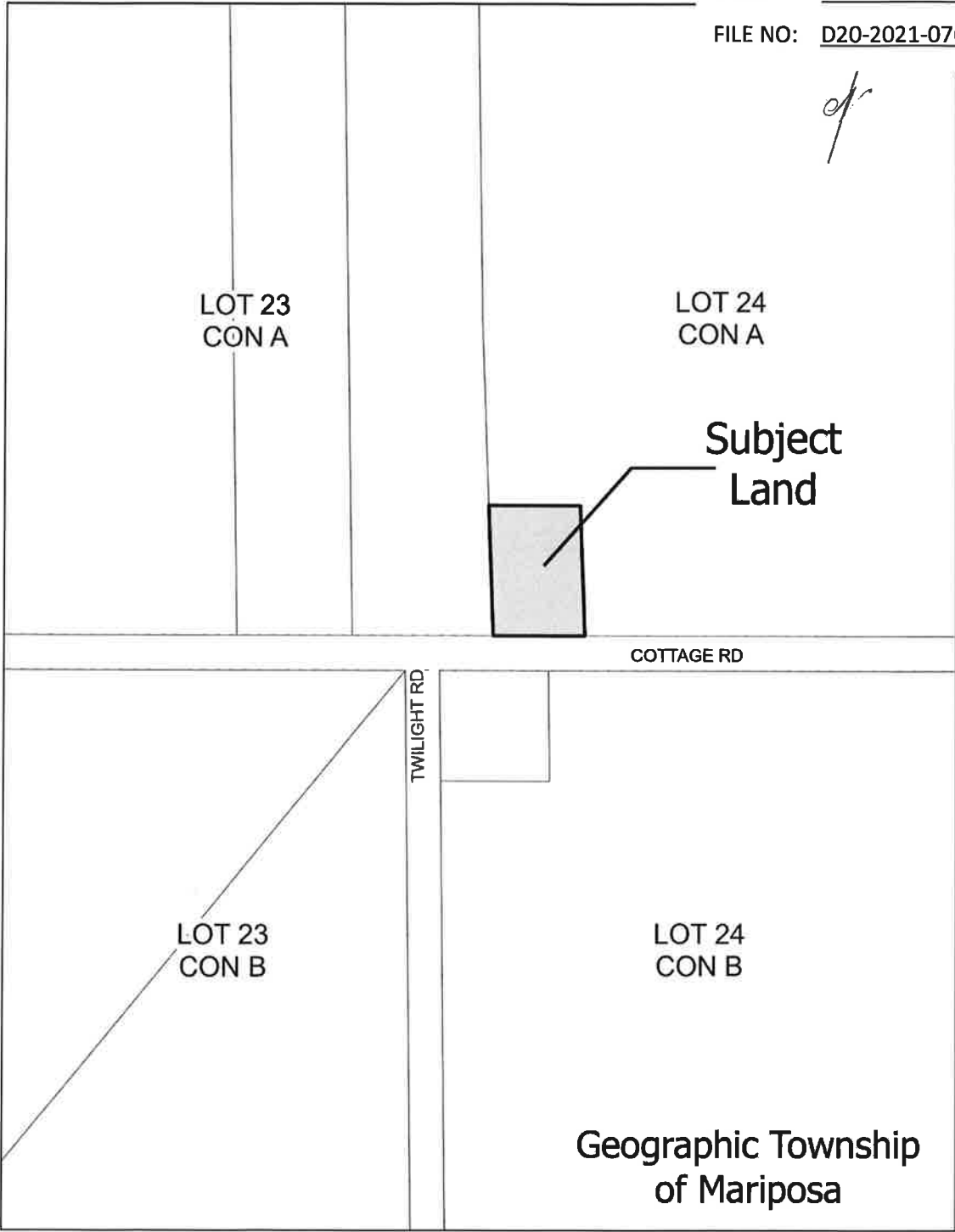
# D20-2021-076

APPENDIX " A "

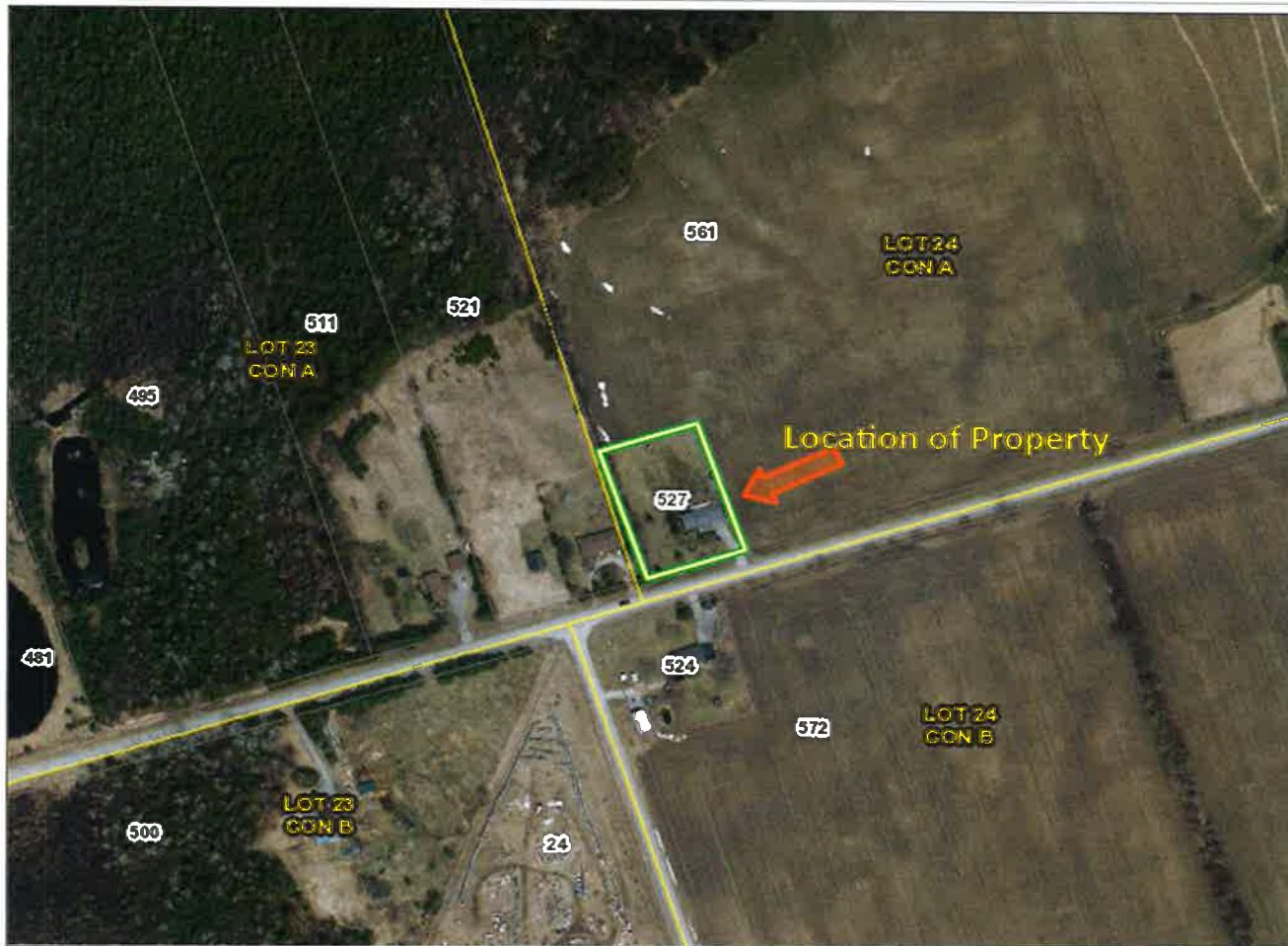
to

REPORT COA2022-004

FILE NO: D20-2021-076



# 527 Cottage Road, Geographic Township of Mariposa



## Legend

- ☐ Property Roll Number
- ☒ Lots and Concessions

## Notes

Notes

APPENDIX " B "

to

REPORT COA2022-004

FILE NO: D20-2021-076

0.22

Kilometers

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City Of Kawartha Lakes



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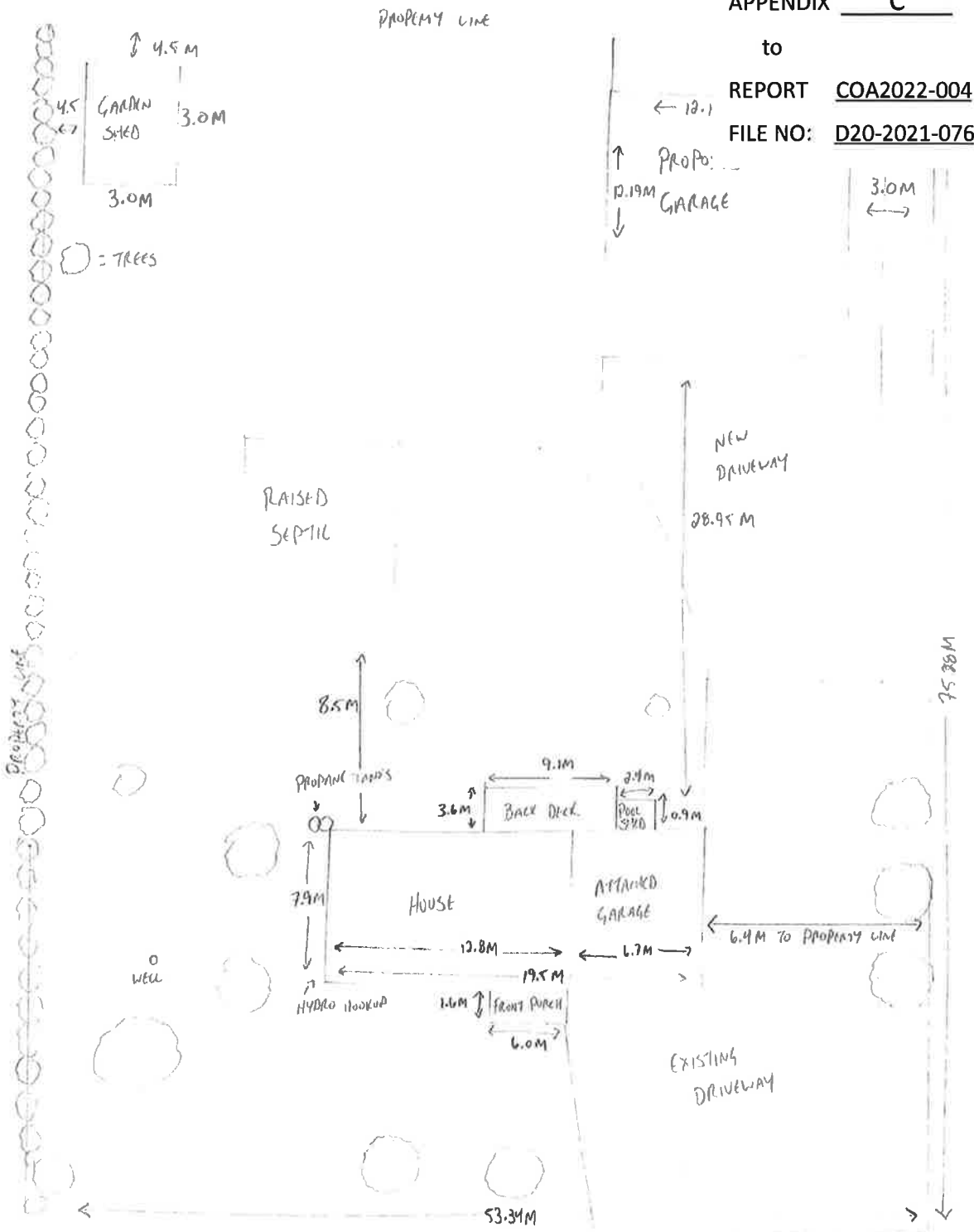
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APPENDIX " C "

to

REPORT COA2022-004

FILE NO: D20-2021-076



527 COTTAGE RD, LITTLE BRITAIN, ON







PROPOSED BUILDING COLOUR, CHALKBOARD GREY WITH BLACK DOORS  
(JUST A COLOUR REFERENCE, BUILDING BY SAME COMPANY  
BUT OBVIOUSLY MUCH LARGER)

APPENDIX " E "

to

REPORT COA2022-004

FILE NO: D20-2021-076

## Kent Stainton

---

**From:** Anne Elmhirst  
**Sent:** Monday, January 10, 2022 2:51 PM  
**To:** Charlotte Crockford  
**Subject:** RE: Notice of Public Hearing for Minor Variance D20-2021-076, 527 Cottage Road, Mariposa

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

APPENDIX " F "

to  
REPORT COA2022-004

FILE NO. D20-2021-076

Hello Charlotte,

I have received and reviewed the Minor Variance application D20-2021-076 for 527 Cottage Road. The application has been submitted to request relief for lot coverage and structure height to permit the construction of a detached structure in the rear yard.

A sewage system use permit has been located for the property under file M-73-89. The sewage system is located on the west side of the property in the rear yard. The accessory structure is being proposed in the east side of the rear yard. The proposed structure will maintain a minimum clearance distance of 6.5 metres.

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

Best Regards,

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

Supervisor – Part 8 Sewage Systems

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

705-324-9411 ext. 1882 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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

**From:** Charlotte Crockford <ccrockford@kawarthalakes.ca>

**Sent:** Thursday, January 6, 2022 11:36 AM

**To:** 'Erin McGregor' <emcgregor@kawarthaconservation.com>; Christina Sisson <csisson@kawarthalakes.ca>; Patrick O'Reilly <poreilly@kawarthalakes.ca>; Susanne Murchison <smurchison@kawarthalakes.ca>; Anne Elmhirst <aelmhirst@kawarthalakes.ca>

**Cc:** Kim Rhodes <krhodes@kawarthalakes.ca>

**Subject:** Notice of Public Hearing for Minor Variance D20-2021-076, 527 Cottage Road, Mariposa

Good morning

## Charlotte Crockford

---

**From:** Susanne Murchison  
**Sent:** Monday, January 10, 2022 4:16 PM  
**To:** Charlotte Crockford  
**Subject:** MV comments

The Building and Septic Division comments, save and except comments being provided by the Supervisor of Part 8 Sewage Systems, are as follows:

- D20-2021-071 a building permit will be required for the proposed replacement dwelling, no other concerns
- D20-2021-075 a building permit will be required for the proposed industrial building, no other concerns
- D20-2021-076 a building permit will be required for the proposed detached garage, no other concerns
- D20-2021-078 a building permit will be required for the proposed addition to the dwelling, no other concerns
- D20-2021-079 a building permit will be required for the proposed detached garage, no other concerns
- D20-2021-080 completion of the pending building permit application will be required for the proposed second storey dwelling addition and deck addition, an outstanding building permit BP2012-1137 for the installation of solar panels on the dwelling and garage requires a final inspection to close the file
- D20-2021-081 a pool permit will be required for the proposed pool, no other concerns

**Susanne Murchison, CBCO**

Chief Building Official

Building & Septic Division, Development Services, City of Kawartha Lakes

705-324-9411 ext. 1200 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



## Kent Stainton

---

**From:** Kim Rhodes  
**Sent:** Thursday, January 6, 2022 1:04 PM  
**To:** Mark LaHay  
**Cc:** Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead  
**Subject:** 20220106 D20-2021-076 - Engineering review

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Please see the message below from Christina Sisson:**

---

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

Minor Variance – D20-2021-076  
527 Cottage Road  
Part South Half of Lot 24, Concession A  
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 facilitate the construction of a detached garage:

- 1) Section 3.1.3.1 b) to increase the maximum allowable lot coverage for accessory buildings and structures, excluding outdoor swimming pools from 10% to a maximum of 150 square metres to 160.16 square metres;
- 2) Section 3.1.3.2 to increase the maximum allowable height for accessory buildings and structures from 5 metres to 5.1 metres;
- 3) Section 8.2.1.4 to increase the maximum allowable lot coverage from 5% to 7.82%;
- 4) Section 8.2.1.8 to increase the maximum allowable height and lot coverage for an accessory building being used for the parking or storage of a commercial motor vehicle on a lot in an agricultural zone from 5 metres to 5.1 metres and for total lot coverage of accessory buildings from 150 metres to 160.16 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.**  
Manager, Development Engineering  
Lean Six Sigma Black Belt

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Pudlis and Green**  
Report Number COA2022-005

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**Public Meeting**

**Meeting Date:** January 20, 2022  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward 8 – Geographic Township of Manvers**

**Subject:** The purpose and effect is to request relief from Section 13.4.4(d) to reduce the minimum side yard from 7.6 metres to 3.5 metres to permit an addition to the dwelling.

The variance is requested at 24 Royal Estate Drive, geographic Township of Manvers (File D20-2021-078).

---

**Author:** David Harding, Planner II, RPP, MCIP

**Signature:**



---

**Recommendation:**

**Resolved That** Report COA2022-005 Pudlis and Green, be received;

**That** minor variance application D20-2021-078 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 COA2022-005, 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 COA2022-005. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.**

<b>Background:</b>	The application was deemed complete December 15, 2021.
<b>Proposal:</b>	To construct an approximately 5.5 metre x 14.3 metre (78.65 square metre) addition to the south of the dwelling. The addition proposes to add an additional 1.5 bay to the existing two bay garage and walk in closet for the master bedroom.
<b>Owners:</b>	Aaron Pudlis and Cheryl Green
<b>Applicant:</b>	Aaron Pudlis
<b>Legal Description:</b>	Lot 54, Plan M-731, geographic Township of Manvers
<b>Official Plan:</b>	"Rural Settlement" within the Oak Ridges Moraine Policy Area of the City of Kawartha Lakes Official Plan
<b>Zone:</b>	"Rural Residential Type One Special Five (RR1-S5) Zone" within the Oak Ridges Moraine Zoning By-law 2005-133
<b>Site Size:</b>	3,288.8 square metres (0.82 acre)
<b>Site Servicing:</b>	Private individual well and sewage system
<b>Existing Uses:</b>	Residential
<b>Adjacent Uses:</b>	Residential

## **Rationale:**

### **1) Is the variance minor in nature? Yes**

The subject property is located within a residential subdivision in the southern portion of the community of Pontypool. The subdivision is of an estate residential nature as it is characterized by square-shaped lots where there is a great degree of spatial separation between the single detached dwellings. The dwellings are buffered from one another by trees and patches of forest. Also, the road contains no sidewalks or curbs.

The topography of the subject property slopes down to the west, away from the road. From the road, the dwelling appears to be a single storey. However, the difference in topography allowed for a walkout basement design. On the main floor of the dwelling, the addition will allow for the enlargement of the attached garage and for the creation of a walk-in closet. The lower level is proposed to be additional storage.

The addition is proposed to be slightly offset behind the front wall of the dwelling. The existing dwelling is set back approximately 18.3 metres from the road. The addition is not anticipated to cause adverse massing impacts from the road due to its placement in relation to the existing dwelling and the spatial separation between the dwelling and road.

The area to the immediate south of the proposed addition is primarily manicured lawn interspersed with trees. The thicker tree cover occurs to the east and west of this area. The pocket of trees to the east is proposed to be largely maintained, though some trees closest to the east face of the addition may need to be removed to facilitate access to the enlarged garage. Few trees are proposed to be removed directly between the subject property and the lot to the south, 26 Royal Estate Drive, as the majority of the trees are either in close proximity to the lot line or fully contained on number 26. The dwelling on number 26 is positioned further away from the mutual lot line, maintaining a greater degree of spatial separation between the dwellings and allowing for the establishment of more trees on its property. As such, there are also no impacts to privacy anticipated between the subject property and number 26.

The expansion is not anticipated to impact the character of the neighbourhood as little to no impact is proposed to the existing vegetative buffer between the subject property and the lot to the south, 26 Royal Estate Drive, nor will sufficient vegetation be removed between the addition and the road to affect the ability of those trees to provide a sufficient vegetative buffer between the built form and road.

The variance is minor in nature.

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

The addition will provide additional garage space, storage space, and closet space. The expansion to the south is the most logical location for the addition given the location of the master bedroom and the location of the existing attached garage. Expansion of the existing garage ensures minimal expansion to the existing driveway and thus impacts to property landscaping.

The proposal is 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 "Rural Residential Type One Special Five (RR1-S5) Zone" within the Oak Ridges Moraine Zoning By-law 2005-133. As noted in test 1, the intent of the by-law is to establish an estate residential character to the neighbourhood through larger lot sizes and greater yard setbacks. These greater setbacks also allow for the maintenance and establishment of additional vegetation to buffer the dwellings from one another.

The by-law established a maximum lot coverage of 25%. This requirement further indicates that the intent of the by-law is to create a neighbourhood where it is the landscape rather than the built form that is to be most prominent. The dwelling will remain well under the maximum coverage, proposing about 8.8%. This coverage in conjunction with the minimal impacts to the existing vegetative buffers ensures character is maintained.

Part of the intent of a side yard setback is to provide sufficient space for building maintenance and to facilitate access between the front and rear yards. The dwelling is positioned closer to the south lot line. As such, there remains a



very generous north side yard to provide access from the road to the sewage system in the rear. The proposed 3.5 metre setback is sufficient to carry out maintenance on the south wall and continue to provide access for smaller items between the front and rear yards. The reduced side yard remains sufficiently sized to accommodate vegetative buffers.

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 "Rural Settlement" within the City of Kawartha Lakes Oak Ridges Moraine Policy Area of the City of Kawartha Lakes Official Plan. This designation permits residential uses and associated accessory structures. The proposed addition enhances the residential function of the property.

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 (January 7, 2022): No concerns.

Building and Septic Division – Chief Building Official (January 10, 2022): No concerns. A building permit is required for the proposed addition.

Ministry of Transportation (January 10, 2022): The property is outside of its permit control area.

Building and Septic Division – Supervisor of Part 8 Sewage Systems (January 10, 2022): No concerns. The expansion of total living space will not result in a change to the total daily sewage system flow.

**Public Comments:**

No comments received as of January 11, 2022.



**Attachments:**



Appendices A-E to  
COA2022-005.pdf

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

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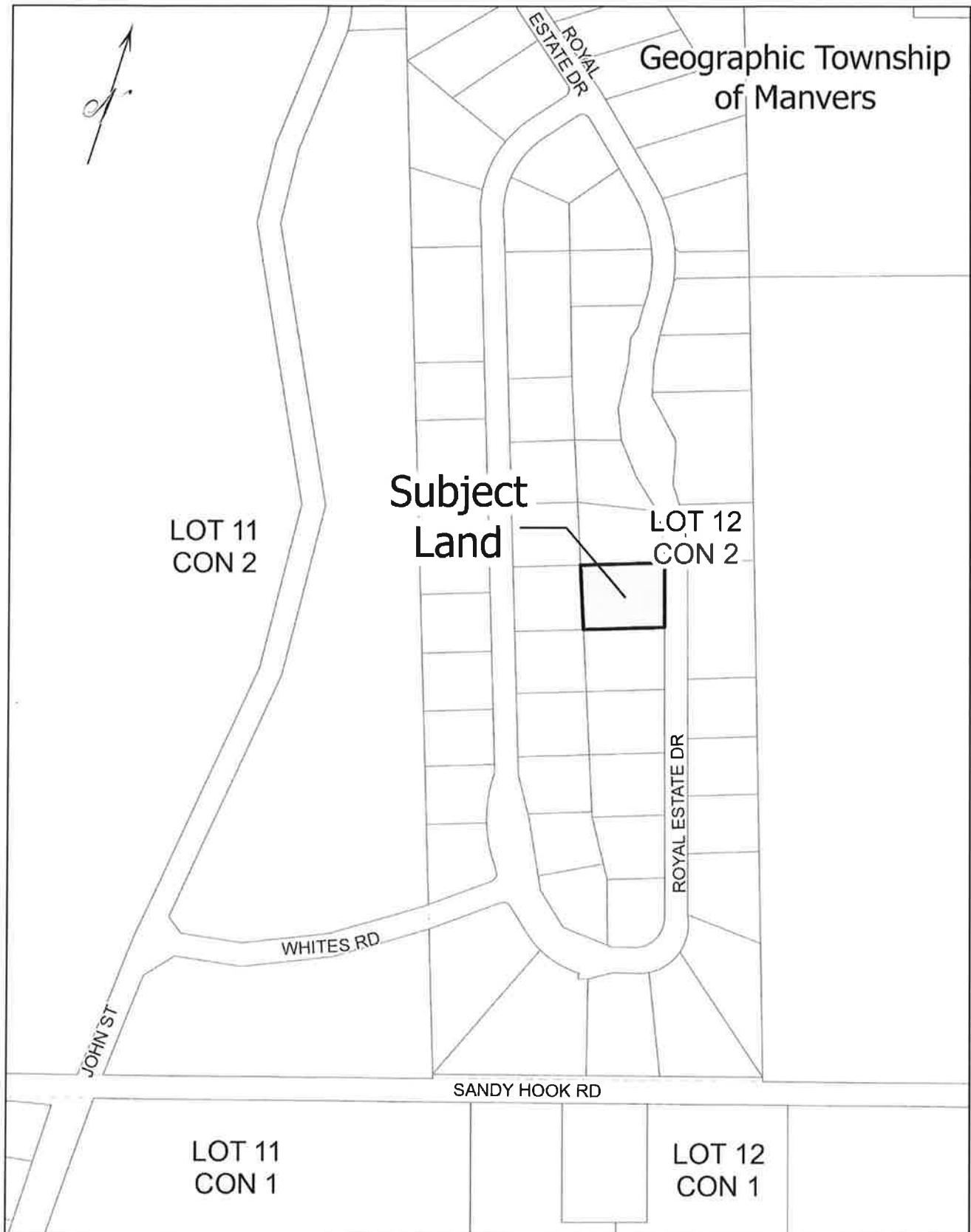
**Phone:** 705-324-9411 extension 1206  
**E-Mail:** [dharding@kawarthalakes.ca](mailto:dharding@kawarthalakes.ca)  
**Department Head:** Richard Holy, Acting-Director of Development Services  
**Department File:** D20-2021-078

to

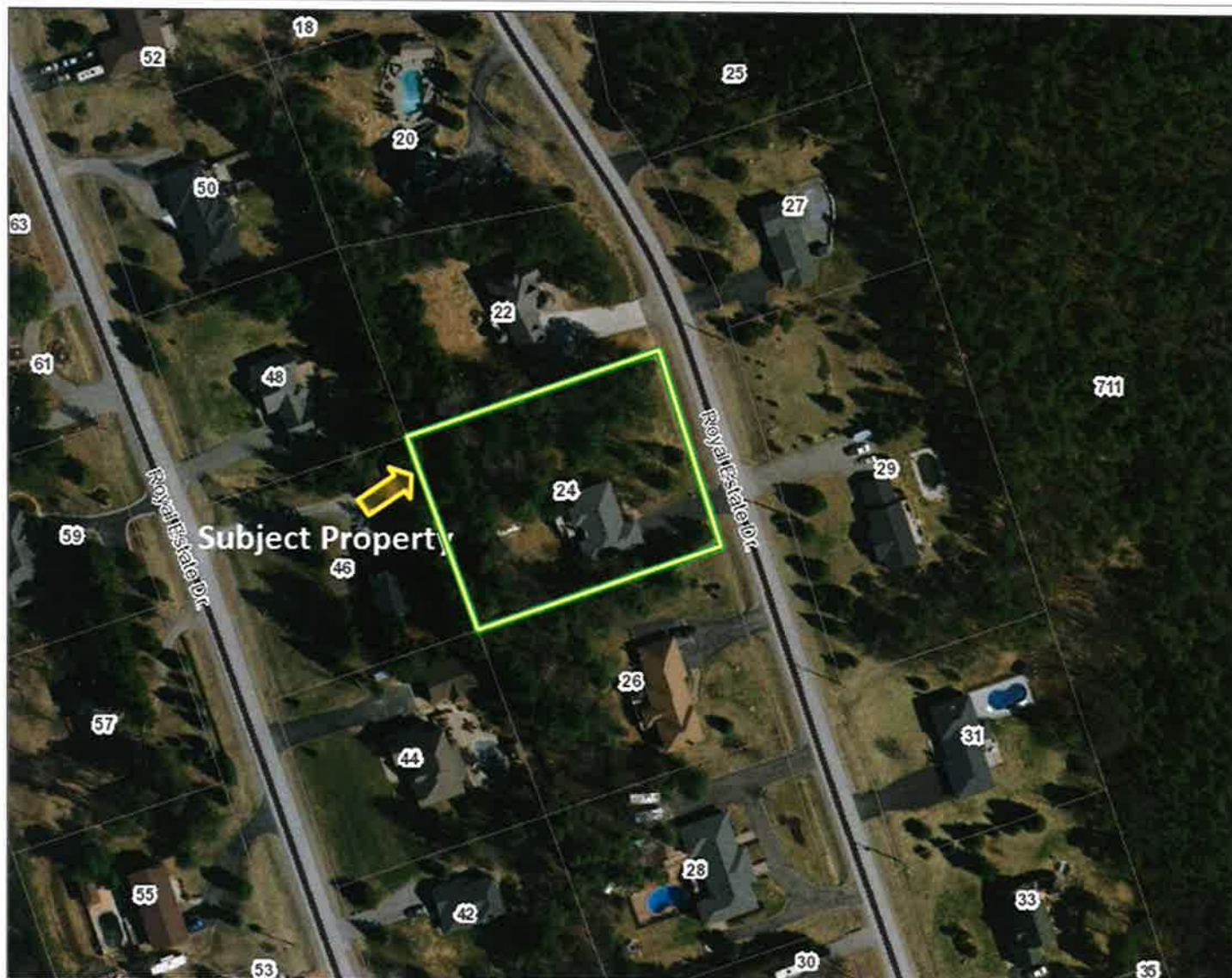
REPORT COA2022-005

FILE NO: D20-2021-078

# D20-2021-078



# 24 Royal Estate Drive, Geographic Twp. of Manvers



0.11 Kilometers  
 WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
 © City Of Kawartha Lakes



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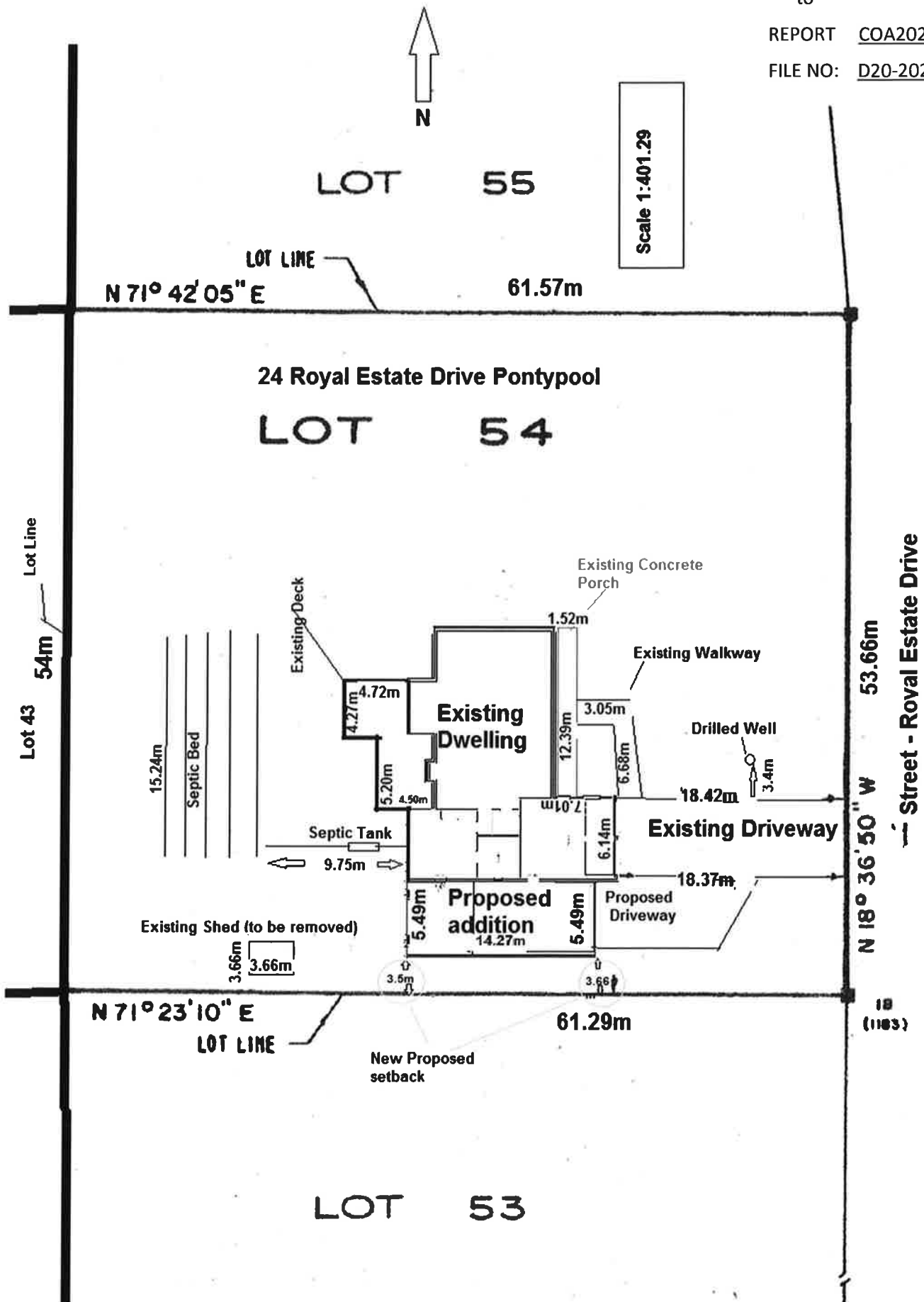
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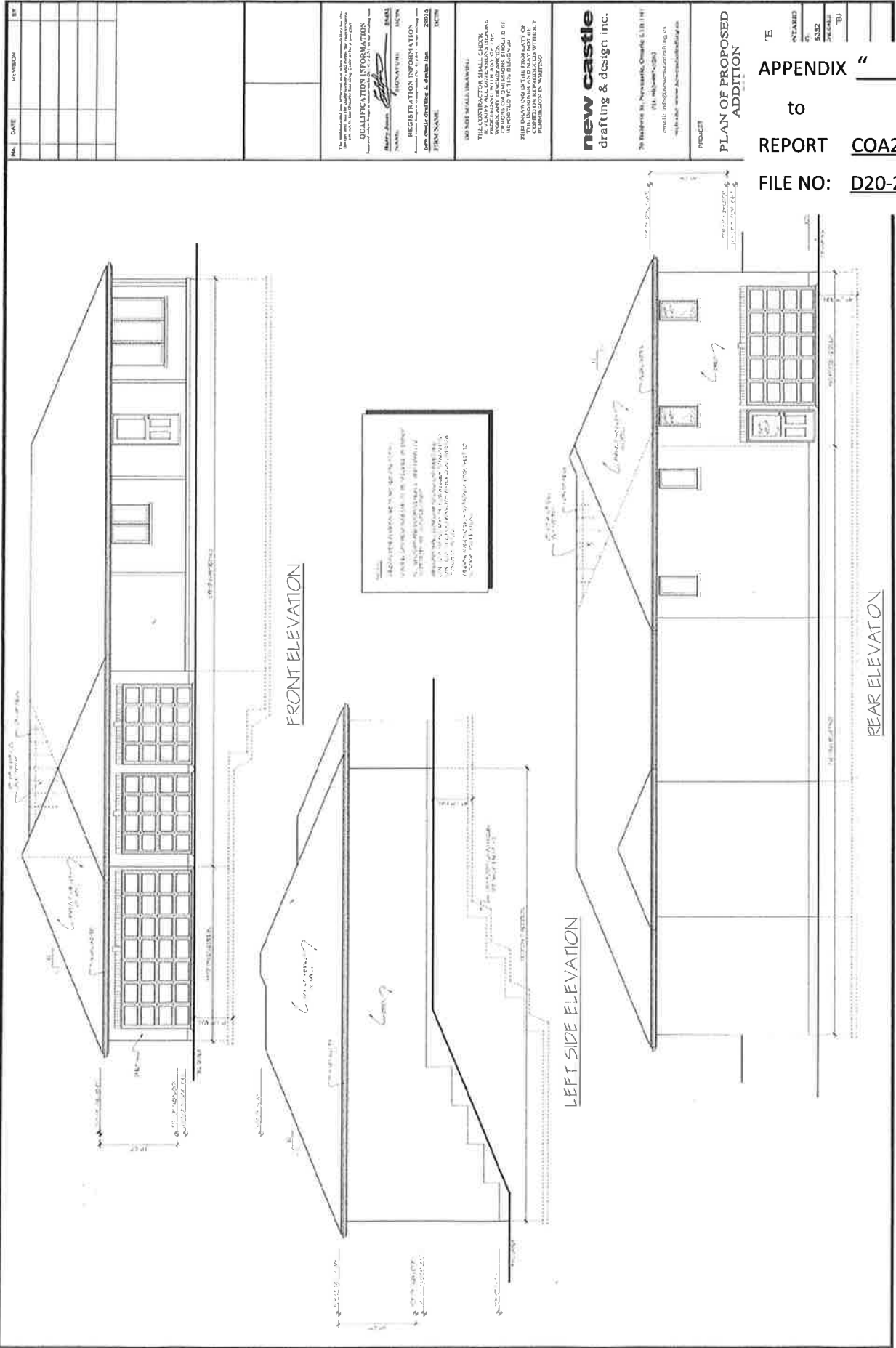
APPENDIX " B "  
 to  
 REPORT COA2022-005  
 FILE NO: D20-2021-078

to

REPORT COA2022-005

FILE NO: D20-2021-078





APPENDIX " D "

to

REPORT COA2022-005

FILE NO: D20-2021-078

## David Harding

---

**From:** Charlotte Crockford  
**Sent:** Monday, January 10, 2022 4:28 PM  
**To:** David Harding; Kent Stainton  
**Subject:** FW: MV comments

APPENDIX " E "

to

REPORT COA2022-005

FILE NO. D20-2021-078

fyi

**Charlotte K. Crockford**  
Administrative Assistant  
Planning Department, City of Kawartha Lakes  
705-324-9411 ext. 1231 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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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](http://www.kawarthalakes.ca/covid19)

**From:** Susanne Murchison <smurchison@kawarthalakes.ca>  
**Sent:** Monday, January 10, 2022 4:16 PM  
**To:** Charlotte Crockford <ccrockford@kawarthalakes.ca>  
**Subject:** MV comments

The Building and Septic Division comments, save and except comments being provided by the Supervisor of Part 8 Sewage Systems, are as follows:

- |                                |   |
|--------------------------------|---|
| D20-2021-071<br>other concerns | a building permit will be required for the proposed replacement dwelling, no other concerns     |
| D20-2021-075<br>concerns       | a building permit will be required for the proposed industrial building, no other concerns      |
| D20-2021-076<br>concerns       | a building permit will be required for the proposed detached garage, no other concerns          |
| D20-2021-078<br>other concerns | a building permit will be required for the proposed addition to the dwelling, no other concerns |
| D20-2021-079<br>concerns       | a building permit will be required for the proposed detached garage, no other concerns          |

D20-2021-080 completion of the pending building permit application will be required for the proposed second storey dwelling addition and deck addition, an outstanding building permit BP2012-1137 for the installation of solar panels on the dwelling and garage requires a final inspection to close the file

D20-2021-081 a pool permit will be required for the proposed pool, no other concerns

**Susanne Murchison, CBCO**

Chief Building Official

Building & Septic Division, Development Services, City of Kawartha Lakes

705-324-9411 ext. 1200 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



## David Harding

---

**From:** Charlotte Crockford  
**Sent:** Monday, January 10, 2022 4:08 PM  
**To:** David Harding  
**Subject:** FW: Notice of Public Hearing for Minor Variance D20-2021-079, 69 Pinewood Crescent  
**Attachments:** 20220106 D20-22 January 2022 Minor Variance Ad.pdf; 20220106 D20-2021-079 Notice of Public Hearing.pdf

fyi

**Charlotte K. Crockford**  
Administrative Assistant  
Planning Department, City of Kawartha Lakes  
705-324-9411 ext. 1231 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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**From:** Miller, Amanda (MTO) <Amanda.Miller3@ontario.ca>  
**Sent:** Monday, January 10, 2022 4:05 PM  
**To:** Charlotte Crockford <ccrockford@kawarthalakes.ca>  
**Cc:** Sharma, Prabin (MTO) <Prabin.Sharma@ontario.ca>  
**Subject:** FW: Notice of Public Hearing for Minor Variance D20-2021-079, 69 Pinewood Crescent

Good Afternoon Charlotte,

Thank you for circulating the City of Kawartha Lakes Committee of Adjustment Minor Variance Applications to MTO for review. Please accept this as a formal response from the Ministry of Transportation. MTO has reviewed the application in accordance with the Public Transportation and Highway Improvement Act (PTHIA) and Highway Access Management Guideline and offers following comments:

The ministry has reviewed the applications for 527 Cottage Road, 24 Royal Estate Drive, 69 Pinewood Crescent, 4 Cadillac Blvd, 22 Forest Road and has determined that the subject lands are not within our permit control area, therefore, MTO has no comments to offer.

The ministry has reviewed the applications for 6 John St and has determined that the subject lands are within our permit control area however, we cannot provide comments due to the site plan being illegible in the application. MTO will need to provide full comments once a legible site plan is received.



Thank you for the opportunity to comment.

Kind Regards,

Amanda Miller  
Planning Intern  
Corridor Management Section | East Operations  
Ministry of Transportation  
1355 John Counter Blvd  
Kingston, ON K7K 0E5  
[Amanda.Miller3@ontario.ca](mailto:Amanda.Miller3@ontario.ca)

**From:** Charlotte Crockford <[ccrockford@kawarthalakes.ca](mailto:ccrockford@kawarthalakes.ca)>  
**Sent:** January 6, 2022 11:00 AM  
**To:** Cathie Ritchie <[critchie@kawarthalakes.ca](mailto:critchie@kawarthalakes.ca)>; Sharma, Prabin (MTO) <[Prabin.Sharma@ontario.ca](mailto:Prabin.Sharma@ontario.ca)>; LeAnn Donnelly <[LDonnelly@kawarthalakes.ca](mailto:LDonnelly@kawarthalakes.ca)>; Craig Shanks <[cshanks@kawarthalakes.ca](mailto:cshanks@kawarthalakes.ca)>  
**Cc:** Kathy Lewis <[klewis@kawarthalakes.ca](mailto:klewis@kawarthalakes.ca)>  
**Subject:** FW: Notice of Public Hearing for Minor Variance D20-2021-079, 69 Pinewood Crescent

**CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.**

Typo in content of email, should read D20-2021-079 not 078.

**Charlotte K. Crockford**  
Administrative Assistant  
Planning Department, City of Kawartha Lakes  
705-324-9411 ext. 1231 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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**From:** Charlotte Crockford  
**Sent:** Thursday, January 6, 2022 10:58 AM  
**To:** Cathie Ritchie <[critchie@kawarthalakes.ca](mailto:critchie@kawarthalakes.ca)>; LeAnn Donnelly <[LDonnelly@kawarthalakes.ca](mailto:LDonnelly@kawarthalakes.ca)>; Craig Shanks <[cshanks@kawarthalakes.ca](mailto:cshanks@kawarthalakes.ca)>; 'Prabin.Sharma@ontario.ca' <[Prabin.Sharma@ontario.ca](mailto:Prabin.Sharma@ontario.ca)>  
**Cc:** Kathy Lewis <[klewis@kawarthalakes.ca](mailto:klewis@kawarthalakes.ca)>  
**Subject:** Notice of Public Hearing for Minor Variance D20-2021-079, 69 Pinewood Crescent

Good morning

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-078 to be heard at the January 20, 2022 C of A meeting.

Please respond with comments by Monday January 10, 2022 to allow Planners to include in their reports.

Many thanks

**Charlotte K. Crockford**

Administrative Assistant

Planning Department, City of Kawartha Lakes

705-324-9411 ext. 1231 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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## David Harding

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**From:** Kim Rhodes  
**Sent:** Thursday, January 6, 2022 1:00 PM  
**To:** Mark LaHay  
**Cc:** Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead  
**Subject:** 20220106 D20-2021-078 - Engineering review

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Please see the message below from Christina Sisson:**

---

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

Minor Variance – D20-2021-078  
24 Royal Estate Drive  
Lot 24, Plan M-731  
Geographic Township of Manvers

It is the understanding by Engineering that the purpose and effect is to request relief from Section 13.4.4(d) to reduce the minimum side yard from 7.6 metres to 3.5 metres to permit an addition to the 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.**  
Manager, 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](http://www.kawarthalakes.ca)



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

## Charlotte Crockford

---

**From:** Anne Elmhirst  
**Sent:** Monday, January 10, 2022 4:17 PM  
**To:** Charlotte Crockford  
**Subject:** RE: Notice of Public Hearing for Minor Variance D20-2021-078, 24 Royal Estate Drive

Hello Charlotte,

I have received and reviewed the Minor Variance D20-2021-078 for 24 Royal Estate Drive. The application submitted is to request relief to a side yard setback for the construction of an extension onto the dwelling and garage.

A sewage system use permit has been located for this property under file MA-78-89. The proposed construction will maintain the existing clearance distances to the installed sewage disposal system. The extension will include a walk-in closet attached to the master bedroom. The expansion of total living space will not result in a change to the total daily sewage flow.

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

Best Regards,

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



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---

**From:** Charlotte Crockford <ccrockford@kawarthalakes.ca>  
**Sent:** Thursday, January 6, 2022 10:28 AM  
**To:** Christina Sisson <csisson@kawarthalakes.ca>; Tracy Richardson <trichardson@kawarthalakes.ca>; Susanne Murchison <smurchison@kawarthalakes.ca>; Anne Elmhirst <aelmhirst@kawarthalakes.ca>  
**Cc:** Kim Rhodes <krhodes@kawarthalakes.ca>  
**Subject:** Notice of Public Hearing for Minor Variance D20-2021-078, 24 Royal Estate Drive

Good morning

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-078 to be heard at the January 20, 2022 C of A meeting.

Please respond with comments by Monday January 10, 2022 to allow Planners to include in their reports.

Many thanks

**Charlotte K. Crockford**

Administrative Assistant

Planning Department, City of Kawartha Lakes

705-324-9411 ext. 1231 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Schaafsma**  
Report Number COA2022-006

---

**Public Meeting**

**Meeting Date:** January 20, 2022  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

---

**Ward: 8 – Geographic Township of Manvers**

**Subject:** The purpose and effect is to request relief from the following provisions in order to construct a detached garage:

1. Section 5.1(b)(i) to permit an accessory building (garage) setback of 1.2 metres to a dwelling whereas 1.3 metres is required,
2. Section 5.1(b)(iii) to reduce the rear lot line setback from 6 metres to 1.5 metres to permit a garage with a footprint greater than 60 square metres.
3. Section 5.1(b)(iii) to reduce flankage lot line setback from 15 metres to 8.1 metres to permit a garage with a footprint greater than 60 square metres.
4. 5.1(b)(vi) to reduce the rear lot line setback from 6 metres to 1.5 metres to permit a garage with a height greater than 4.3 metres.
5. Section 13.2(c) to reduce the front yard setback from 15 metres to 8.1 metres in order to reduce the distance the garage must be from Corbett Drive

The variances are requested at 69 Pinewood Crescent, geographic Township of Manvers (File D20-2021-079).

---

**Author:** David Harding, Planner II, RPP, MCIP

**Signature:** 

---

**Recommendation:**

**Resolved That** Report COA2022-006 Schaafsma, be received;

**That** minor variance application D20-2021-079 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 COA2022-006, 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 COA2022-006. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

<b>Background:</b>	This application was last amended December 14, 2021.
<b>Proposal:</b>	To permit the construction of a detached garage. The garage will be approximately 89 square metres.
<b>Owners:</b>	Jeffrey and Christine Schaafsma
<b>Legal Description:</b>	69 Pinewood Crescent, Lot 37, Plan M-715, geographic Township of Manvers
<b>Official Plan:</b>	"Rural Settlement" within the Oak Ridges Moraine Policy Area
<b>Zone:</b>	"Rural Residential Type One (RR1) Zone" within the Oak Ridges Moraine Zoning By-law 2005-133
<b>Site Size:</b>	1,582 square metres (0.39 acre)
<b>Site Servicing:</b>	Municipal water and private individual septic system
<b>Existing Uses:</b>	Residential
<b>Adjacent Uses:</b>	Residential

**Rationale:** The property is located at the northeast corner of the intersection of Corbett Drive and Pinewood Crescent. By definition, the front lot line of a corner lot is the shorter of the two intersecting lot lines abutting the street. In this case, the south lot line is defined as the front lot line, the west lot line is the flankage lot line, the north lot line is the rear lot line and the east lot line is the side lot line. However, as is discussed below the yards function differently from the definitions.

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

The subject property is located within a residential subdivision in the northern portion of the community of Pontypool. The lot is a corner lot, as it abuts Pinewood Crescent to the south and Corbett Drove to the west. Corbett Drive runs at an angle, causing the lot to be pie-shaped with a narrow south lot line

and long north lot line. The dwelling, set back from Pinewood Crescent, faces and is parallel to Corbett Drive. Driveway access is also obtained off of Corbett Drive.

As the dwelling faces onto and property access is obtained from Corbett Drive, the west yard functions as the front yard rather than the south yard. The north yard functions as a side yard with high visibility from Corbett Drive. The east yard functions as the rear yard: the dwelling's secondary yard access is in the east wall and the outdoor amenity space is contained there.

As can be seen in Appendix D, a garage door and pedestrian door are proposed on the west wall facing Corbett Drive. Two different wall heights and therefore roof levels are also proposed for the west wall. This variation in height and door size assists in adding a more residential rather than utilitarian feel to the west garage wall and adds visual interest. The stepped design of the garage causes it to be deeper than it is wide, minimizing the length of built form presented to Corbett Drive. The building is not anticipated to be visible from Pinewood Crescent as there are wood privacy screens and a screened porch within the east yard.

The dwelling's two door attached garage is located on the north side and faces Corbett Drive. The detached garage is proposed to the immediate north of and in-line with the existing dwelling and attached garage. The proposed location groups the storage activities together, allows for the utilization of the existing driveway, and also respects the proximity of existing built form to Corbett Drive.

The variances are minor in nature.

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

The north yard functions as a wide, pie-shaped, side yard. It is currently a gravelled area containing vehicles, trailers, and a shed. The garage proposes a stepped design to maximize the use of the pie-shaped yard space.

The detached garage will provide enclosed storage for the various items currently kept outside. The central and tallest space is proposed to contain the vehicles and trailers. The shed is proposed to be removed. Secondly, its built form will provide screening and thus additional privacy for yard amenity space to the east of the dwelling. Third, the detached garage is anticipated to reduce any adverse impacts the existing outdoor storage use may have on the abutting property to the north, 7 Hooper Drive, and the properties on Corbett Drive directly across from the subject property (179, 183, and 187) by placing the storage within a building.

Placement of the garage within the north yard also preserves the east yard for recreational and amenity purposes.

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



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

**Yes**

The property is zoned “Rural Residential Type One (RR1) Zone” within the Oak Ridges Moraine Zoning By-law 2005-133.

One of the functions of an accessory building setback is to ensure adequate separation between larger accessory buildings and lot lines to maintain the building’s ancillary relationship to the primary use (residence) on the property. The proposed garage location, being in-line with the existing dwelling, ensures that the garage remains visually secondary to the residential use. Additionally, the garage proposes a height of approximately 4.3 metres. The height is within the 5 metre maximum permitted for accessory buildings, and matches the height of the dwelling for symmetry. At 8.1 metres, sufficient space remains between the garage and west lot line to fully contain a vehicle parked perpendicular to Corbett Drive on private property.

Another function is to ensure adequate space around the building in order to carry out maintenance. Sufficient space remains around the garage to carry out maintenance upon it, carry out maintenance on the nearby attached garage, and to facilitate access between the west and east yards.

An additional function of the yard setback of larger accessory buildings is to ensure no adverse massing or use impacts occur to abutting property. The rear yard of 7 Hooper Drive faces what functions as a side wall of the dwelling on the subject property. The garage proposes a stepped, hip roof design along with a slight gable on the west side. The west side is where the garage door will face and no openings are proposed on the north side. The absence of openings along the north wall and the stepped roof design are not anticipated to generate any adverse massing or use impacts. The garage is anticipated to provide additional privacy to the rear yard of 7 Hooper Drive by acting as a partial screen between that rear yard and Corbett Drive.

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 Settlement” within the City of Kawartha Lakes Oak Ridges Moraine Policy Area of the City of Kawartha Lakes Official Plan. This designation permits residential uses and associated accessory structures. The proposed addition enhances the residential function of the property.

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

**Other Alternatives Considered:**

The east yard was eliminated as a potential site as that is where the rear yard amenity space is located, and the south yard was similarly eliminated as the sewage system is located there.

**Servicing Comments:**

The property is serviced by municipal water and a 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 Division (January 7, 2022): No concerns.

Building and Septic Division – Chief Building Official (January 10, 2022): No concerns. A building permit is required for the proposed addition.

Ministry of Transportation (January 10, 2022): The property is outside of its permit control area.

Building and Septic Division – Supervisor of Part 8 Sewage Systems (January 10, 2022): No concerns. The garage location does not encroach on the sewage system nor does the garage include any habitable space as part of the proposal.

**Public Comments:**

No comments received as of January 11, 2022.

**Attachments:**

Appendices A-E  
COA2022-006.pdf

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Elevations

Appendix E – Department and Agency Comments

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**Phone:** 705-324-9411 extension 1206

**E-Mail:** dharding@kawarthalakes.ca

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

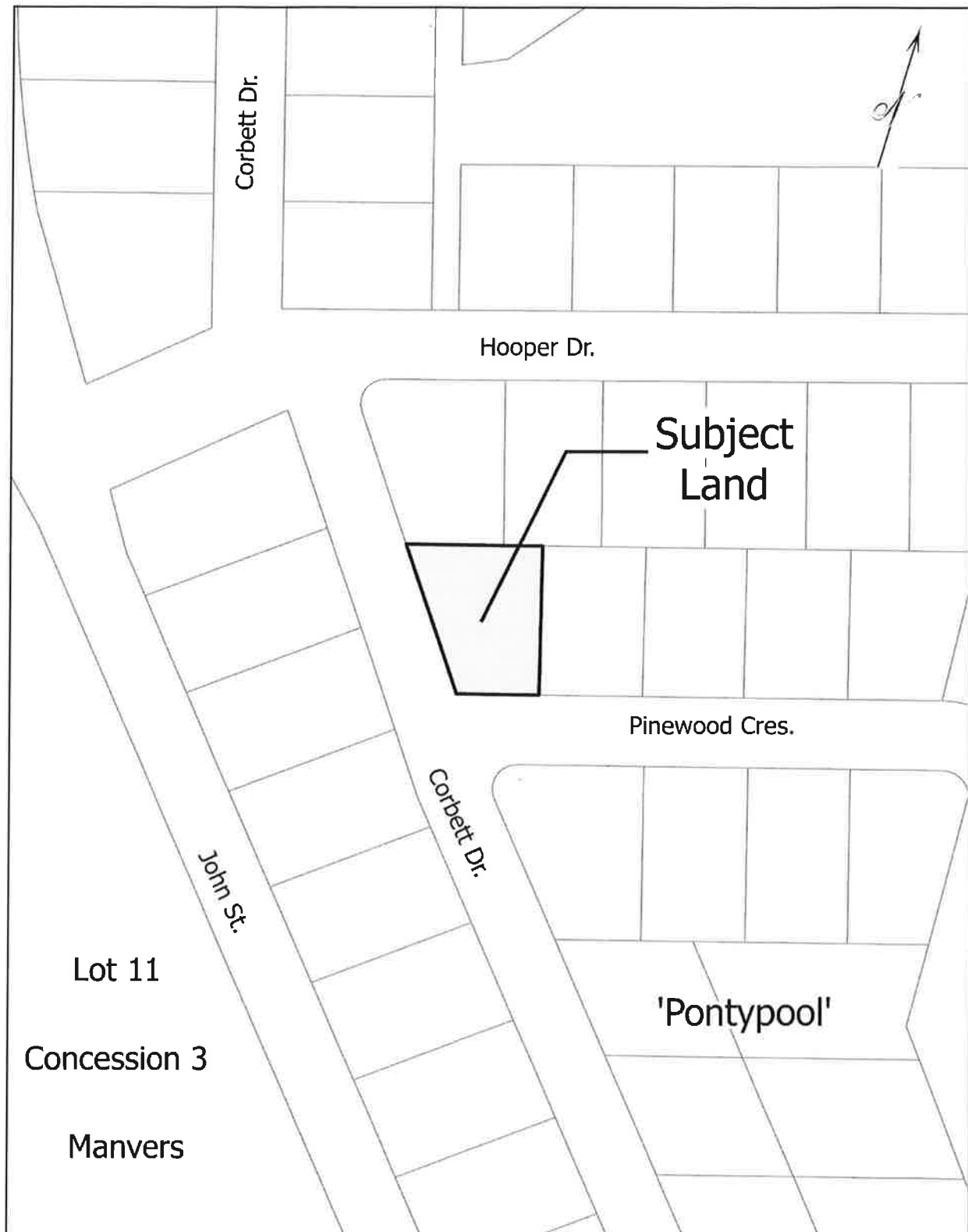
**Department File:** D20-2021-079

to

REPORT COA2022-006

FILE NO: D20-2021-079

D20-2021-079



# 69 Pinewood Crescent, Geographic Twp. of Manvers



0.06 Kilometers  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City Of Kawartha Lakes



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

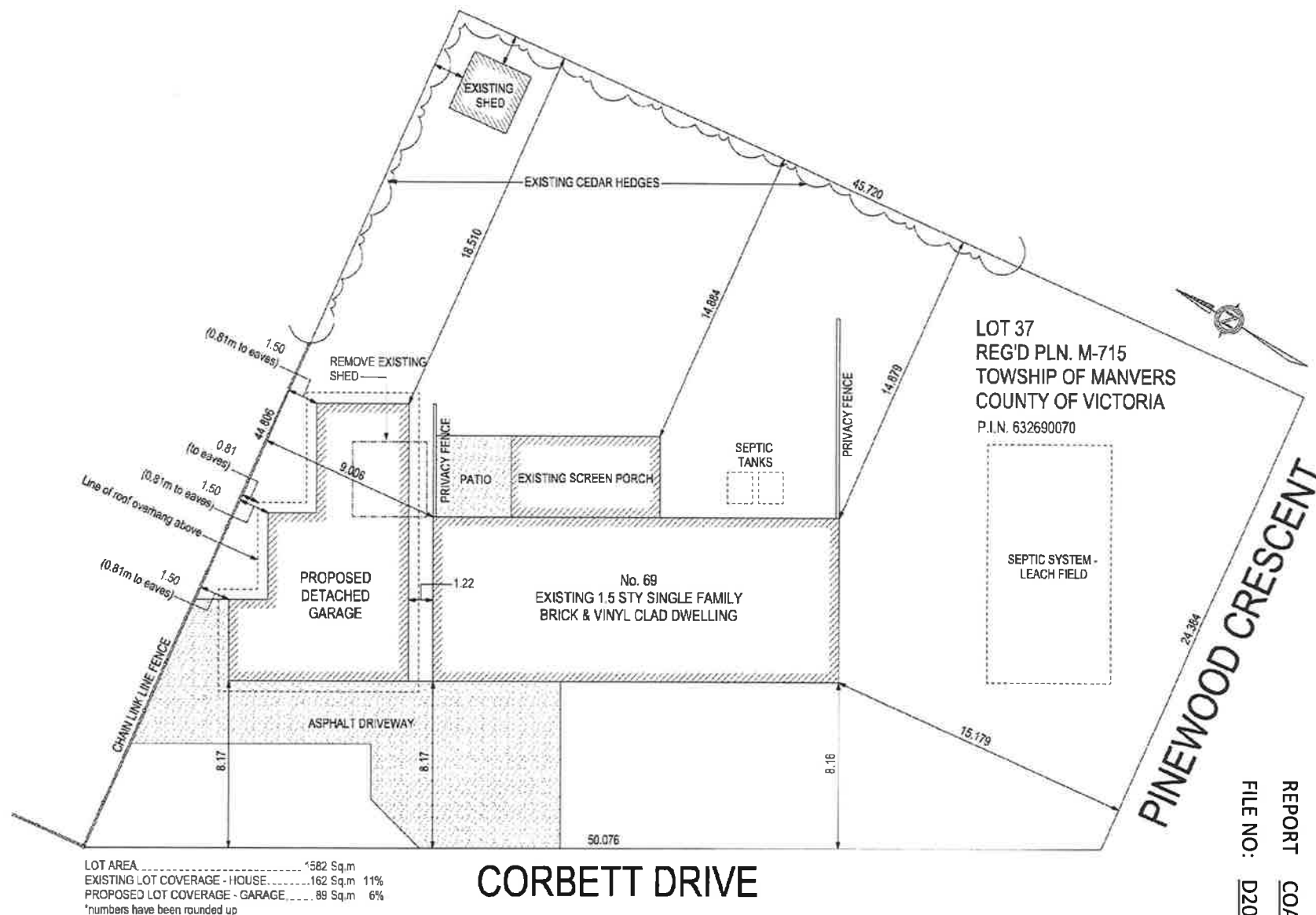
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REPORT COA2022-006  
FILE NO: D20-2021-079

APPENDIX " B " to

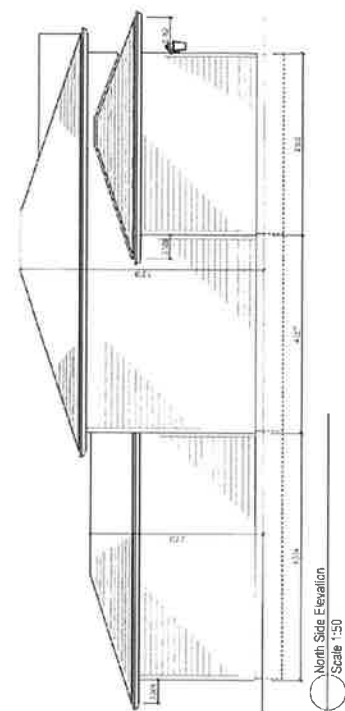
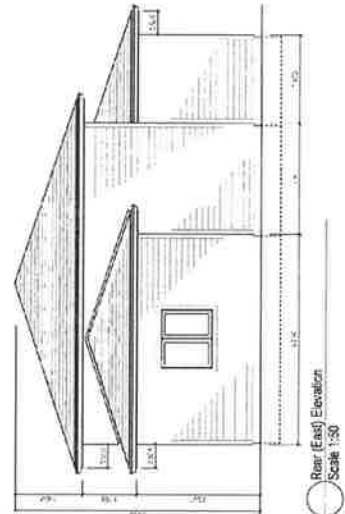
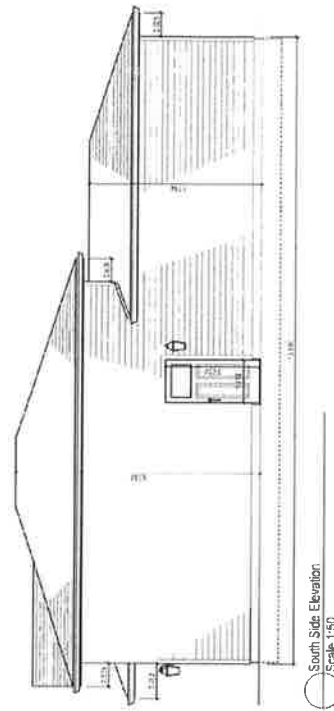
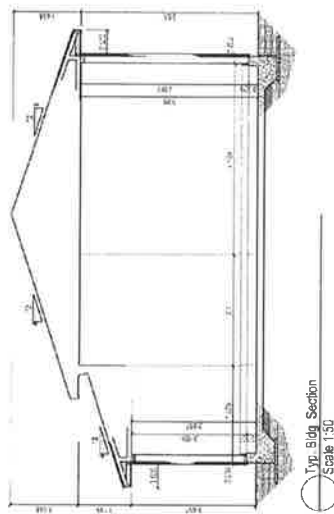
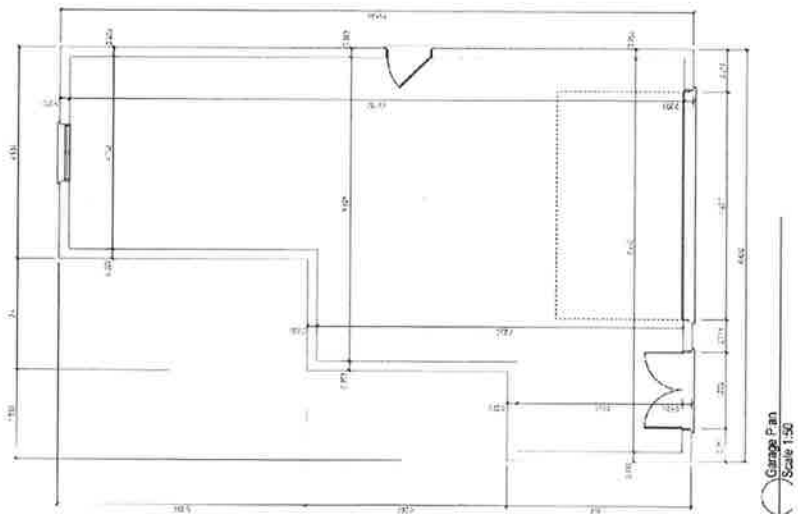
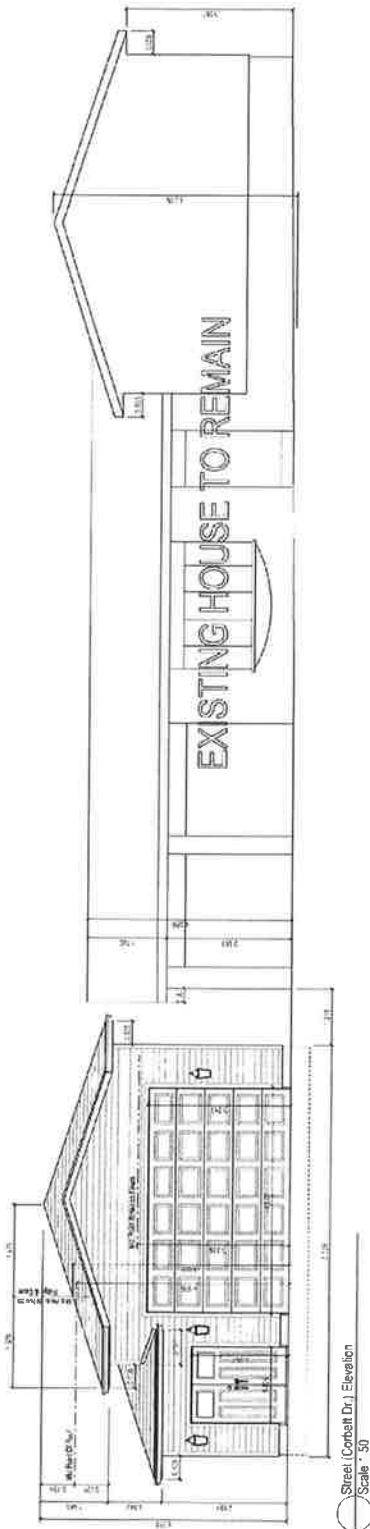
to

REPORT COA2022-006  
FILE NO: D20-2021-079



# APPENDIX " D "

to  
REPORT COA2022-006  
FILE NO: D20-2021-079



## David Harding

---

**From:** Charlotte Crockford  
**Sent:** Monday, January 10, 2022 4:28 PM  
**To:** David Harding; Kent Stainton  
**Subject:** FW: MV comments

APPENDIX " E "  
to  
REPORT COA2022-006  
FILE NO. D20-2021-079

fyi

**Charlotte K. Crockford**  
Administrative Assistant  
Planning Department, City of Kawartha Lakes  
705-324-9411 ext. 1231 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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---

**From:** Susanne Murchison <[smurchison@kawarthalakes.ca](mailto:smurchison@kawarthalakes.ca)>  
**Sent:** Monday, January 10, 2022 4:16 PM  
**To:** Charlotte Crockford <[ccrockford@kawarthalakes.ca](mailto:ccrockford@kawarthalakes.ca)>  
**Subject:** MV comments

The Building and Septic Division comments, save and except comments being provided by the Supervisor of Part 8 Sewage Systems, are as follows:

- |                                |   |
|--------------------------------|---|
| D20-2021-071<br>other concerns | a building permit will be required for the proposed replacement dwelling, no other concerns     |
| D20-2021-075<br>concerns       | a building permit will be required for the proposed industrial building, no other concerns      |
| D20-2021-076<br>concerns       | a building permit will be required for the proposed detached garage, no other concerns          |
| D20-2021-078<br>other concerns | a building permit will be required for the proposed addition to the dwelling, no other concerns |
| D20-2021-079<br>concerns       | a building permit will be required for the proposed detached garage, no other concerns          |



D20-2021-080 completion of the pending building permit application will be required for the proposed second storey dwelling addition and deck addition, an outstanding building permit BP2012-1137 for the installation of solar panels on the dwelling and garage requires a final inspection to close the file

D20-2021-081 a pool permit will be required for the proposed pool, no other concerns

**Susanne Murchison, CBCO**

Chief Building Official

Building & Septic Division, Development Services, City of Kawartha Lakes

705-324-9411 ext. 1200 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)





## Charlotte Crockford

---

**From:** Anne Elmhirst  
**Sent:** Monday, January 10, 2022 3:12 PM  
**To:** Charlotte Crockford  
**Subject:** RE: Notice of Public Hearing for Minor Variance D20-2021-079, 69 Pinewood Crescent

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Charlotte,

I have received and reviewed the Minor Variance D20-2021-079 for 69 Pinewood Crescent and completed a site visit. The proposal has been submitted to request relief for property setbacks for the construction of a detached garage.

A sewage system use permit has been located for this property as file MA-41-78. The use permit indicates the sewage system is located in the south side yard of the dwelling. The proposed structure will be located in the north side yard of the dwelling. This location will not encroach on the existing sewage system. The detached garage does not include any habitable space as part of the proposal.

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

Best Regards,

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

Supervisor – Part 8 Sewage Systems

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

705-324-9411 ext. 1882 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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**From:** Charlotte Crockford <[ccrockford@kawarthalakes.ca](mailto:ccrockford@kawarthalakes.ca)>

**Sent:** Thursday, January 6, 2022 10:56 AM

**To:** Christina Sisson <[csisson@kawarthalakes.ca](mailto:csisson@kawarthalakes.ca)>; Amber Hayter <[achayter@kawarthalakes.ca](mailto:achayter@kawarthalakes.ca)>; Tracy Richardson <[trichardson@kawarthalakes.ca](mailto:trichardson@kawarthalakes.ca)>; Susanne Murchison <[smurchison@kawarthalakes.ca](mailto:smurchison@kawarthalakes.ca)>; Anne Elmhirst <[aelmhirst@kawarthalakes.ca](mailto:aelmhirst@kawarthalakes.ca)>

**Cc:** Kim Rhodes <[krhodes@kawarthalakes.ca](mailto:krhodes@kawarthalakes.ca)>

**Subject:** Notice of Public Hearing for Minor Variance D20-2021-079, 69 Pinewood Crescent

Good morning

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-079 to be heard at the January 20, 2022 C of A meeting.

Please respond with comments by Monday January 10, 2022 to allow Planners to include in their reports.

Many thanks

**Charlotte K. Crockford**

Administrative Assistant

Planning Department, City of Kawartha Lakes

705-324-9411 ext. 1231 [www.kawarthalakes.ca](http://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](http://www.kawarthalakes.ca/covid19)

## Charlotte Crockford

---

**From:** Miller, Amanda (MTO) <Amanda.Miller3@ontario.ca>  
**Sent:** Monday, January 10, 2022 4:05 PM  
**To:** Charlotte Crockford  
**Cc:** Sharma, Prabin (MTO)  
**Subject:** FW: Notice of Public Hearing for Minor Variance D20-2021-079, 69 Pinewood Crescent  
**Attachments:** 20220106 D20-22 January 2022 Minor Variance Ad.pdf; 20220106 D20-2021-079 Notice of Public Hearing.pdf

Good Afternoon Charlotte,

Thank you for circulating the City of Kawartha Lakes Committee of Adjustment Minor Variance Applications to MTO for review. Please accept this as a formal response from the Ministry of Transportation. MTO has reviewed the application in accordance with the Public Transportation and Highway Improvement Act (PTHIA) and Highway Access Management Guideline and offers following comments:

The ministry has reviewed the applications for 527 Cottage Road, 24 Royal Estate Drive, 69 Pinewood Crescent, 4 Cadillac Blvd, 22 Forest Road and has determined that the subject lands are not within our permit control area, therefore, MTO has no comments to offer.

The ministry has reviewed the applications for 6 John St and has determined that the subject lands are within our permit control area however, we cannot provide comments due to the site plan being illegible in the application. MTO will need to provide full comments once a legible site plan is received.

Thank you for the opportunity to comment.

Kind Regards,

Amanda Miller  
Planning Intern  
Corridor Management Section | East Operations  
Ministry of Transportation  
1355 John Counter Blvd  
Kingston, ON K7K 0E5  
Amanda.Miller3@ontario.ca

**From:** Charlotte Crockford <ccrockford@kawarthalakes.ca>  
**Sent:** January 6, 2022 11:00 AM  
**To:** Cathie Ritchie <critchie@kawarthalakes.ca>; Sharma, Prabin (MTO) <Prabin.Sharma@ontario.ca>; LeAnn Donnelly <LDonnelly@kawarthalakes.ca>; Craig Shanks <cshanks@kawarthalakes.ca>  
**Cc:** Kathy Lewis <klewis@kawarthalakes.ca>  
**Subject:** FW: Notice of Public Hearing for Minor Variance D20-2021-079, 69 Pinewood Crescent

**CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.**  
Typo in content of email, should read D20-2021-079 not 078.

**Charlotte K. Crockford**  
Administrative Assistant  
Planning Department, City of Kawartha Lakes  
705-324-9411 ext. 1231 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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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](http://www.kawarthalakes.ca/covid19)

**From:** Charlotte Crockford  
**Sent:** Thursday, January 6, 2022 10:58 AM  
**To:** Cathie Ritchie <[critchie@kawarthalakes.ca](mailto:critchie@kawarthalakes.ca)>; LeAnn Donnelly <[LDonnelly@kawarthalakes.ca](mailto:LDonnelly@kawarthalakes.ca)>; Craig Shanks <[cshanks@kawarthalakes.ca](mailto:cshanks@kawarthalakes.ca)>; 'Prabin.Sharma@ontario.ca' <[Prabin.Sharma@ontario.ca](mailto:Prabin.Sharma@ontario.ca)>  
**Cc:** Kathy Lewis <[klewis@kawarthalakes.ca](mailto:klewis@kawarthalakes.ca)>  
**Subject:** Notice of Public Hearing for Minor Variance D20-2021-079, 69 Pinewood Crescent

Good morning

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-078 to be heard at the January 20, 2022 C of A meeting.

Please respond with comments by Monday January 10, 2022 to allow Planners to include in their reports.

Many thanks

**Charlotte K. Crockford**  
Administrative Assistant  
Planning Department, City of Kawartha Lakes  
705-324-9411 ext. 1231 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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## David Harding

---

**From:** Kim Rhodes  
**Sent:** Friday, January 7, 2022 8:43 AM  
**To:** Mark LaHay  
**Cc:** Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead  
**Subject:** 20220107 D20-2021-080 - Engineering review

**Please see the message below from Christina Sisson:**

---

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

Minor Variance – D20-2021-080  
4 Cadillac Boulevard  
Block A less 57R-893, Plan 450  
Geographic Township of Emily

It is the understanding by Engineering that the purpose and effect is to request relief from Section 12.2.1.3(e) to reduce the water setback from 30 metres to 27 metres in order to permit the construction of a second level to the dwelling along with a second level to the covered deck.

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

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

Thanks,

**Christina**

**Christina Sisson, P.Eng.**  
Manager, 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](http://www.kawarthalakes.ca)



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

## David Harding

---

**From:** Kim Rhodes  
**Sent:** Thursday, January 6, 2022 1:02 PM  
**To:** Mark LaHay  
**Cc:** Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead  
**Subject:** 20220106 D20-2021-079 - Engineering review

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Please see the message below from Christina Sisson:**

---

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

Minor Variance – D20-2021-079  
69 Pinewood Crescent  
Lot 37, Plan M715, Part Lot 11, Concession 3  
Geographic Township of Manvers

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

1. Section 5.1(b)(i) to permit an accessory building (garage) setback of 1.2 metres to a dwelling whereas 1.3 metres is required,
2. Section 5.1(b)(iii) to reduce the rear lot line setback from 6 metres to 1.5 metres to permit a garage with a footprint greater than 60 square metres.
3. Section 5.1(b)(iii) to reduce flankage lot line setback from 15 metres to 8.1 metres to permit a garage with a footprint greater than 60 square metres.
4. 5.1(b)(vi) to reduce the rear lot line setback from 6 metres to 1.5 metres to permit a garage with a height greater than 4.3 metres.
5. Section 13.2(c) to reduce the front yard setback from 15 metres to 8.1 metres in order to reduce the distance the garage must be from Corbett Drive.

*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.**  
Manager, Development Engineering  
Lean Six Sigma Black Belt

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Russell**  
Report Number COA2022-007

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**Public Meeting**

**Meeting Date:** January 20, 2022  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

---

**Ward: 8 – Geographic Township of Emily**

**Subject:** The purpose and effect is to request relief from Section 12.2.1.3(e) to reduce the water setback from 30 metres to 24 metres in order to permit the construction of a second level to the dwelling along with a second level to the covered deck.

The variance is requested at 4 Cadillac Boulevard, geographic Township of Emily (File D20-2021-080).

---

**Author:** David Harding, Planner II, RPP, MCIP

**Signature:**



---

**Recommendation:**

**Resolved That** Report COA2022-007 Russell, be received;

**That** minor variance application D20-2021-080 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 COA2022-007, 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 COA2022-007. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.**

**Background:** This application was last amended November 25, 2021.

**Proposal:** To construct a second level to the existing dwelling and second level to the covered deck.

**Owner:** Ronald Russell

**Legal Description:** Block A, Plan 450 less Part 1, 57R-893, Part Lot 22, Concession 5, geographic Township of Emily

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

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

**Site Size:** 1,941.7 square metres (20,900.2 square feet)

**Site Servicing:** Private individual well and septic system

**Existing Uses:** Residential

**Adjacent Uses:**

North:	Wetland, Agricultural
West:	Lancaster Bay
South:	Boat Launch, Shoreline Residential
East:	Backlot Residential

**Rationale:**

**1) Is the variance minor in nature? Yes**

The subject property is situated at the northeastern edge of a shoreline residential neighbourhood, at the northwestern corner of the intersection of Valley Road and Cadillac Boulevard. The application proposes to add a second storey to the one storey dwelling. There is currently a covered deck to the west. The application proposes to add a second level to the covered deck so that the second level may also have sheltered outdoor amenity space facing the water.

The property is relatively flat, with a slight slope from the road down to the water. While the area and mass of the building is increasing, the development is proposed upon the existing footprint, which is located well back from all lot lines. As a result, no further encroachment upon the shoreline is proposed. As an addition to a single detached dwelling is proposed, the use of the site is not anticipated to change.

The variance is considered minor in nature.

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

The additional storey will double the living space of the dwelling, increasing its area from 108 square metres to 216 square metres. The additional space will increase its functionality. The second storey deck, which is not proposed to



have rear yard access, will provide sheltered outdoor amenity space for the rooms on the second floor.

Due to the above analysis, the variance is 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 "Rural Residential Type Three (RR3) Zone" within the Township of Emily Zoning By-law 1996-30.

Some of the functions of the water setback are to ensure adequate spatial separation between the shoreline and built form for the establishment of vegetation and for the attenuation of stormwater runoff. The addition does not increase the proximity of the built form to the water nor does it result in an increase to lot coverage.

The zone permits single detached dwelling use and an addition to a single detached dwelling is proposed.

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 are anticipated within this designation, and an addition to a single detached dwelling is proposed.

The intent of the Official Plan, particularly policy 3.11, is that development should be located 30 metres from the shoreline where possible. When it is not possible, development shall be located no less than 15 metres from the shoreline to provide a sufficient buffer of landscaped open space between the water and built form to improve water quality and habitat.

The addition does not increase the proximity of the built form to the water nor does it result in an increase to lot coverage. As such, the landscaped open space between the existing built form and shoreline is not anticipated to be adversely impacted should the proposed development occur.

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 (January 7, 2022): No concerns.

Building and Septic Division – Part 8 Sewage System Supervisor (January 10, 2022): The existing sewage system will accommodate the proposal.

Otonabee Region Conservation Authority (January 10, 2022): No concerns. A permit from their office for the proposal was issued.

Building and Septic Division – Chief Building Official (January 10, 2022): No concerns. Completion of the pending building permit for the deck and addition is required. There is an outstanding building permit, file BP2012-1137, for the installation of solar panels on the dwelling and garage. A final inspection is required to close the file.

### **Public Comments:**

No comments received as of January 11, 2022.

### **Attachments:**



Appendices A-E  
COA2022-007.pdf

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

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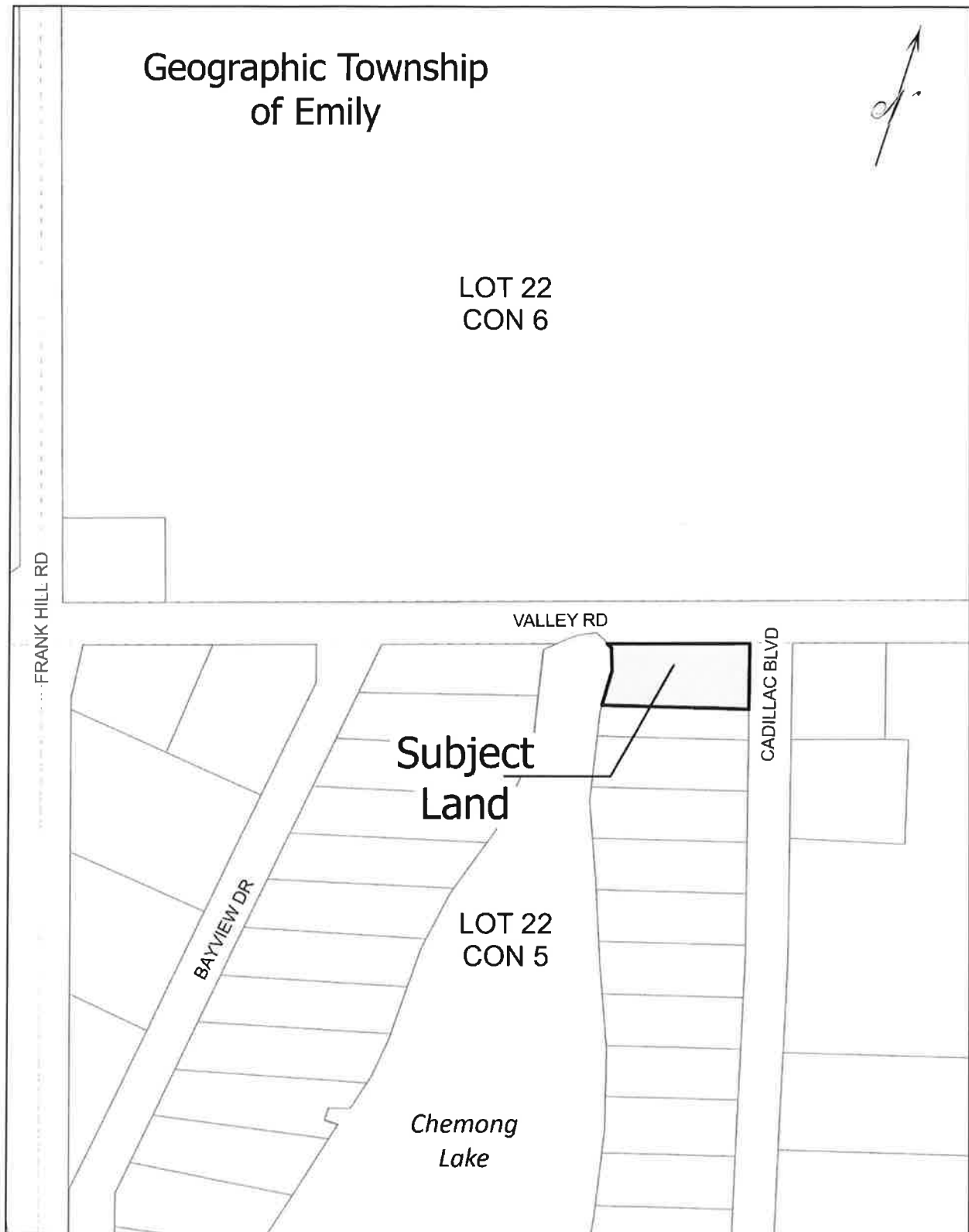
<b>Phone:</b>	705-324-9411 extension 1206
<b>E-Mail:</b>	dharding@kawarthalakes.ca
<b>Department Head:</b>	Richard Holy, Acting Director of Development Services
<b>Department File:</b>	D20-2021-080

to

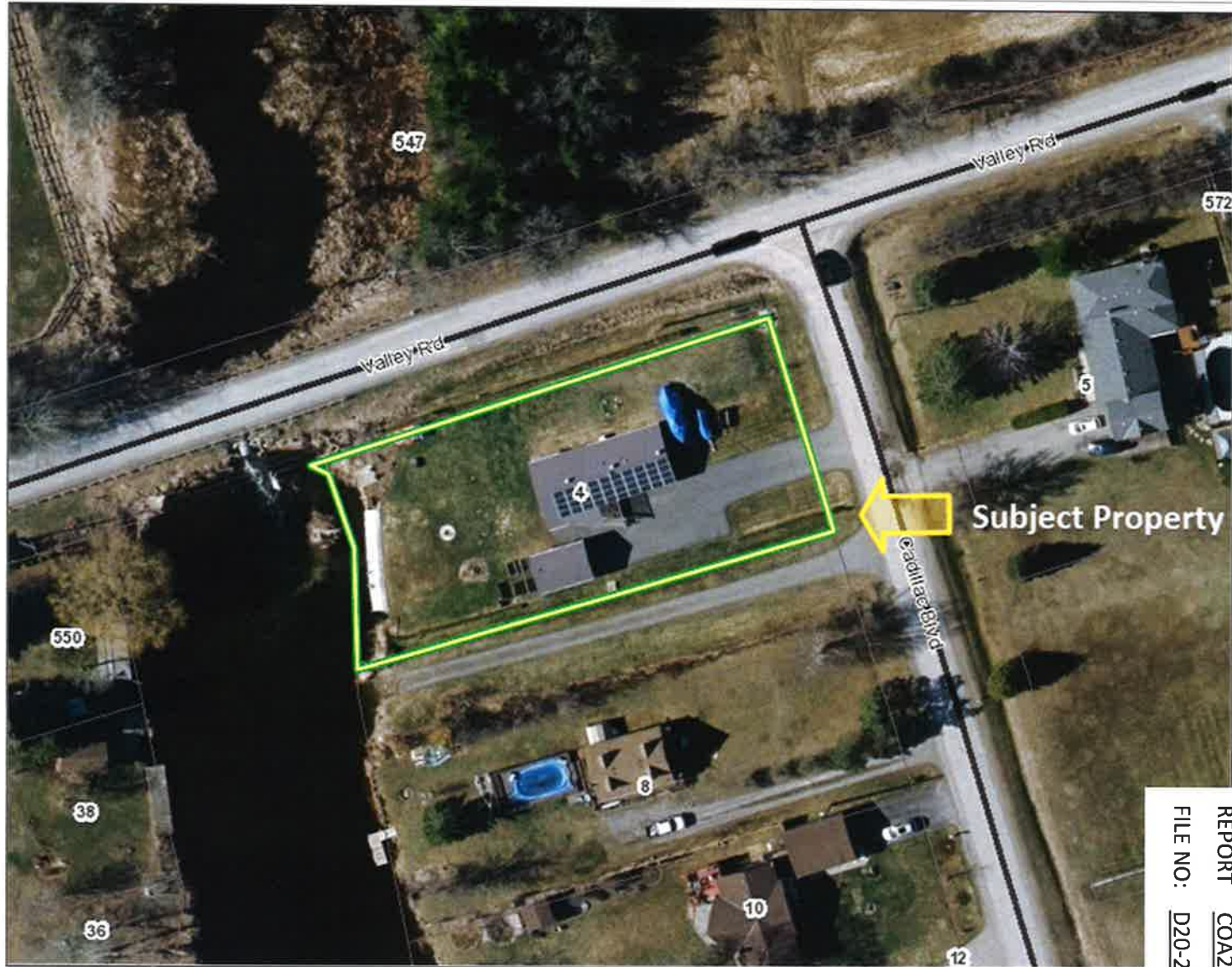
REPORT COA2022-007

FILE NO: D20-2021-080

D20-2021-080



# 4 Cadillac Boulevard, geographic Twp. of Emily



0.06 Kilometers  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City Of Kawartha Lakes

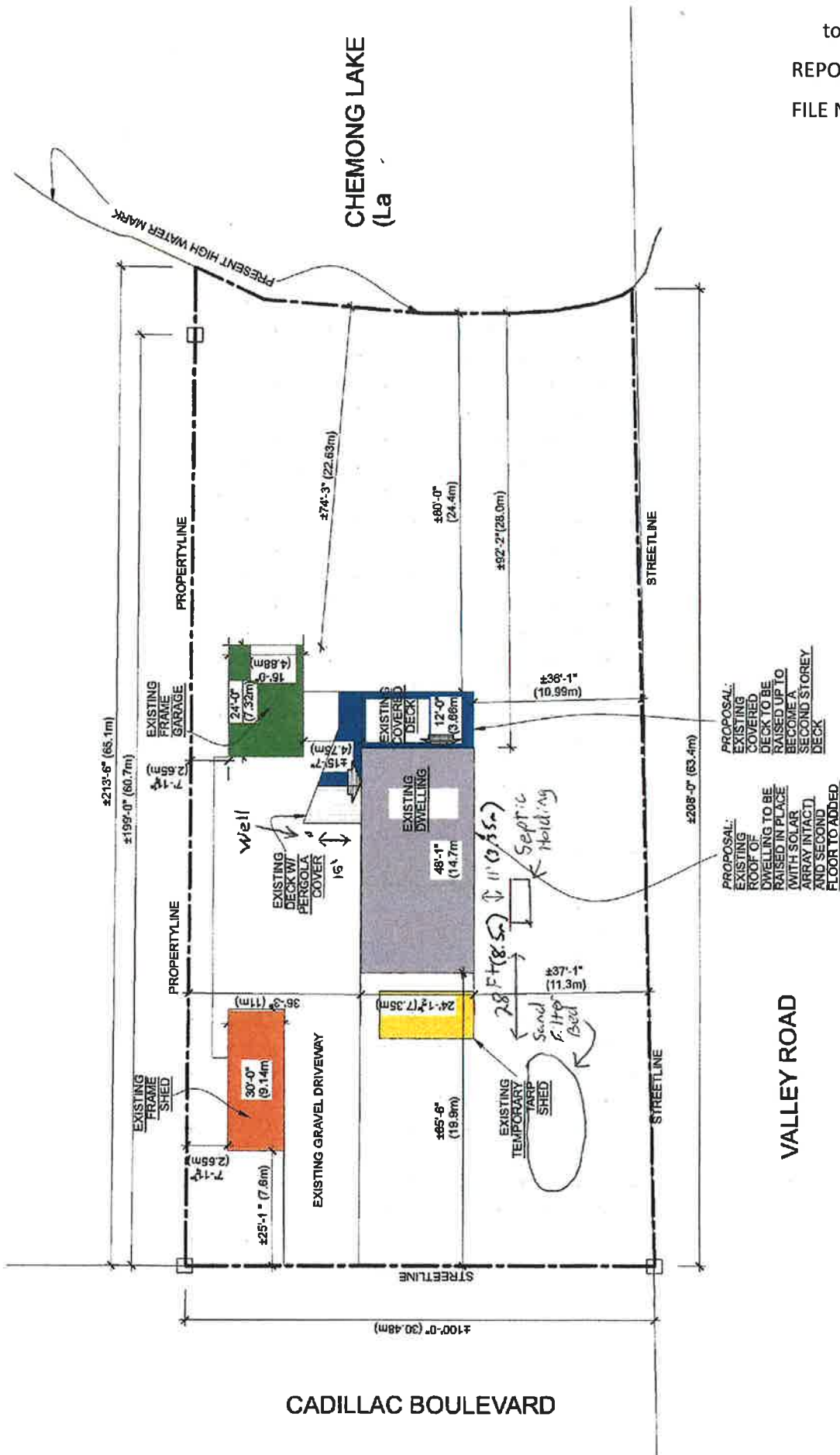


This map is a user generated static map output and is for reference only. Data, layers and text that appear on this map may or may not be current, or other.

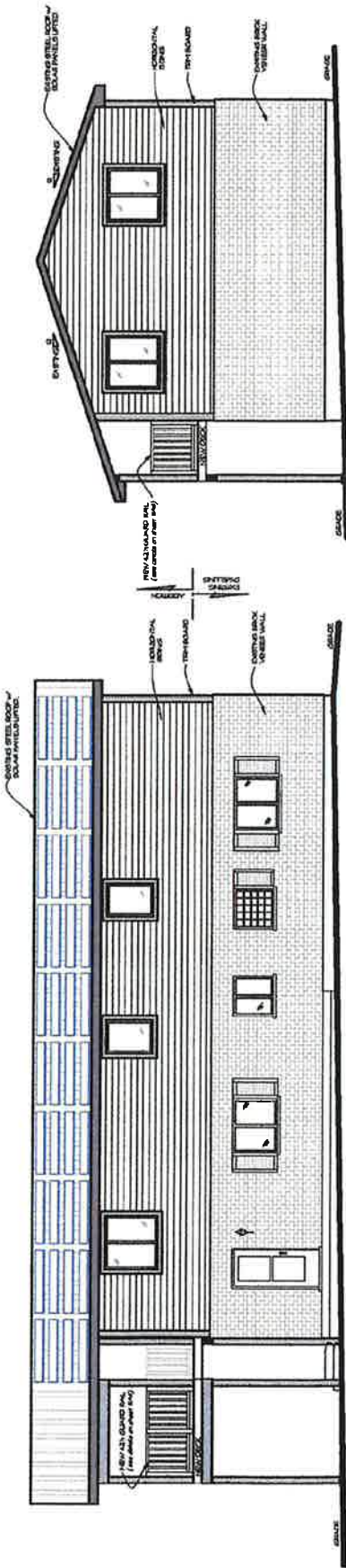
THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

REPORT COA2022-007  
FILE NO: D20-2021-080

APPENDIX " B "  
to

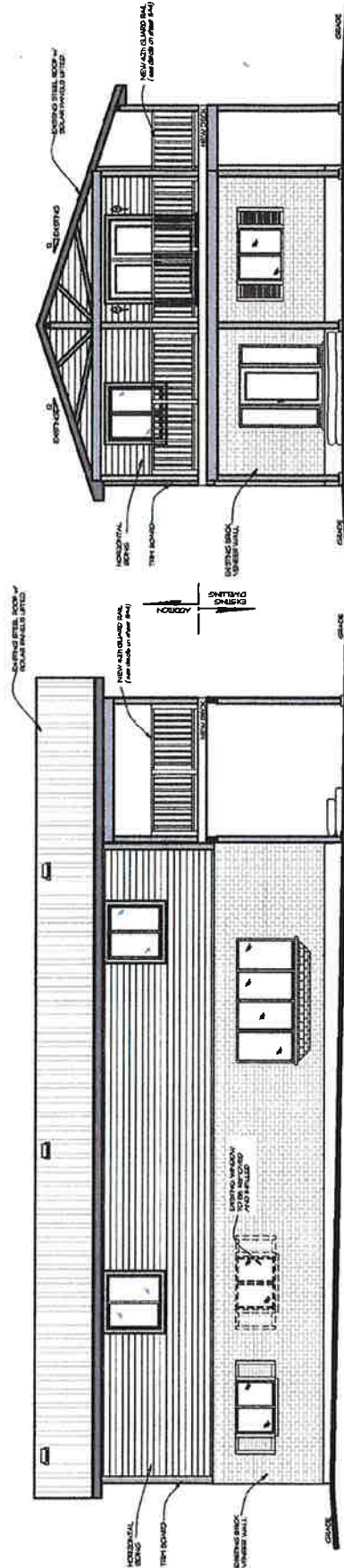






FRONT ELEVATION

RIGHT ELEVATION



REAR ELEVATION

LEFT ELEVATION

APPENDIX " D "

to

REPORT COA2022-007

FILE NO: D20-2021-080

## David Harding

---

**From:** Charlotte Crockford  
**Sent:** Monday, January 10, 2022 4:28 PM  
**To:** David Harding; Kent Stainton  
**Subject:** FW: MV comments

APPENDIX " E  
to

REPORT COA 2022-007

FILE NO. D20-2021-080

fyi

**Charlotte K. Crockford**  
Administrative Assistant  
Planning Department, City of Kawartha Lakes  
705-324-9411 ext. 1231 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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---

**From:** Susanne Murchison <[smurchison@kawarthalakes.ca](mailto:smurchison@kawarthalakes.ca)>  
**Sent:** Monday, January 10, 2022 4:16 PM  
**To:** Charlotte Crockford <[ccrockford@kawarthalakes.ca](mailto:ccrockford@kawarthalakes.ca)>  
**Subject:** MV comments

The Building and Septic Division comments, save and except comments being provided by the Supervisor of Part 8 Sewage Systems, are as follows:

- |                                |   |
|--------------------------------|---|
| D20-2021-071<br>other concerns | a building permit will be required for the proposed replacement dwelling, no other concerns     |
| D20-2021-075<br>concerns       | a building permit will be required for the proposed industrial building, no other concerns      |
| D20-2021-076<br>concerns       | a building permit will be required for the proposed detached garage, no other concerns          |
| D20-2021-078<br>other concerns | a building permit will be required for the proposed addition to the dwelling, no other concerns |
| D20-2021-079<br>concerns       | a building permit will be required for the proposed detached garage, no other concerns          |

D20-2021-080 completion of the pending building permit application will be required for the proposed second storey dwelling addition and deck addition, an outstanding building permit BP2012-1137 for the installation of solar panels on the dwelling and garage requires a final inspection to close the file

D20-2021-081 a pool permit will be required for the proposed pool, no other concerns

**Susanne Murchison, CBCO**

Chief Building Official

Building & Septic Division, Development Services, City of Kawartha Lakes

705-324-9411 ext. 1200 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)





## David Harding

---

**From:** Kim Rhodes  
**Sent:** Friday, January 7, 2022 8:43 AM  
**To:** Mark LaHay  
**Cc:** Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead  
**Subject:** 20220107 D20-2021-080 - Engineering review

**Please see the message below from Christina Sisson:**

---

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

Minor Variance – D20-2021-080  
4 Cadillac Boulevard  
Block A less 57R-893, Plan 450  
Geographic Township of Emily

It is the understanding by Engineering that the purpose and effect is to request relief from Section 12.2.1.3(e) to reduce the water setback from 30 metres to 27 metres in order to permit the construction of a second level to the dwelling along with a second level to the covered deck.

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

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

Thanks,

**Christina**

**Christina Sisson, P.Eng.**  
Manager, 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](http://www.kawarthalakes.ca)



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January 7, 2022

Cathie Ritchie  
City Clerk  
Committee of Adjustment  
Development Services - Planning Division  
180 Kent Street West  
Lindsay, ON  
KGV 2Y0

Dear Cathie Ritchie,

**Re: File: D20-2021-080, 4 Cadillac Blvd., Emily - Ronald Russell, Township of Emily, City of Kawartha Lakes; Roll#1651.001.007.22610; ORCA File: PPLK-300**

The Otonabee Region Conservation Authority (Otonabee Conservation/the Authority) has received the circulated Planning Act Application for the above noted property. Otonabee Conservation staff have reviewed the information in accordance with our mandate and policies and offer the following comments.

The purpose of the application is to reduce the water yard setback from 30 metres to 27.31 metres to permit the construction of a second storey on an existing dwelling.

\*

Otonabee Conservation's Interest in this application is four-fold:

- 1. Otonabee Conservation has reviewed this application through our delegated authority from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS).*

A review of the Otonabee Conservation floodplain mapping indicates the flooding hazard is present within a small portion of the property near the shoreline. **As such, it is the**

---

250 Milroy Drive, Peterborough ON K9H 7M9  
P: 705-745-5791 F: 705-745-7488  
otonabee@otonabeeconservation.com  
**otonabeeconservation.com**

Page 1 of 3

**opinion of Otonabee Conservation that the application is consistent with PPS section 3.1 (related to natural hazards).**

2. *The Authority has reviewed the application as a service provider to the City of Kawartha Lakes, in that we provide technical advice on natural heritage matters through a Memorandum of Understanding.*

A review of available mapping indicates the proposed development is within 120 metres from a key hydrological feature. As the application is for a vertical expansion of the existing house and will not increase the amount of impervious area on the property, **it is the opinion of Otonabee Conservation that the application is consistent with PPS sections 2.1 (related to natural heritage) and 2.2 (related to water) and GPGGH 4.2.4.3 and 4.2.3.1e)**

3. *Otonabee Conservation has reviewed the application through a regulatory lens. Under Ontario Regulation 167/06, this Authority's 'Development, Interference with Wetlands and Alterations to Shorelines and Watercourses' regulation under Section 28 of the Conservation Authorities Act, any development, interference with or alteration within a flooding hazard, erosion hazard, watercourse, wetland and their adjacent lands/areas of interference requires a permit from the Authority. When an application is circulated under the Planning Act will also require an Otonabee Conservation permit, it is the practice of the Authority to establish the policy requirements of both processes during the planning stage.*

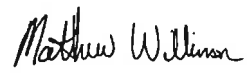
The proposed development is subject to Ontario Regulation 167/06, Otonabee Conservation's "development, interference with wetlands and alterations to shorelines and watercourses" regulation. **Permits from is agency were granted May 25<sup>th</sup> 2021 in support of this application.**

4. *Otonabee Conservation has reviewed the application in terms of the Revised Trent Source Water Protection Plan (SPP), prepared under the Clean Water Act. The SPP, intended to protect Ontario's drinking water at its source, came into effect on January 1, 2015 and contains policies to protect sources of municipal drinking water supplies from existing and future land use activities.*

The application was also reviewed in consideration of the SPP. It was determined that the subject property is not located within an area that is subject to the policies contained in the SPP.

If you have any questions, please do not hesitate to call.

Yours truly,

A handwritten signature in black ink that reads "Matthew Wilkinson". The signature is written in a cursive style with a large initial 'M'.

Matthew Wilkinson  
Planner

## David Harding

---

**From:** Anne Elmhirst  
**Sent:** Monday, January 10, 2022 1:12 PM  
**To:** Charlotte Crockford  
**Subject:** RE: Notice of Public Hearing for Minor Variance D20-2021-080, 4 Cadillac Blvd

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Charlotte,

I have received and reviewed the Minor Variance request D20-2021-080 for 4 Cadillac Blvd to facilitate the construction of a 2<sup>nd</sup> storey on the existing single detached dwelling.

A sewage system review was conducted for the proposal of the 2<sup>nd</sup> storey addition. The existing sewage system, serving the property, will accommodate the proposal.

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

Best Regards,

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



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

**From:** Charlotte Crockford <ccrockford@kawarthalakes.ca>  
**Sent:** Thursday, January 6, 2022 3:41 PM  
**To:** Christina Sisson <csisson@kawarthalakes.ca>; 'alanna.boulton@canada.ca' <alanna.boulton@canada.ca>; Tracy Richardson <trichardson@kawarthalakes.ca>; Susanne Murchison <smurchison@kawarthalakes.ca>; Anne Elmhirst <aelmhirst@kawarthalakes.ca>  
**Cc:** Kim Rhodes <krhodes@kawarthalakes.ca>  
**Subject:** Notice of Public Hearing for Minor Variance D20-2021-080, 4 Cadillac Blvd

Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-080 to be heard at the January 20, 2022 C of A meeting.

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Gopsill and Mulder**  
**Report Number COA2022-008**

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**Public Meeting**

**Meeting Date:** January 20, 2022  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

---

**Ward: 3 – Geographic Township of Fenelon and Former Village of Sturgeon Point**

**Subject:** The purpose and effect is to seek relief from the following provisions in order to construct a pool and recognize a shed:

**Sturgeon Point By-law**

1. Section 5.3.2 to permit a pool and shed whereas only landscaping and residential uses not containing a building or structure is currently permitted,
2. Section 3.1(b) to permit a pool and shed within the front yard whereas only a side or rear yard is permitted; and
3. Section 3.1(b) to reduce the minimum rear yard setback for a pool from 1.2 metres to 0.

**Fenelon By-law**

4. Section 3.1.2.1 to permit a pool within the front yard whereas only a side or rear yard is permitted; and
5. Section 3.1.2.2 to reduce the minimum side lot line setback for a pool from 1.2 metres to 0.

The variances are requested at 22 Forest Road, geographic Township of Fenelon and former Village of Sturgeon Point (File D20-2021-081).

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**Author:** David Harding, Planner II, RPP, MCIP

**Signature:**



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**Recommendation:**

**Resolved That** Report COA2022-008 Gopsill and Mulder, be received;

**That** minor variance application D20-2021-081 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 COA2022-008, 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 COA2022-008. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Background:** This application was last amended January 10, 2022. The relief sought for the shed was originally advertised as relief for a cabin, as the owner wished to apply to recognize the building in its current location and allow for future cabin use. However, the Building and Septic Division identified concerns with the capacity of the existing sewage system if the building were to be used as a cabin. In light of the comments, the owners revised their application seeking relief for a shed instead of a cabin. The building is currently used as a shed and home office.

**Proposal:** To permit an accessory building (shed) and accessory structure (pool) within the front yard.

**Owners:** Howard Gopsill and Antonja Mulder

**Legal Description:** Part Lot 11, Concession 10, geographic Township of Fenelon, Part 4, 57R-7271, former Village of Sturgeon Point

**Official Plan:** "Development Area Plan Nine Special Policy Three (DP-9(3))" within the City of Kawartha Lakes Official Plan

**Zone:** "Rural Residential Type One (RR1) Zone" within the Township of Fenelon Zoning By-law 12-95  
"Single Residential Type One Exception Two (R1-2) Zone" within the Village of Sturgeon Point By-law 339

**Site Size:** 7,486.7 square metres (1.85 acres)

**Site Servicing:** Private individual well and septic system

Existing Uses: Residential

Adjacent Uses: North: Agricultural, Forest  
South, East, West: Residential

**Rationale:** The subject property has the unique circumstance of being subject to two zoning by-laws. The space between the front lot line and south wall of the house is primarily within the Sturgeon Point By-law, and the balance of the property is within the Fenelon Zoning By-law.

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

The subject property is located on the west side of the Sturgeon Point community. The lots within this area are wide, deep, and heavily forested. As a result, the neighbourhood is characterized by forest with winding driveways intermittently connecting to the road, dwellings set well back from the road, and the forest providing substantial screening of the dwellings from the road and from one another.

The shed is proposed about 41 metres from the front lot line and pool about 31 metres from the front lot line. The majority of the front yard is forested. Only the yard area nearest the dwelling is maintained lawn and cleared of trees. The substantial spatial separation along with the vegetative buffering is anticipated to effectively screen the two structures from the road.

Both structures are modest in relation to the footprint of the dwelling and are located on the west and east side of the front yard respectively. Due to their placement and scale, should they be visible from the road, they are not anticipated to visually detract from the primary use of the dwelling. The land to the side of the structures is forested on both the subject property and the abutting residential lots: 16 and 30 Forest Road. The accessory structures are not anticipated to adversely impact the function of the front yards of the abutting properties.

The variances are minor in nature.

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

The property is heavily forested. The lands immediately around the dwelling are maintained as manicured lawn. The sewage system is within the rear yard. The most viable cleared space to place a pool and shed are within the front yard. Both structures are relatively small.

The subject property is surrounded on all sides by vegetative buffers, which effectively screen the property from the road and neighbouring lots. No adverse land use impacts are anticipated due to the presence of the vegetative buffers.

The pool will add additional outdoor recreational amenity space and the shed will provide additional storage and home office space.

Due to the above analysis, the variances are 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 southernmost portion of the property is within the Single Residential Type One Exception Two (R1-2) Zone” of the Village of Sturgeon Point By-law 339. The balance of the property is “Rural Residential Type One (RR1) Zone” within the Township of Fenelon Zoning By-law 12-95.

The R1-2 Zone permits landscaping and related uses accessory to a single detached dwelling. The RR1 Zone permits a single detached dwelling.

The boundary between the two by-laws runs on a northwest-southeast diagonal through the front yard of the subject property and the front yard of the property to the east: 16 Forest Road. While all five residential lots on the north side of Forest Road are subject to two different by-laws, numbers 16 and 22 have the least land subject to the Sturgeon Point By-law. Given the generous depth of both lots, and the fact that development within this neighbourhood is set well back from the road, the R1-2 Zone likely intended for development to occur further back on the parcel, and for vegetation to be preserved within the front yards. The RR1 Zoning on the balance of the two lots reinforces this interpretation.

The intent of the R1-2 Zone is being maintained as the shed is proposed about 41 metres from the front lot line and pool about 31 metres from the front lot line. As such, the built form is located well away from the road, and does not impact the ability of the established forest vegetation to screen the uses from the road.

The by-law permits a shed to be used as a home office. No adverse impacts are anticipated to having the shed function as a home office.

The reliefs from the minimum side yard and rear yard setbacks are sought for the pool due to the placement of the zone boundary through the property. The zone boundary runs through the proposed pool location. However, the overall setback between the pool and the mutual lots lines is substantially greater.

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 within the “Development Area Plan Nine Special Policy Three (DP-9(3))” designation within the City of Kawartha Lakes Official Plan. The designation applies to the lands north of Irene Avenue, east of Forest Avenue, and west of Sturgeon Point Road. The intent of the designation is to prevent the further subdivision of land until a Secondary Plan for the area has been implemented. The Secondary Plan will address the compatibility of new development in relation to the established Sturgeon Point community. Existing lots of record are excluded from this policy.

The intent of the Official Plan is maintained as improvement to an existing lot of record is proposed.

**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 (January 7, 2022): No concerns

Building and Septic Division – Part 8 Sewage System Supervisor (January 10, 2022): If the accessory building is proposed to be a cabin, additional review is required as there may be challenges with the capacity of the existing sewage system. No concerns with using the accessory building as a shed/home office, or with the placement of the pool.

Building and Septic Division – Chief Building Official (January 10, 2022): No concerns. A pool permit is required for the proposed pool.

**Public Comments:**

No comments received as of January 11, 2022.

**Attachments:**



Appendices A-D  
COA2022-008.pdf

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Department and Agency Comments

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**Phone:** 705-324-9411 extension 1206

**E-Mail:** dharding@kawarthalakes.ca

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

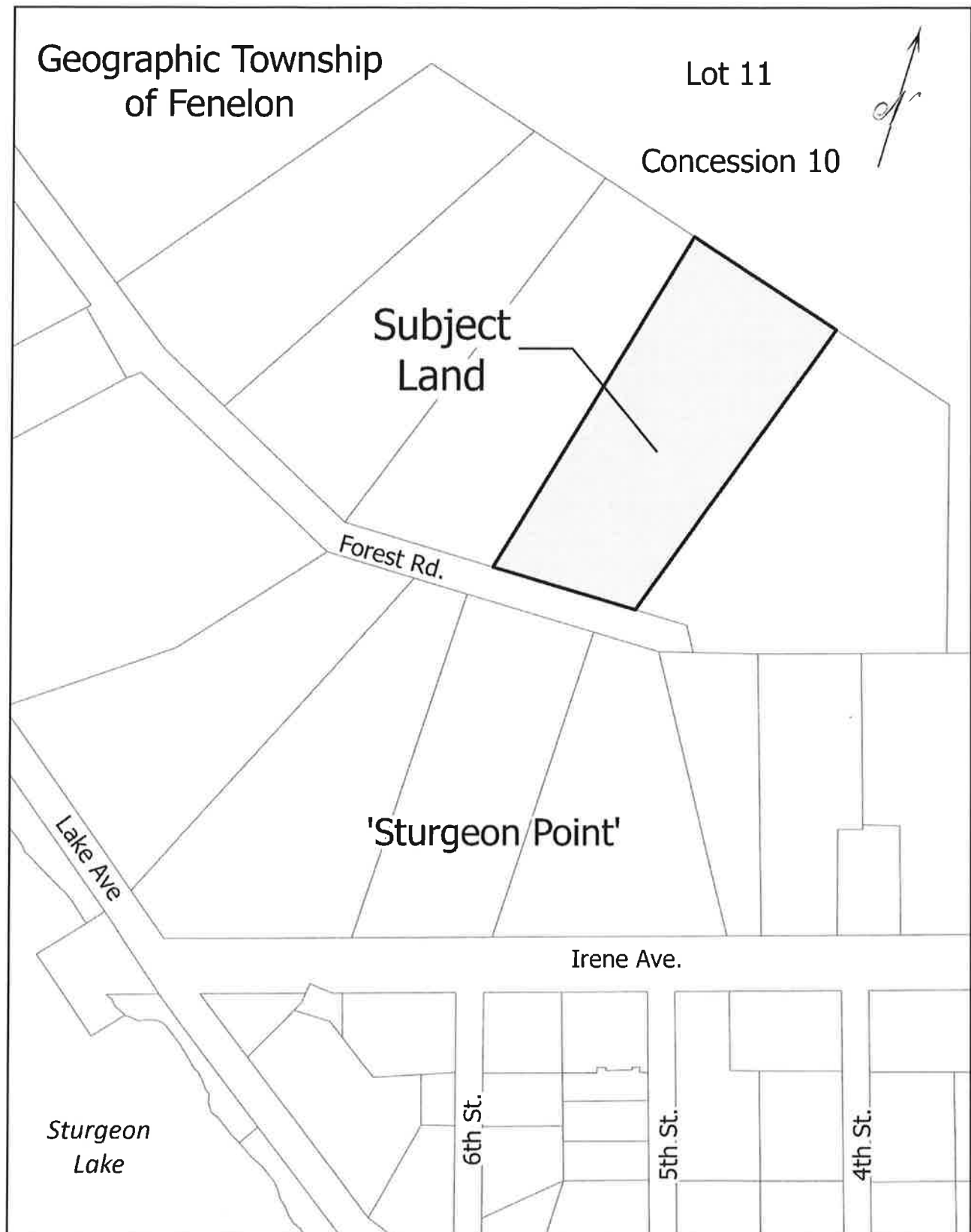
**Department File:** D20-2021-081

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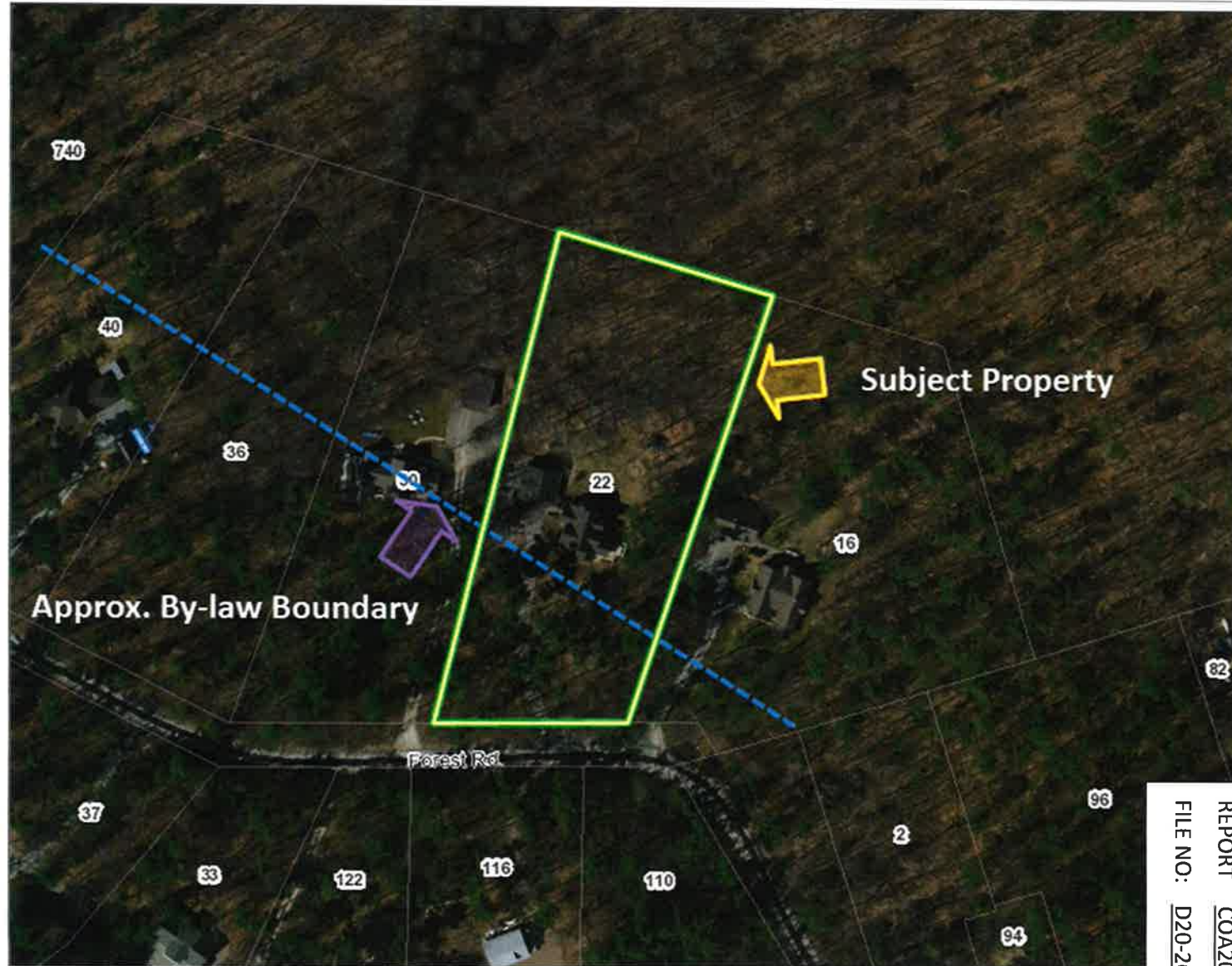
REPORT COA2022-008

FILE NO: D20-2021-081

D20-2021-081



# 22 Forest Road, Geographic Twp. of Fenelon, Former Village of Sturgeon Point



0.11 Kilometers  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City Of Kawartha Lakes



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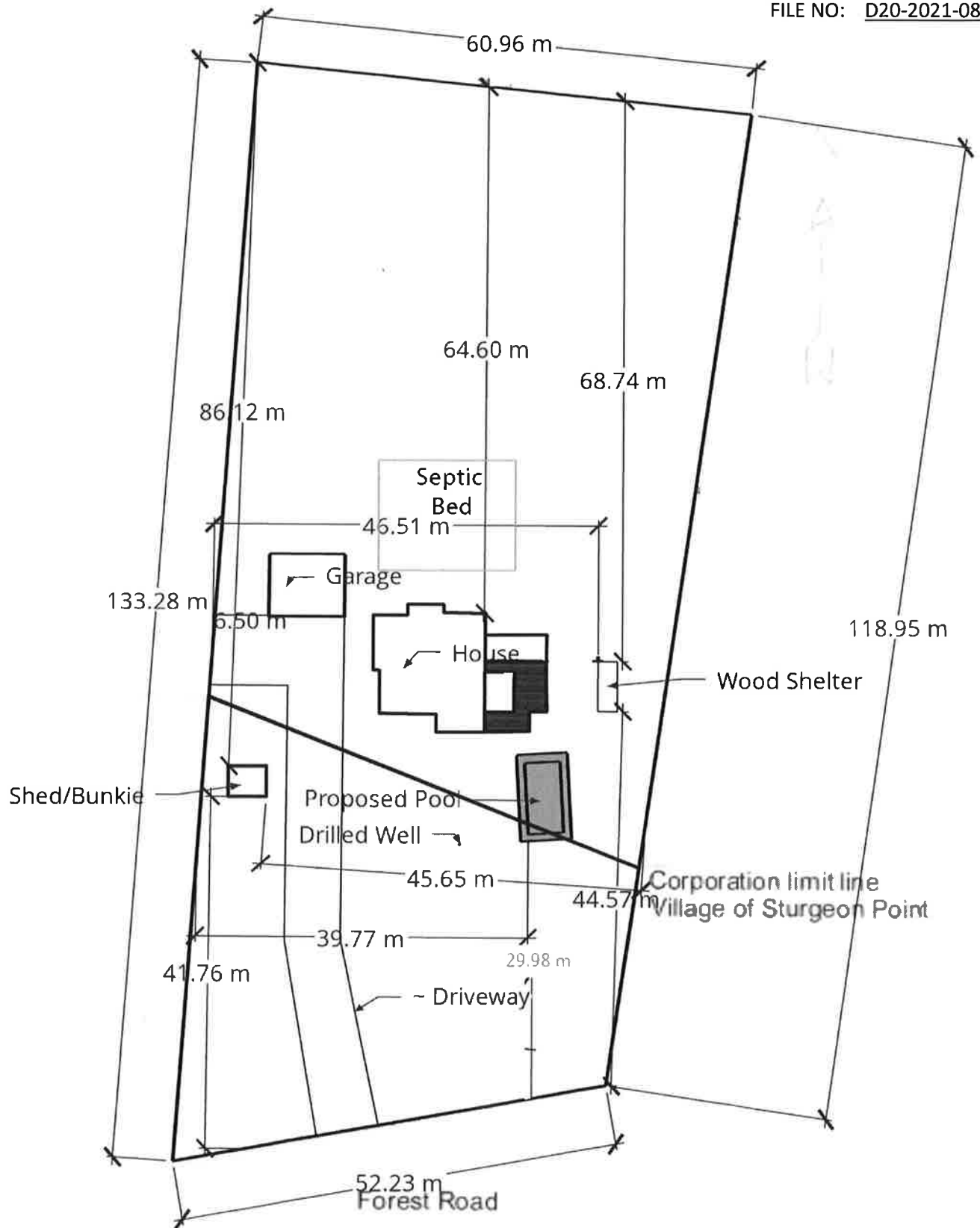
REPORT COA2022-008  
FILE NO: D20-2021-081

APPENDIX " B "

to

REPORT COA2022-008

FILE NO: D20-2021-081



## David Harding

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**From:** Charlotte Crockford  
**Sent:** Monday, January 10, 2022 4:28 PM  
**To:** David Harding; Kent Stainton  
**Subject:** FW: MV comments

APPENDIX " D "  
to  
REPORT CoA2022-008  
FILE NO. D20-2021-081

fyi

**Charlotte K. Crockford**  
Administrative Assistant  
Planning Department, City of Kawartha Lakes  
705-324-9411 ext. 1231 [www.kawarthalakes.ca](http://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](http://www.kawarthalakes.ca/covid19)

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**From:** Susanne Murchison <[smurchison@kawarthalakes.ca](mailto:smurchison@kawarthalakes.ca)>  
**Sent:** Monday, January 10, 2022 4:16 PM  
**To:** Charlotte Crockford <[ccrockford@kawarthalakes.ca](mailto:ccrockford@kawarthalakes.ca)>  
**Subject:** MV comments

The Building and Septic Division comments, save and except comments being provided by the Supervisor of Part 8 Sewage Systems, are as follows:

- |              |   |
|--------------|---|
| D20-2021-071 | a building permit will be required for the proposed replacement dwelling, no other concerns     |
| D20-2021-075 | a building permit will be required for the proposed industrial building, no other concerns      |
| D20-2021-076 | a building permit will be required for the proposed detached garage, no other concerns          |
| D20-2021-078 | a building permit will be required for the proposed addition to the dwelling, no other concerns |
| D20-2021-079 | a building permit will be required for the proposed detached garage, no other concerns          |

D20-2021-080 completion of the pending building permit application will be required for the proposed second storey dwelling addition and deck addition, an outstanding building permit BP2012-1137 for the installation of solar panels on the dwelling and garage requires a final inspection to close the file

D20-2021-081 a pool permit will be required for the proposed pool, no other concerns

**Susanne Murchison, CBCO**

Chief Building Official

Building & Septic Division, Development Services, City of Kawartha Lakes

705-324-9411 ext. 1200 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



## **David Harding**

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**From:** Kim Rhodes  
**Sent:** Friday, January 7, 2022 8:44 AM  
**To:** Mark LaHay  
**Cc:** Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead  
**Subject:** 20220107 D20-2021-081 - Engineering review

**Please see the message below from Christina Sisson:**

---

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

Minor Variance – D20-2021-081  
22 Forest Road  
Geographic Township of Fenelon and former Village of Sturgeon Point

It is the understanding by Engineering that the purpose and effect is to see relief from the following provisions in order to construct a pool and recognize a cabin:

Sturgeon Point By-law

1. Section 5.3.2 to permit a pool and cabin whereas only landscaping and residential uses not containing a building or structure is currently permitted;
2. Section 3.1(b) to permit a pool and cabin within the front yard whereas only a side or rear yard is required; and
3. Section 3.1(b) to reduce the minimum rear yard setback for a pool from 1.2 metres to 0.

Fenelon By-law

4. Section 3.1.2.1 to permit a pool within the front yard whereas only a side or rear yard is required; and
5. Section 3.1.2.2 to reduce the minimum side lot line setback for a pool from 1.2 metres to 0.

*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.**

Manager, 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](http://www.kawarthalakes.ca)



## David Harding

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**From:** Anne Elmhirst  
**Sent:** Monday, January 10, 2022 1:40 PM  
**To:** Charlotte Crockford  
**Subject:** RE: Notice of Public Hearing for Minor Variance D20-2021-081, 22 Forest Road

Hello Charlotte,

I have received and reviewed and the Minor Variance application D20-2021-081 for 22 Forest Road to request relief to permit a pool and cabin in the front yard of the property.

A sewage system installation report has been issued for this property under file F-09-08. The sewage system is located in the rear yard of the dwelling. The placement of an accessory structure, pool, will not encroach on the sewage system when placed in the front yard area. As such, the Building and Septic Division has no concerns with the pool placement as it relates to the private on-site sewage disposal system.

A cabin structure (labelled shed/bunkie) has been constructed in the front yard as well. The location of this structure will not cause an issue for the existing sewage system for clearance distances purposes. However, the allowed use of the structure can impact the total daily sewage flow for the sewage system. Currently, the owner has indicated that the structure is a private home-based office. This use can be permitted with the existing sewage disposal system. If the provisions of the minor variance allow the structure to be used for sleeping accommodations, the system will not accommodate the increase to the total daily sewage flow. Further review may be required for the existing shed/bunkie structure based on the uses permitted through the variance.

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](http://www.kawarthalakes.ca)



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

**From:** Charlotte Crockford <[ccrockford@kawarthalakes.ca](mailto:ccrockford@kawarthalakes.ca)>

**Sent:** Thursday, January 6, 2022 3:23 PM

**To:** Christina Sisson <[csisson@kawarthalakes.ca](mailto:csisson@kawarthalakes.ca)>; Doug Elmslie <[delmslie@kawarthalakes.ca](mailto:delmslie@kawarthalakes.ca)>; Susanne Murchison <[smurchison@kawarthalakes.ca](mailto:smurchison@kawarthalakes.ca)>; Anne Elmhirst <[aelmhirst@kawarthalakes.ca](mailto:aelmhirst@kawarthalakes.ca)>

**Cc:** Kim Rhodes <[krhodes@kawarthalakes.ca](mailto:krhodes@kawarthalakes.ca)>

**Subject:** Notice of Public Hearing for Minor Variance D20-2021-081, 22 Forest Road

## David Harding

---

**From:** Anne Elmhirst  
**Sent:** Monday, January 10, 2022 3:43 PM  
**To:** David Harding  
**Subject:** RE: Office Shed

Hi David,

Thank you for looping me in on the conversation around the cabin for 22 Forest Drive. As the request for the accessory structure will be a shed/office proposal. I have no further concerns with the minor variance request.

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](http://www.kawarthalakes.ca)



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**From:** David Harding <dharding@kawarthalakes.ca>  
**Sent:** Monday, January 10, 2022 3:40 PM  
**To:** 'Howard Gopsill' <howard.gopsill@live.com>  
**Cc:** Charlotte Crockford <ccrockford@kawarthalakes.ca>; Leah Barrie <lbarrie@kawarthalakes.ca>; Anne Elmhirst <aelmhirst@kawarthalakes.ca>  
**Subject:** RE: Office Shed

Thank you, Howard.

We acknowledge the partial withdrawal and will update the staff report and recommendation accordingly.

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

Due to COVID-19 the offices at 180 Kent Street West remain closed to public access. However, all services continue to be provided and staff are available by telephone or email during regular business hours.

This message, including any attachments, is privileged and intended only for the addressee(s) named above. If you are not the intended recipient, you must not read, use or disseminate the information contained in this e-mail. If you have received this e-mail transmission in error, please notify the sender immediately by telephone, fax or e-mail and permanently delete this e-mail from your computer, including any attachments, without making a copy. Access to the e-mail by anyone else is unauthorized. Thank you.

---

**From:** Howard Gopsill <[howard.gopsill@live.com](mailto:howard.gopsill@live.com)>  
**Sent:** Monday, January 10, 2022 2:27 PM  
**To:** David Harding <[dharding@kawarthalakes.ca](mailto:dharding@kawarthalakes.ca)>  
**Subject:** Office Shed

Hi David,

As per our phone conversation today, we would like to formally withdraw the cabin component of our minor variance application. As agreed, we will only use as a shed/home office.

Please let me know if you require any additional information.

Thanks David,

Howard