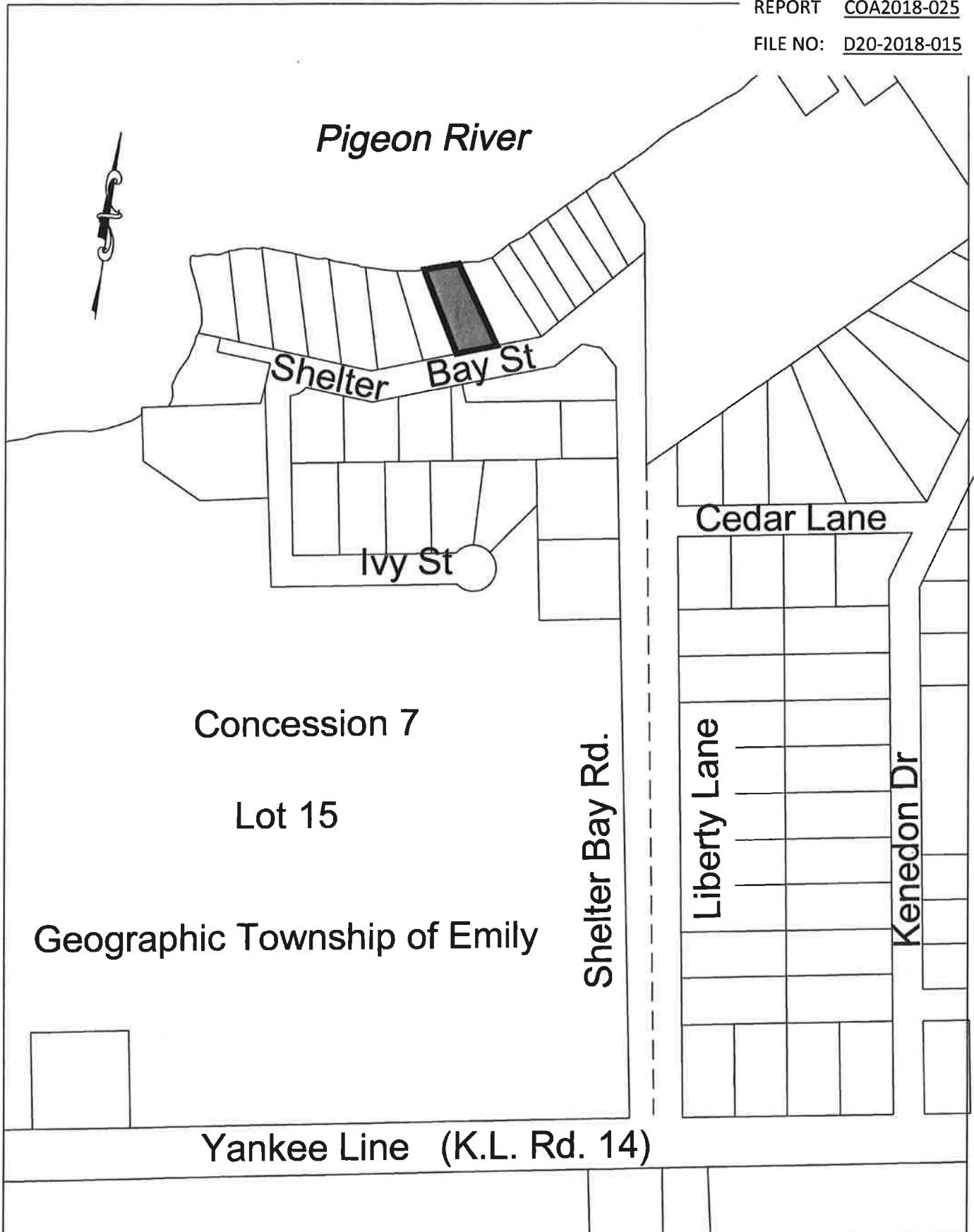


to

REPORT COA2018-025

FILE NO: D20-2018-015





**See  
Enlargement  
on Next  
Page**

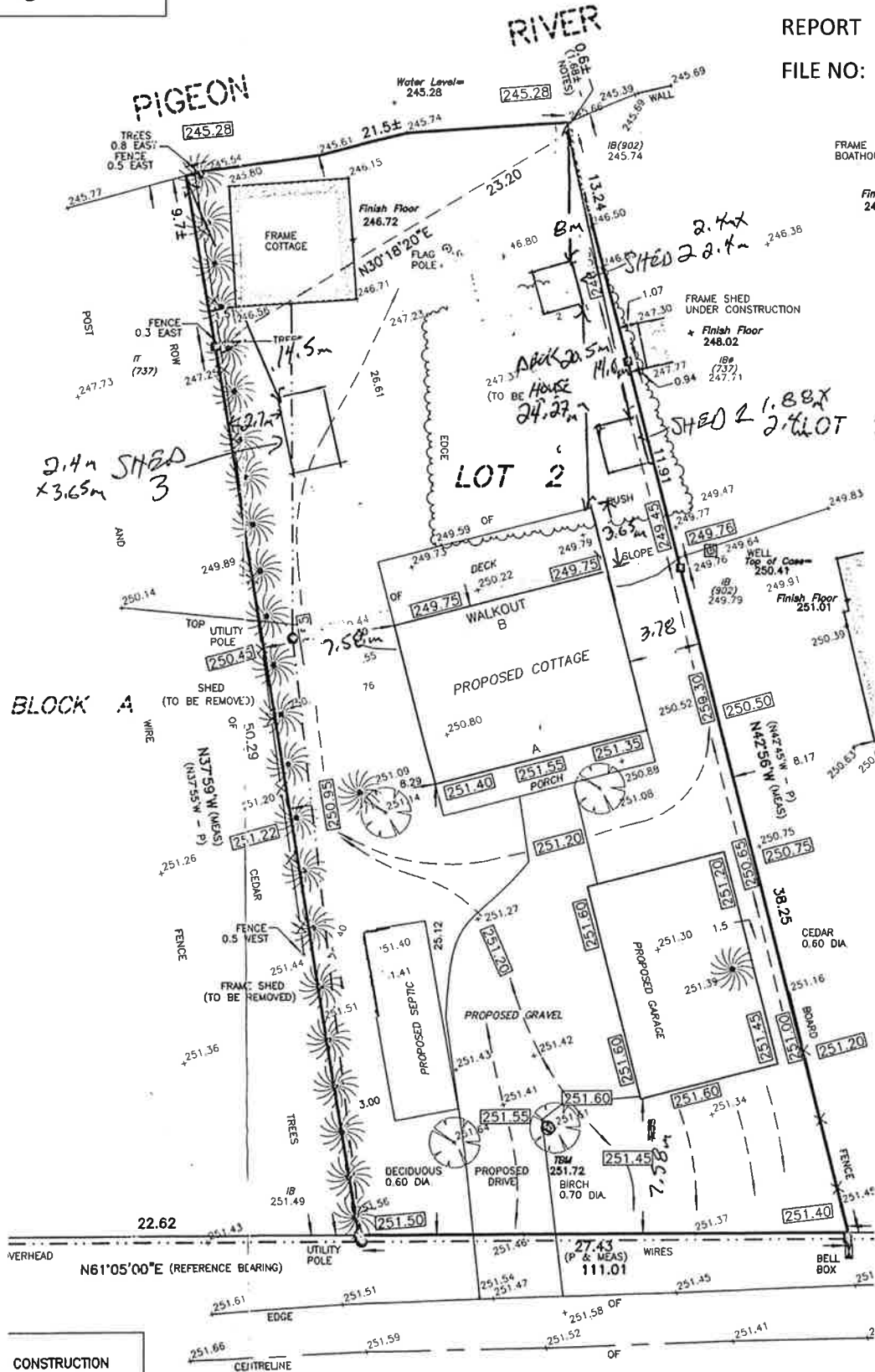
# Enlargement

APPENDIX " C-2 "

to

REPORT COA2018-025

FILE NO: D20-2018-015



CONSTRUCTION  
IMPACT ABUTTING

2 FROST

SHELTER BAY S  
(NAMING BY-LAW No. 1996-32, INST. No. 0.

# City of Kawartha Lakes Committee of Adjustment Notice of Decision

APPENDIX " D "

to

REPORT COA 2018-025

FILE NO. D20-2018-015

Application File No: D20-10-019  
Application by: Richard & Margaret BARBE  
Address of Applicant: 1139 Alexandra Ave.  
Mississauga ON L5E 2A4  
Location of Property: 66 Shelter Bay St.  
Lot 15, Conc. 7, Plan 369 Lot 2  
Geographic Township of Emily  
now in the City of Kawartha Lakes  
Purpose of the Application:  
Subject:

**D20-10-019 – 66 Shelter Bay St. Lot 15, Conc. 7, Plan 369 Lot 2, geographic Township of Emily, now in the City of Kawartha Lakes – for a minor variance to consider relief under Section 45(1) of the Planning Act, R.S.O., as amended, from the Township of Emily Comprehensive Zoning By-Law No. 1996-30, as amended. The purpose and effect is to request relief from Section 3.1.3.1 to increase the lot coverage for accessory buildings from 8% to 8.3%, and Section 13.2.1.3 b) i) to reduce the interior side yard setback from 3 m. to 1 m. to permit the construction of an accessory building and Section 13.2.1.3 b) ii) to reduce the interior side yard setback from 5.5 m. to 4 m. and Section 13.2.1.3 e) to reduce the water setback for the dwelling from 30 m. to 25 m. and Section 3.1.4.1 c) to reduce the water setback for a deck from 30 m. to 21 m. to permit the construction of a dwelling on the property.**

## DECISION

Date of Decision: May 13, 2010

Moved By: G. Kydd

Seconded By: A. Smelko

**THAT, Application D20-10-019, being an application for a minor variance to increase the lot coverage for accessory buildings from 8% to 8.3%, and to reduce the interior side yard setback from 3 m. to 1 m. to permit the construction of an accessory building and to reduce the interior side yard setback from 5.5 m. to 4 m. and to reduce the water setback for the dwelling from 30 m. to 25 m. and to reduce the water setback for a deck from 30 m. to 21 m. to permit the construction of a dwelling on the property on the property known as 66 Shelter Bay St. be GRANTED, as the application meets the tests as set out in Subsection 45(1) of the *Planning Act*;**

**CONDITIONAL THAT the owner obtain a permit from Kawartha Conservation Authority for the alterations being made to the existing cottage to be turned into a boathouse;**

Notice of Decision on Application D20-10-019  
City of Kawartha Lakes Committee of Adjustment

**CONDITIONAL THAT the applicant meets the requirements of the Ontario Building code regarding the 45 minute fire resistance rating for the wall adjacent to the proposed 1 m. setback for the cottage to be transformed into a boathouse, as per required by the Building Department;**

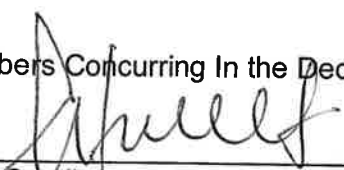
**CONDITIONAL THAT the owner apply for and pay the prescribed fee for a change of use permit for the cottage/boathouse conversion, as per required by the Building Department;**

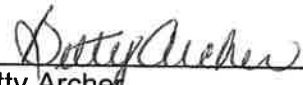
**AND CONDITIONAL THAT the building construction related to this Minor Variance shall be completed within a period of eighteen (18) months after the date of the notice of the decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.**

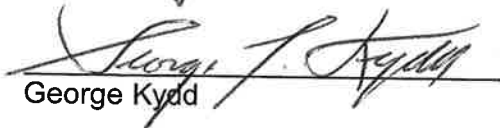
The approval pertains to the application as applied for. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

Members Concurring In the Decision

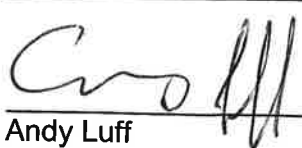
  
Allan Smelko

  
Betty Archer

  
George Kydd

  
Glen Bilton


  
James Ayres

  
Andy Luff

Members Dissenting In the Decision


  
Allan Smelko

  
Betty Archer

  
George Kydd

  
Glen Bilton

  
James Ayres

  
Andy Luff

**APPEAL** – If you wish to appeal the decision you must set out written reasons in support of the appeal using Appellant "A1" Form (available from the OMB website at [www.omb.gov.on.ca](http://www.omb.gov.on.ca) or from the Secretary-Treasurer at the address provided below), together with payment of \$125.00 in the form of a certified cheque or money order, made payable to the **Minister of Finance**, must be filed with the "Secretary-Treasurer, City of Kawartha Lakes Committee of Adjustment, 180 Kent St. W., Lindsay, Ontario K9V 2Y6." The office may also be contacted at Tel: (705) 324-9411 Ext. 1239 Fax (705) 324-4027

Notice of Decision on Application D20-10-019  
City of Kawartha Lakes Committee of Adjustment

or by e-mail: [cdarling@city.kawarthalakes.on.ca](mailto:cdarling@city.kawarthalakes.on.ca). All appeals with the appropriate fee must be received at the address shown above on or before, **June 1, 2010**.

Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.


Our records, at this time, indicate that the land which is subject of this Application is also subject to an application under the Planning Act for:

<input type="checkbox"/>	Plan of Subdivision	File No.	Status:
<input type="checkbox"/>	Consent	File No.	Status:

**CERTIFICATION**

I Doug Carroll certify that the information included herein is a true copy of the decision of the committee with respect to the application recorded therein.

Dated this 13<sup>th</sup> day of May, 2010.

  
Secretary-Treasurer



NAME RICK & MARGARET BARBE  
 ADDRESS 66 SHELTER BAY ST.  
 KAWARTHA LAKES  
 SCALE 1:250  
 REGISTERED PLAN NO. 369 LOT 8

Proposed Dwelling

Water Setback

Required: 30m.  
 Proposed: 25m.  
 Variance: 5m.

Interior Side Yard

Required: 5.5m.  
 Proposed: 4m.  
 Variance: 1.5m

Deck Setback

Required: 30m.  
 Proposed: 21m.  
 Variance: 9m.

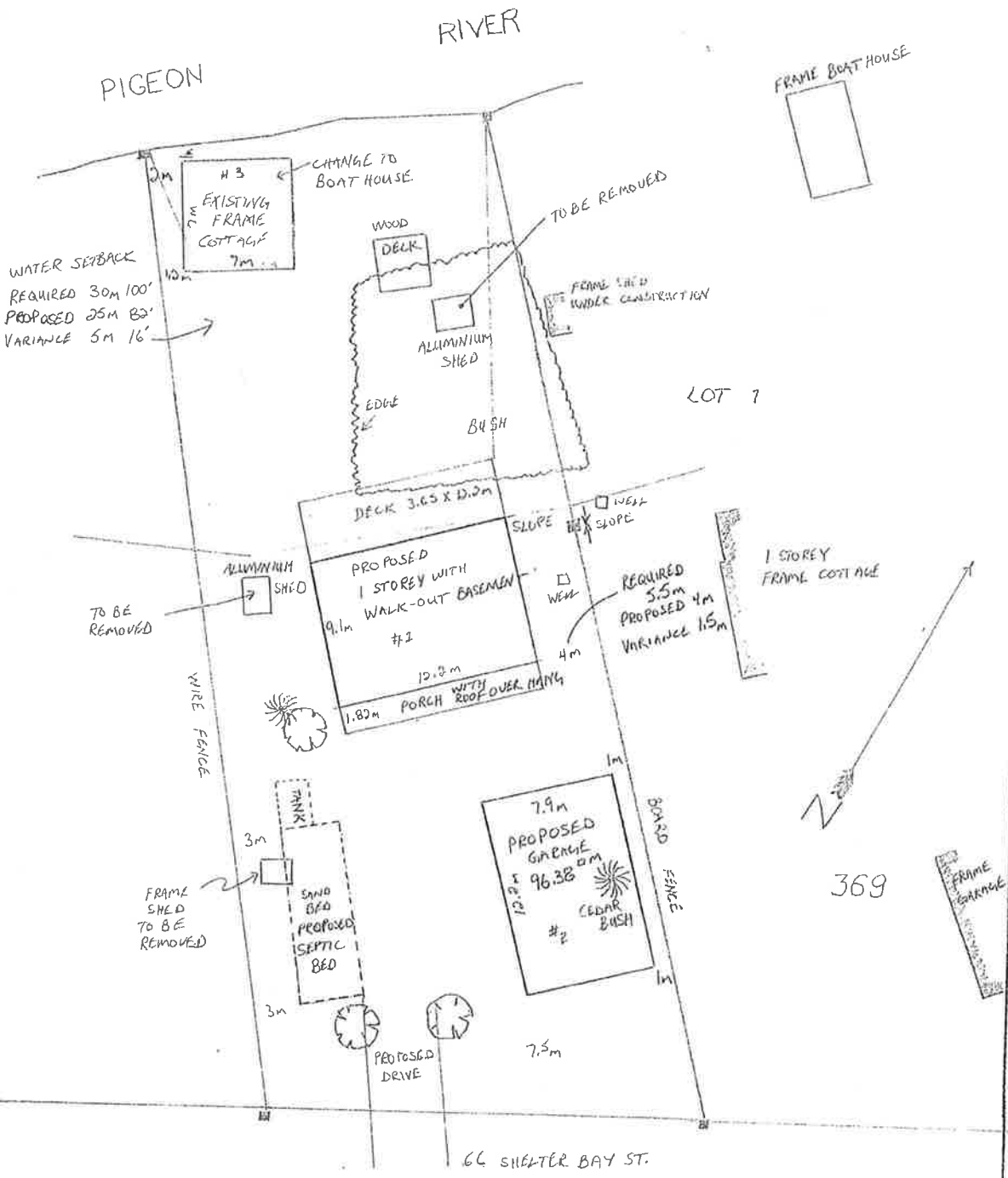
Accessory Building

Lot Coverage

Required: 8%  
 Proposed: 8.3%  
 Variance: 0.3%

Interior Side Yard

Required: 3m.  
 Proposed: 1m.  
 Variance: 2m.







Engineering & Corporate Assets Department  
P.O. Box 9000, 12 Peel Street  
Lindsay ON K9V 5R8  
Tel: (705) 324-9411 Ext. 1119  
Fax: (705) 324-2982  
e-mail: [ktimms@kawarthalakes.ca](mailto:ktimms@kawarthalakes.ca)  
website: [www.kawarthalakes.ca](http://www.kawarthalakes.ca)

APPENDIX " E "

to

REPORT COA2018-025

FILE NO. D20-2018-015

## MEMORANDUM

**TO:** Mark LaHay, Acting Secretary-Treasurer

**CC:** Christina Sisson, Supervisor Development Engineering  
Kim Rhodes, Administrative Assistant  
Erica Hallett, Administrative Assistant

**FROM:** Kirk Timms, Engineering Technician

**DATE:** May 8<sup>th</sup>, 2018

**RE:** Application for Minor Variance/Permission  
D20-2018-015  
66 Shelter Bay Road, Lot 15, Concession 7, Lot 2, Plan 369,  
geographic Township of Emily, Ward 15, now in the City of  
Kawartha Lakes.

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Engineering has reviewed the City of Kawartha Lakes Committee of Adjustment Notice of Public Hearing for Minor Variance as well as the Application for Minor Variance/Permission received on May 3<sup>rd</sup>, 2018.

It is the understanding by Engineering that the applicant is applying for a minor variance to request relief from the following provisions to permit 3 sheds and a vacation dwelling and deck on the property.

From an engineering perspective, we confirm we have no objection to the proposed minor variance for Township of Emily Zoning By-law 1996-30, as amended;

- Section 3.1.2.2 to reduce the spatial separation between the deck and shed 1 from 2 metres to 1.6 metres.
- Section 3.18.1.1 (a) to reduce the minimum building setback from the Environmental Protection (EP) Zone from 15 metres to 14.6 m for shed 1, from 15 metres to 8 metres for shed 2, and from 15 metres to 14.5 metres for shed 3.
- Section 13.2.1.1 (e) to reduce the water setback from 30 metres to 14.6 metres for shed 1, from 30 metres to 8 metres for shed 2, 30 metres to

14.5 metres for shed 3, from 30 metres to 24.2 metres for the vacation dwelling and from 30 metres to 20.5 metres for the deck.

- Section 3.1.3.1 to increase the maximum permitted lot coverage for all residential accessory buildings from 8% to 11%.
- Section 3.1.3.3 to increase the maximum number of residential accessory buildings from 3 to 5.
- Section 13.2.1.3 (b) (ii) to reduce interior side yard setback from 5.5 metres to 3.7 metres to permit the vacation dwelling and deck.

However from an engineering perspective, we do object to Section 3.1.2.2 to reduce the side yard setback from 1 metre to 0.3 metres to permit shed 1. A 0.3 metres setback is insufficient to install any drainage features (i.e side yard swale) to prevent negative impact to the neighbouring property.

We respectfully request if additional information brought forward through the commenting period that changes the intent of the minor variance application and the corresponding report by Planning, that Engineering be circulated for technical review on behalf of the City. Please provide Engineering the Notice of Decision for our confirmation.

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

**David Harding**

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**From:** Anne Elmhirst  
**Sent:** Thursday, March 29, 2018 3:39 PM  
**To:** Charlotte Crockford-Toomey  
**Subject:** D20-2018-015 - 66 Shelter Bay Rd

Hello Charlotte,

RE: Minor Variance Application D20-2018-015  
66 Shelter Bay Rd., Former Emily Township, City of Kawartha Lakes  
Conc. 7, Lot 15,  
Roll No. 165100100727200  
Owner: Richard Barbe

I have received and reviewed the application for minor variance to allow for "as constructed" setbacks for the new dwelling.

A sewage system installation report was completed for this property (file EM-08-10). This report indicates the installation of a fully-raised filter bed in the south west corner of the property installed in 2011 and approved by the HKPR District Health Unit as compliant with the Ontario Building Code.

As such, the Building Division – Sewage System Program has no objection to the minor variance.

Best Regards,

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

