

to

# Geographic Township of Mariposa



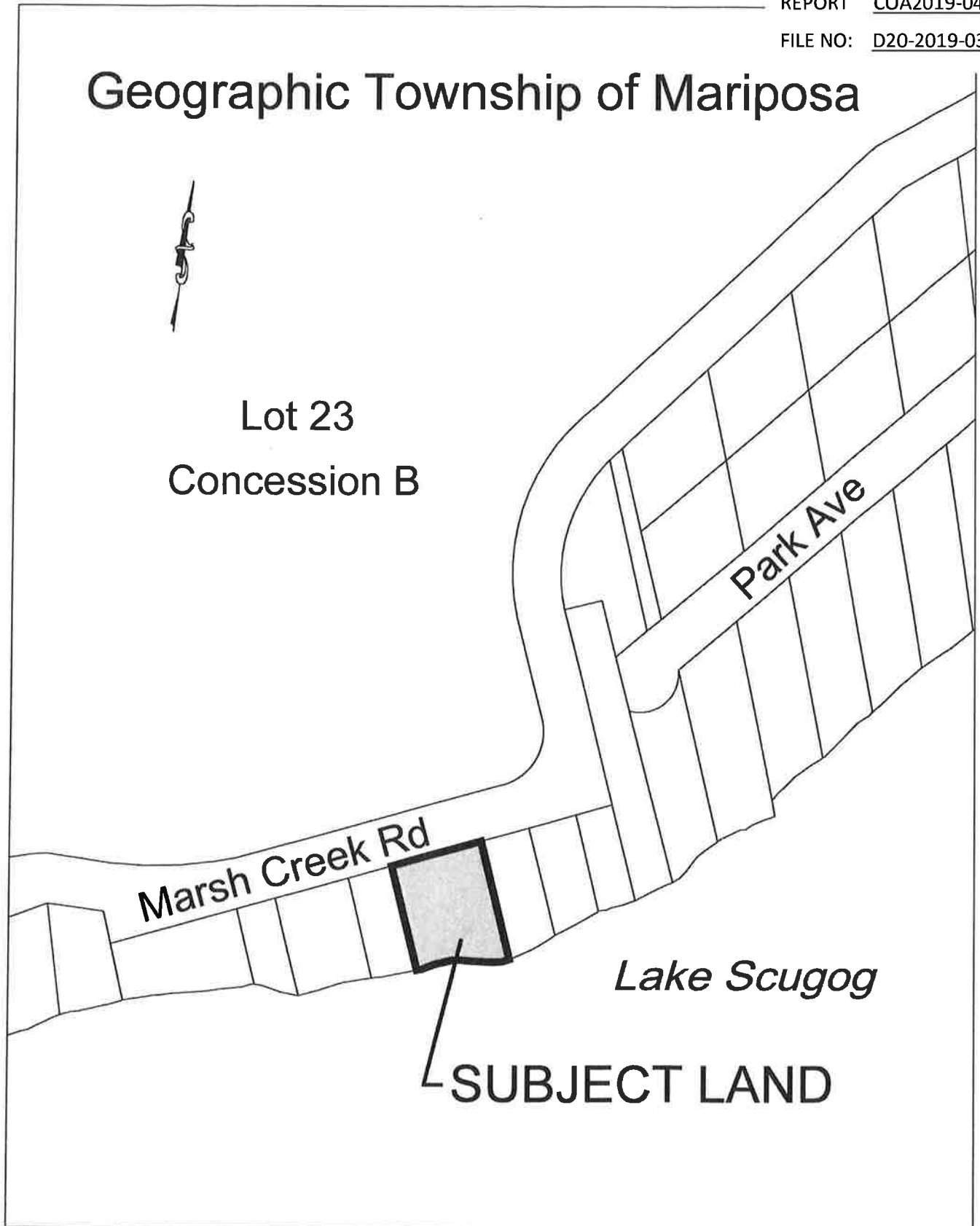
Lot 23  
Concession B

Park Ave

Marsh Creek Rd

*Lake Scugog*

SUBJECT LAND



45 Marsh Creek Road

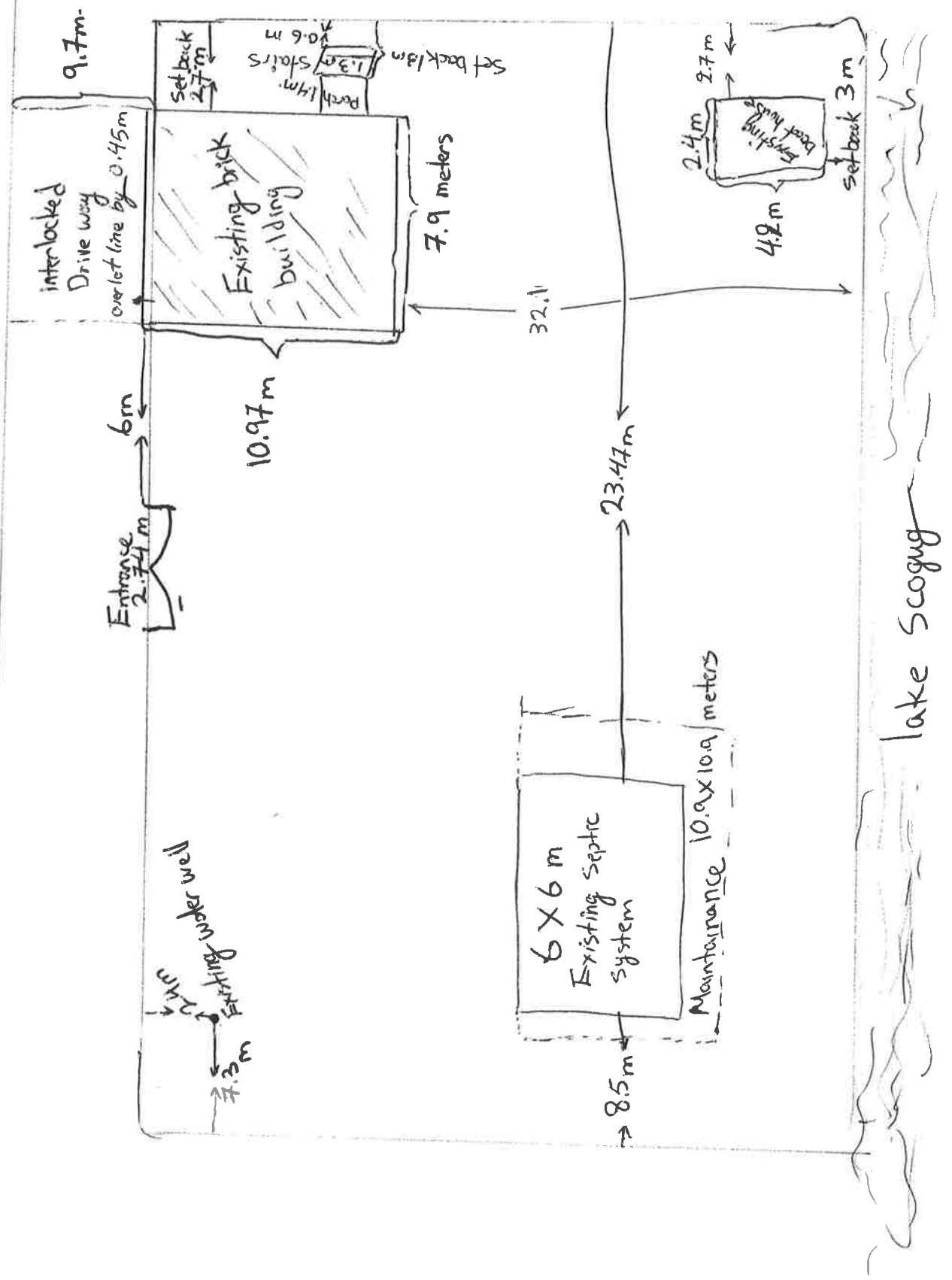


to

REPORT COA2019-043

FILE NO: D20-2019-030

# Marsh Creek Road, Little Britain



## David Harding

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**From:** Anne Elmhirst  
**Sent:** Wednesday, July 03, 2019 2:22 PM  
**To:** David Harding  
**Subject:** FW: D20-2019-030 - 45 Marsh Creek Rd

APPENDIX " D "  
to  
REPORT COA2019-043  
FILE NO. D20-2019-030

Please see revised.

**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)



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**From:** Anne Elmhirst  
**Sent:** Wednesday, July 03, 2019 1:47 PM  
**To:** Charlotte Crockford-Toomey  
**Subject:** D20-2019-030 - 45 Marsh Creek Rd

Hello Charlotte,

I have received and reviewed the application for Minor Variance D20-2019-030 for 45 Marsh Creek Road. A sewage system permit to install was issued in 2016 for the installation of a conventional system under file SSH2016-0401.

The sewage system was constructed for a residential connection. At this time, a residential dwelling has not been established on the property. Should the garage be permitted to be converted into living space. A sewage system review will have to be conducted to ensure the system will have the required capacity to service the proposal. This can be completed prior to building permit requirements.

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

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)



## David Harding

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**From:** Derryk Wolven  
**Sent:** Thursday, July 04, 2019 9:14 AM  
**To:** Charlotte Crockford-Toomey  
**Subject:** consents

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

Please be advised the building division has the following comments:

D20-2019-022 No concerns

D20-2019-028 No concerns

D20-2019-029 No concerns

D20-2019-030 Confirm dimensions of landing, step(s) and remainder (setback).Permits cannot be processed until encroachment issues are resolved.

D20-2019-031 No Concerns

D20-2019-031 No Concerns

D20-2019-032 No Concerns

**Derryk Wolven, CBCO**

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

705-324-9411 ext. 1273 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



## David Harding

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**From:** Christina Sisson  
**Sent:** Friday, July 05, 2019 4:23 PM  
**To:** Mark LaHay  
**Cc:** Kirk Timms; Charlotte Crockford-Toomey  
**Subject:** 20190705 D20-2019-030 Engineering Review

**Importance:** High

Good afternoon,  
Further to our engineering review of the following:

Minor Variance – D20-2019-030  
45 Marsh Creek Road  
Concessions B & C  
Part Lot 23 and Part Road Allowance  
Part 1, 57R-8393  
Geographic Township of Mariposa, Ward 7

It is the understanding by Engineering that the purpose and effect is to request relief under Section 45(1) of the Planning Act, R.S.O. to:

1. Reduce the front yard setback from 7.5 metres to 0 metres;
2. Reduce the minimum gross floor area from 93 square metres to 86.9 square metres; and
3. Permit an unenclosed deck/porch with steps to project an interior side yard such that the built features are 0.6 metres from the east lot line (rather than 1.5 metres from a lot line).

*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 Sisson, P.Eng.**  
Supervisor, Development Engineering  
Engineering & Corporate Assets, City of Kawartha Lakes  
705-324-9411 ext. 1152 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)





REALTY SERVICES  
Legal Services  
Box 9000, 12 Peel St., Lindsay, Ontario, K9V 5R8  
Phone: 705-324-9411 Ext. 2116 Fax: 705-324-2982  
Toll Free: 1-888-822-2225  
e-mail: [ekarklins@kawarthalakes.ca](mailto:ekarklins@kawarthalakes.ca)

July 9, 2019

VIA E-MAIL

Ahmad Jawad Hadi [jay\\_hadi@icloud.com](mailto:jay_hadi@icloud.com)

Dear Mr. Hadi

Re: Request to receive License Agreement for encroaching garage at 45 Marsh Creek Road in the Geographic Town of Little Britain, City of Kawartha Lakes

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We acknowledge receipt of your letter and the applicable non-refundable fee of \$125.00.

We confirm your request for a License Agreement for a Garage Encroachment was circulated to the Land Management Committee the week of June 21<sup>st</sup> and in order to make an informed decision the Committee members require you to provide exact measurements of the amount the garage is encroaching on the road allowance. They also require you to remove the retaining wall along the driveway as it is not permitted and to submit an Entrance Permit Application for the driveway.

Upon receipt of proof of removal of retaining wall along driveway, an Entrance Permit Application and garage encroachment measurements, the information will be circulated to the Committee members for final review, following which we will advise you of the Committee's decision.

Sincerely,

The Corporation of the City of Kawartha Lakes

Elise Karklins  
Law Clerk – Realty Services

July 10, 2019

Dear Committee of Adjustment, Mr. Mark LaHay, Mr. David Harding and Jessica Lee:

I'm am writing this letter in regards to the Notice of Public Hearing for the property at 45 Marsh Creek Rd, Little Britain scheduled for July 18, 2019. We are the owners of 43 Marsh Creek Rd. and have been for approximately 15yrs. When we first looked at this property we called the zoning and bylaws department of Kawartha Lakes to inquire if the existing garage could be converted into a single dwelling home. We were told No, it did not meet the mimium requirements of floor space to be converted.

I would like to address a few issues I have with this being approved. I am unaware of the owners last name, and will refer to him by his first name Jay throughtout this email. (No disrepect intended).

When the worker (not contractor, as we had numerous conversations with him, told us Jay had hired him off the street to do the work), began working on the garage to convert it we filed a complaint I was sitting on my side porch when the inspector came and being that the properties are so close I could over hear the conversation between both parties.

There was a "Stop work order" placed on that property. After the inspector left the worker called Jay and told him what had happened after a brief conversation the worker told me that Jay said continue working. At that time I was fairly confident that the city would take care of the problem. Jay continued working turning the garage into a dwelling. He has removed 3 garage doors, a cement ramp at the back garage door, added multipule windows and a front door and sliding doors on the back. I beleive most of the extierior work was in place before the " stop work order", but done without permits. He continued to work on the interior after the fact.



The brown structure at the bottom of the lake that Jay refers to as a "existing boat house" is a shed that has been there for the entire time we have owned our property. He has installed a picture window that looks out onto the lake and cedar walls, and electric. Jay himself has told us he is turning it into a sauna. All during the "stop order" was in place.

The septic system that was installed after Jay purchased the property is 2 times larger then required for that garage according to the company that put it in. Perhaps in prepration for a larger building sometime in the future. The well was installed 2-3 weeks ago. I see on the plans submitted they are referred to as existing, however they were not there when he purchased the property. I am aware that the previous owners did upkeep a permit throughout the years, both have been installed since the purchase of the property. I am contacting Jessica Lee today with my concerns about the well being 50 feet form his septic and the neighbors septic tank. (we were told back then that the well couldn't be put in because it would be to close to the neighbour septic tank on the right of 45 Marsh Creek).

I have had phone conversation with Mr. David Harding and he did point out to me that in todays construction the homes are very close together, I do agree with him on that, however this home is not a newly constructed home and we purchased it because of the space between homes, feeling comfortable through our research and the Cities answer of "No" that the garage could not be converted in the future.

How has all of this effected us? We hardly use our side entrance anymore as you can see by the attached pictures our property is elevated and we look down on his property, looking out my kitchen window I can see directly into the garage. We have purchased outdoor blinds to hang so that

we are respecting his privacy and hoping to gain back some of our privacy. It does help a little however our view has been serverly compromised. When Jay has family and friends over which is often and they are leaving at 2-3 oclock in the morning they are usually standing on the porch that is at the side of the garage almost in line with the bedroom windows at the back of our house. Very loud and disturbs our sleep. I did at one time suggest to Jay that perhaps he move the side entrance to the opposite side that way directing the flow of traffic to the oppsite side of the garage where there is more land between the garage and the neighbour to the right of Jay.

Both Jay and ourselves went in on the fence , however it really does not benifit us as we are higher up and can seen all of the property.

Our biggest concern is the resale value of our property because if this is approved the garage and house are very close together. Not what people are looking for in cottage country.

Jay has worked on this property without regard to zoning or bylaws and looks like he may be successful and just have to pay a small fine. That sends a loud message to people in the area to go ahead first with what you want done, pay a small fine. **After all it is easier asking for forgiveness instead of asking for permission!!!**

Mr Harding please forward this to the above people as I do not have their emails

Thanking you in Advance for hearing our concerns,

Mark and Jo-Ann Wieleba

1-705-786-2643