

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Farewell

Report Number COA2019-057

Public Meeting

Meeting Date: September 19, 2019
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 1 – Geographic Township of Bexley

Subject: The purpose and effect is to request relief from Section 3.1.2.2 to reduce the minimum side yard setback for an accessory building from 1.2 metres to 0.6 metres in order to permit the construction of a new boathouse.

The variance is requested at 726 Balsam Lake Drive, geographic Township of Bexley (File D20-2019-040).

Author: David Harding, Planner II

Signature:



Recommendations:

Resolved That Report COA2019-057 Julia Farewell be received;

That minor variance application D20-2019-040 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the construction of the boathouse related to this approval shall proceed substantially in accordance with the sketch in Appendix C-2 and elevations in Appendix D submitted as part of report COA2019-057, which shall be attached to and form part of the Committee's Decision;
- 2) **That** prior to the issuance of a Building Permit the Secretary-Treasurer receive written confirmation from the Chief Building Official that the surface runoff generated by the boathouse is managed to their satisfaction; and
- 3) **That** the building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2019-057. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: The owners propose to replace an existing 4 x 5 metre boathouse constructed circa 1916 (MPAC) with a 4 x 7 metre boathouse.

Owner: Julia Farewell

Applicant: Ryan Hayter, RWH Construction

Legal Description: Part Lot 16, North West Bay Range, geographic Township of Bexley, now 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 Bexley Zoning By-law 93-09

Site Size: 3,040 square metres

Site Servicing: Private individual well and sewage system.

Existing Uses: Shoreline Residential

Adjacent Uses: East, West: Shoreline Residential
North: Forest, Shoreline Residential Backlots
South: Balsam Lake

Rationale:

1) Is the variance minor in nature? Yes
And

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

The subject property is a shoreline residential lot within a shoreline residential neighbourhood.

The new boathouse is proposed to be constructed upon a very similar footprint slightly to the southwest and north of the existing footprint, and would be two metres longer than the existing boathouse.

Due to the grade difference between the dwelling and shore, the rear yard consists of a deck and two retaining wall structures that create a terrace effect down to the water. A continuous length of stone steps that run very close to the southwestern boathouse wall link the deck and surrounding lawn to the shore.

The proposal will permit the re-establishment of a boathouse in the same general area without the relocation of the existing steps and modification to the retaining walls that create the terracing.

The boathouse is proposed at a slight angle to the side lot line to keep in-line with the existing stone steps. As such the proposed 0.6 metre side yard setback only applies to the northeast corner. The spatial separation of the boathouse

wall to the side lot line gradually broadens up to 1.1 metre at the southeast corner of the boathouse.

The new boathouse proposes a flat roof design that angles away from the mutual lot line, directing rainwater away from the reduced side yard and mitigating stormwater drainage and maintenance issues along the northeastern side wall and reduced side yard. Additionally, minimal eaves are proposed, further lessening the eave projection into the side yard from the traditional 0.6 metres to 0.16 metres. The minimal eave projections also assist in providing some additional space between the proposed boathouse wall and side lot line to conduct maintenance in the reduced side yard space, should it be required.

The sloping grade within the rear yard is substantial enough that the existing boathouse is built into the slope to the extent that northern ends of the two rear eaves are just above the grade of the lawn. The new boathouse is also proposed to be built into the side of the slope, though there will be some more vertical separation between the lawn and eaves. As such, the massing impact to the abutting neighbor will be minimal since the boathouse will continue to be built into the side of the slope and will only be about 4 metres in height where the walls are fully exposed, presenting a modest built form from the shoreline.

Therefore, the variance is minor in nature and desirable and appropriate for the use of the land.

3) Does the variance maintain the intent and purpose of the Zoning By-law?
Yes

The property is zoned Rural Residential Type Three (RR3) Zone within the Township of Bexley Zoning By-law.

The General Provision from which relief is sought provides for sufficient spatial separation to avoid lot grading and drainage issues, provides sufficient space for maintenance access between the building and lot line, and reduces any massing and land use conflict impacts that may be caused through increased proximity to a lot line.

In this case, the boathouse is to be built into the side of the slope, substantially reducing its height profile. Any portion of the wall which remains fully exposed to the abutting neighbour will be in close proximity to the shoreline and will be approximately 4 metres in height, presenting a modest built form. Additionally, modifications have been made to the boathouse design to direct rainwater away from the reduced side yard and to reduce the projection of eaves to pull the boathouse away from the lot line and provide some additional space to perform maintenance within the reduced side yard should it be required. The redirection of rainwater drainage is an improvement from the gable design of the existing boathouse, which deposits rainwater into the reduced side yard.

The Engineering and Corporate Assets Department has commented that they are supportive of the application as the construction does not propose to alter the existing lot drainage pattern.

The variance meets 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. Residential uses, including accessory uses, are anticipated within the designation. The variance maintains the general intent and purpose of the Official Plan

Other Alternatives Considered:

Staff requested that reductions to the eave projection into the reduced side yard be considered. The applicant made this change and further altered the design to direct rainwater runoff away from the reduced side yard.

Servicing Comments:

The property is serviced by a private individual well and 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:

Building Division (September 9, 2019): Surface runoff is to be managed to the satisfaction of the Chief Building Official.

Engineering and Corporate Assets Department (September 6, 2019): No concerns as proposal is not altering existing lot drainage patterns.

Public Comments:

No comments received as of September 10, 2019.

Attachments:



Appendices A-E to
Report COA2019-057.

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketches

Appendix D – Conceptual Elevations

Appendix E – Department and Agency Comments

Phone: 705-324-9411 extension 1206

E-Mail: dharding@kawarthalakes.ca

Department Head: Chris Marshall, Director of Development Services

Department File: D20-2019-040

to

REPORT COA2019-057

FILE NO: D20-2019-040

Geographic Township of Bexley

Lot 17

Lot 18

North West Bay Range

Lot 16

Shoreview Lane

Balsam Lake Dr

Fieldview Dr

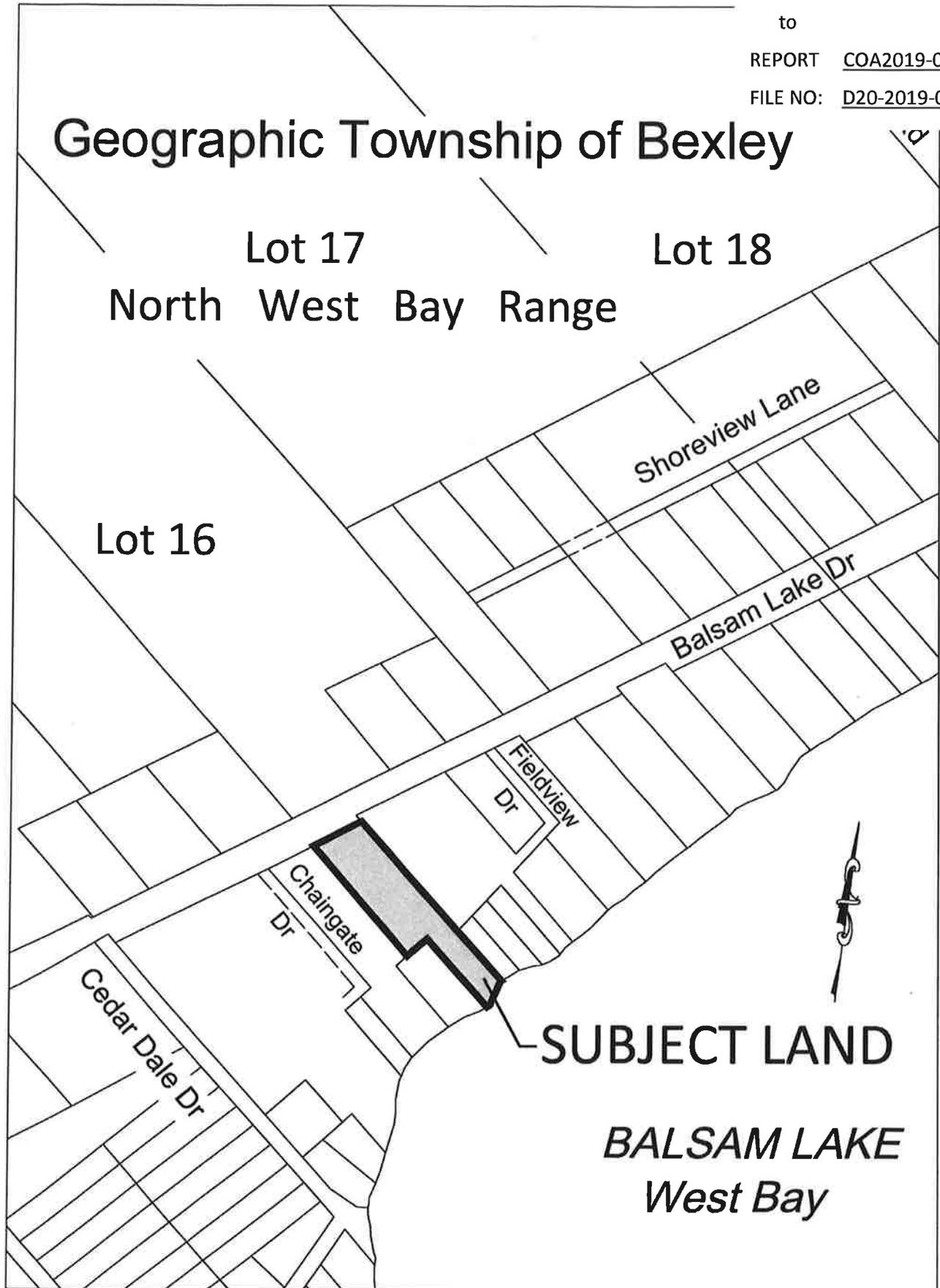
Chaingate Dr

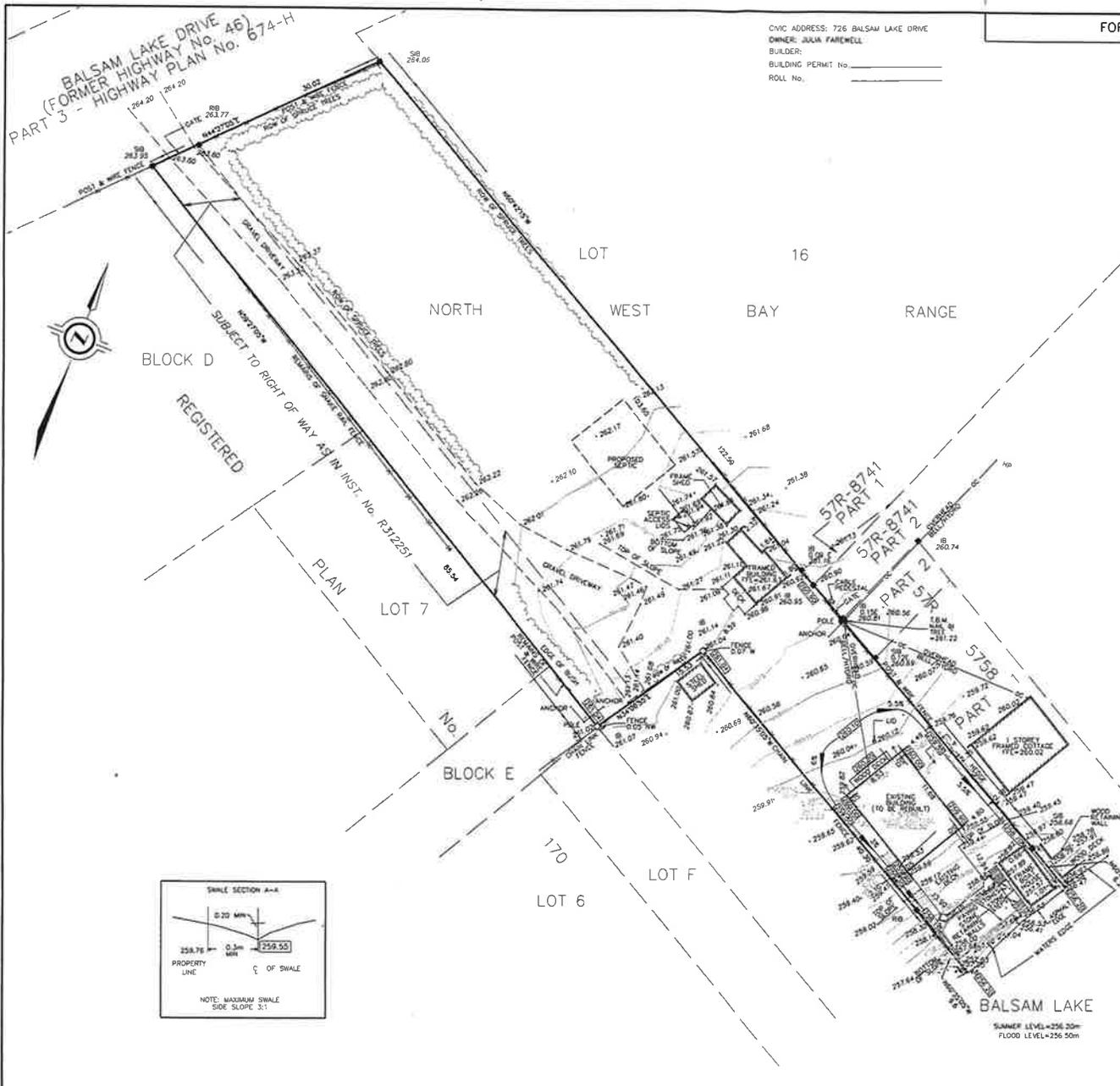
Cedar Dale Dr



SUBJECT LAND

BALSAM LAKE
West Bay





CIVIC ADDRESS: 726 BALSAM LAKE DRIVE
 OWNER: JULIA FAREWELL
 BUILDER:
 BUILDING PERMIT No. _____
 ROLL No. _____

FOR CONSTRUCTION PURPOSES ONLY

SITE GRADING PLAN OF
PART OF LOT 16
NORTHWEST BAY RANGE
 GEOGRAPHIC TOWNSHIP OF BEXLEY
 CITY OF KAWARTHA LAKES

SCALE 1 : 300

COE, FISHER, CAMERON
 © COPYRIGHT 2019

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

LEGEND:

- ⊕ - FOUND SURVEY MONUMENT
- ⊙ - SET SURVEY MONUMENT
- - STANDARD IRON BAR
- - IRON BAR
- (250.50) PROPOSED ELEVATION
- GROUND ELEVATION
- SLOPE
- SWALE
- F.F.E. - FIRST FLOOR ELEVATION
- T.B.W. - TOP OF BASEMENT WALL
- T.S.B. - TEMPORARY SITE BENCHMARK
- T.B.S. - TOP OF BASEMENT SLAB
- T.G.S. - TOP OF GARAGE SLAB
- T.G.W. - TOP OF GARAGE WALL
- U.F. - UNDERSIDE OF FOOTING
- HP - HIGH POINT
- DS - DOWNSPOUT

GENERAL NOTES:

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

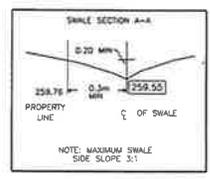
ZONING	RR3	F.F.E.	260.65
LOT AREA	3222.56 SQ. m.	T.B.W.	260.35
BUILDING AREA	99.63 SQ. m.	T.B.S.	258.93
		U.F.	258.68

No.	DATE	DESCRIPTION
REVISIONS		
		SHEET 1

ELEVATIONS:
 ELEVATIONS SHOWN HEREON ARE GEODETIC DERIVED BY GPS OBSERVATIONS AND ARE REFERRED TO TEMPORARY SITE BENCHMARKS WHICH IS A NAIL IN A HYDRO POLE, LOCATED ALONG THE NORTHEAST BOUNDARY 'C' HAVING AN ELEVATION OF 261.22m (GVD-1928-19)

2019.16.2019
 DATED: _____
 GERA
 ONTARIO

DRAWN BY: DC CHECKED BY: CCH RFD
 FILE: C:\19-17-03-101\Drawing\19-17-031-01.dwg DATE: _____ PLOT

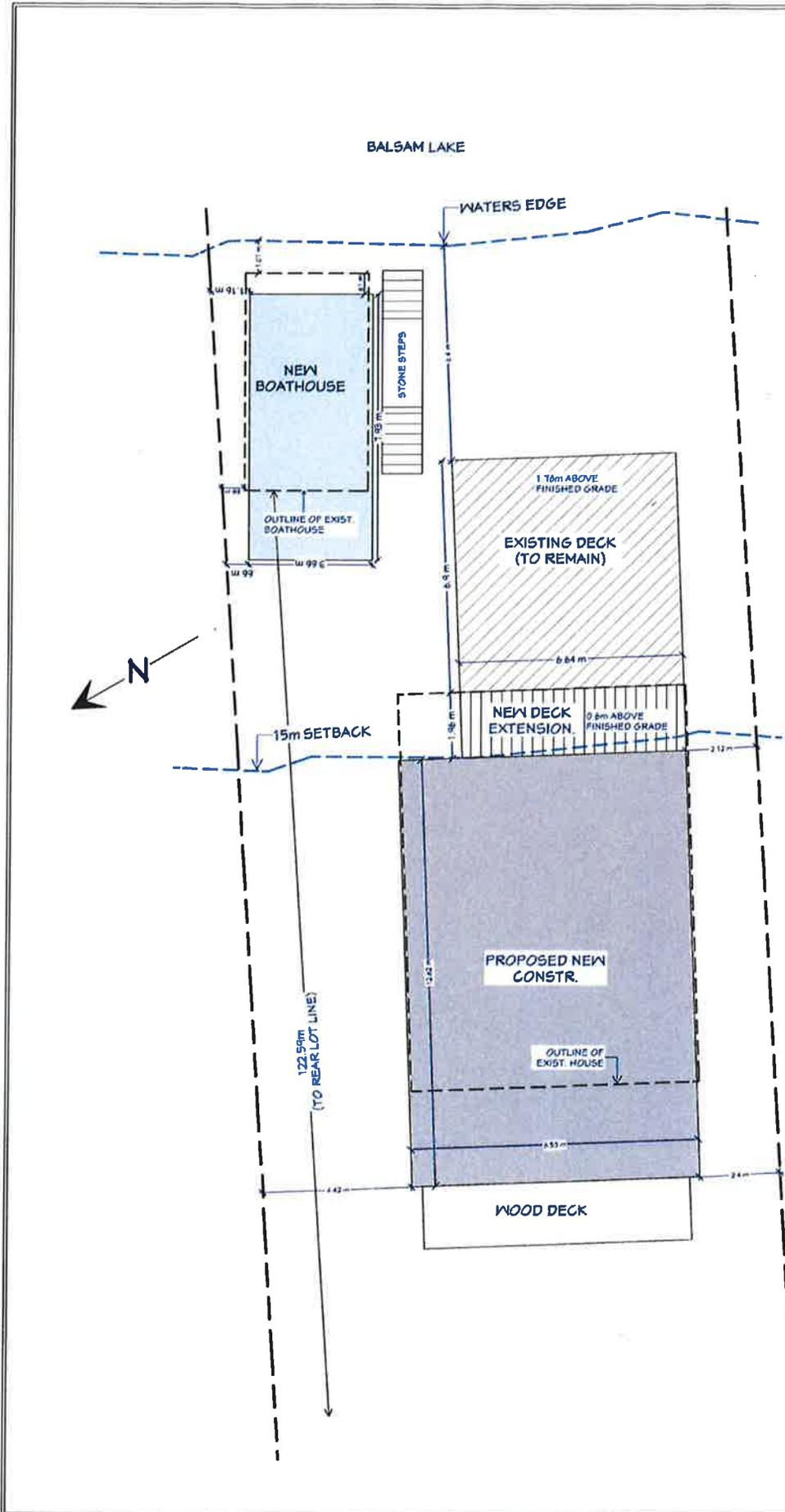


APPENDIX " C-1 "
 to
 REPORT COA2019-057
 FILE NO: D20-2019-040

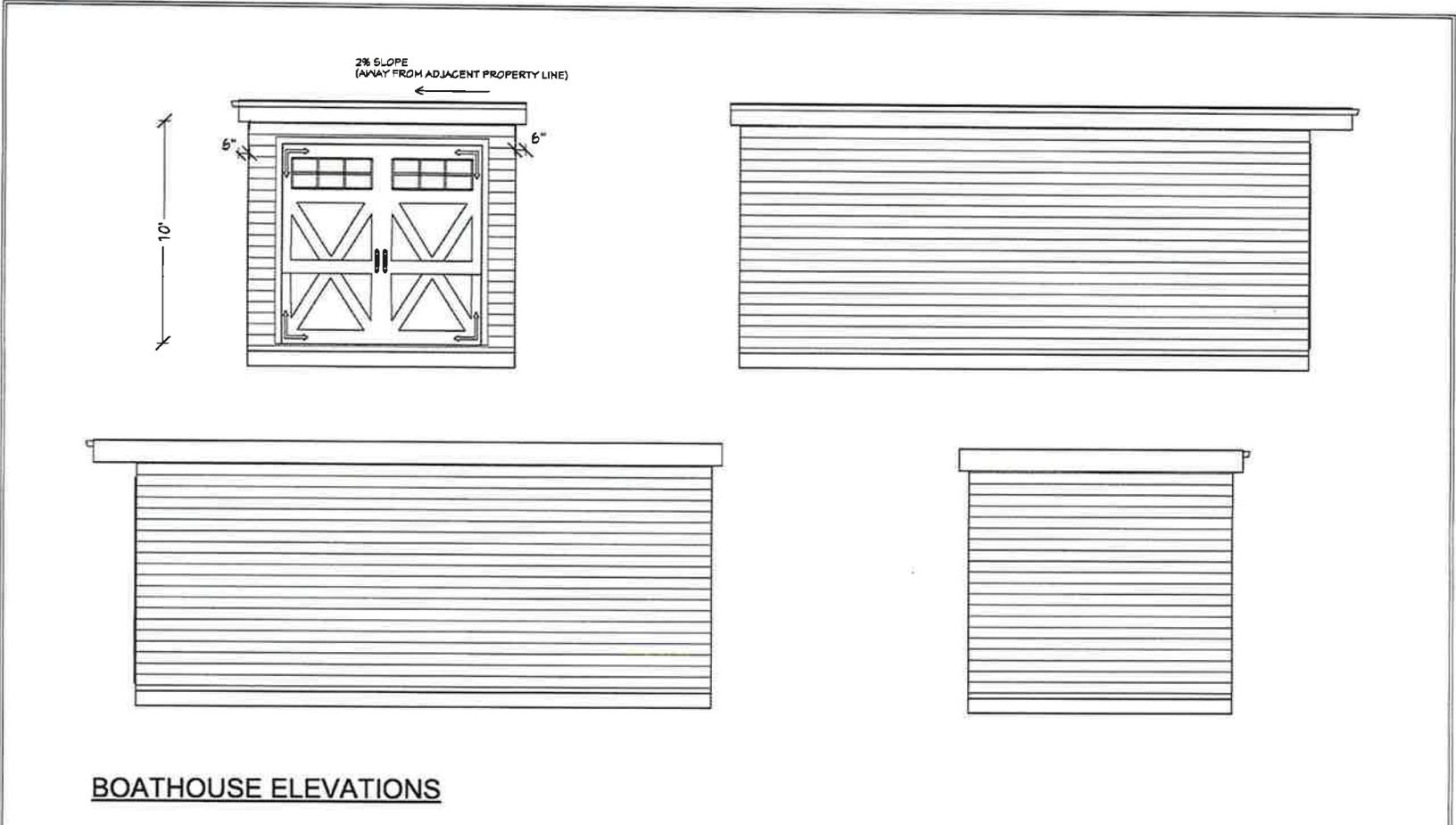
to

REPORT COA2019-057

FILE NO: D20-2019-040



DESIGNED FOR:	Julia Farewell	DWG:	Boathouse 1	DATE:	08-19-18	BY:	MLB.
DESIGNED BY:	Michael Burke						
 <p>10 Lanning St Pembroke Hills P.O. Box 100773 Pembroke, MA 01962 www.rwhi.com</p>		<p>Siteplan & Boathouse Design</p>		<p>726 Balsam Lake Drive</p>			



BOATHOUSE ELEVATIONS

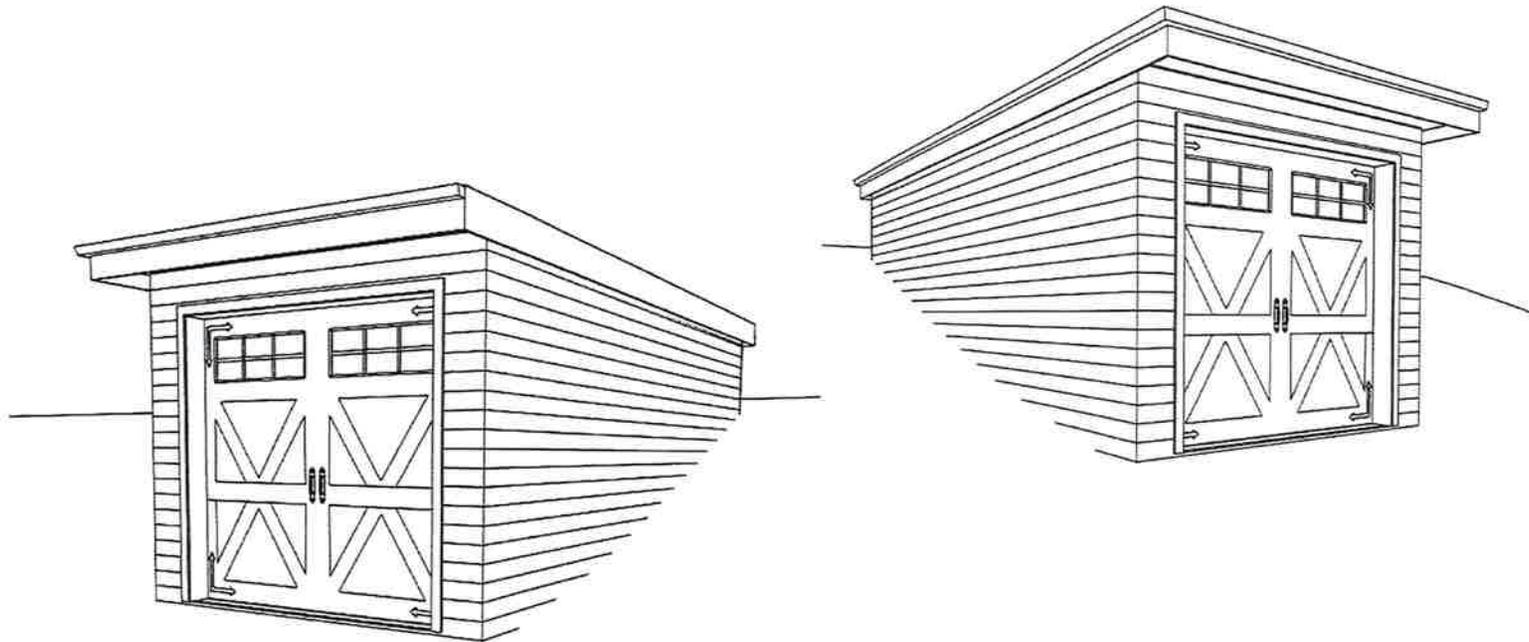
 <p>13 Lindsay St Frambo Falls Ph: 705-887-4773 Fax: 705-887-4778 web: www.rwhconstruction.ca</p>	DESIGNED FOR:	Julia Farewell	726 Balsam Lake Drive	<i>Siteplan & Boathouse Design</i>	DWG	DATE	BY	SCALE SEE VIEW	SHE
	DESIGNED BY:	Michael Burke			Boathouse 1	06-19-19	M.B.	DATE	2

APPENDIX " D "

to

REPORT COA2019-057

FILE NO: D20-2019-040



BOATHOUSE PERSPECTIVE



13 Lindsay St
 Foxton Falls
 Ph: 705-887-4773
 Fax: 705-887-4773
 web: www.rwhconstruction.ca

DESIGNED FOR: Julia Farewell
 DESIGNED BY: Michael Burke

726 Balsam Lake Drive

Siteplan & Boathouse Design

DWG	DATE	BY
Boathouse 1	08-19-19	M.S.

SCALE SEE VIEW
DATE

SHEET #
3

to

REPORT COA2019-057

FILE NO. D20-2019-040

David Harding

From: Derryk Wolven
Sent: Monday, September 09, 2019 3:44 PM
To: Charlotte Crockford-Toomey
Subject: Cof A

Please be advised building division has the following comments.
D20-2019-038 No concerns
D20-2019-039 No concerns
D20-2019-040 Surface runoff to be managed to the satisfaction of the Chief Building Official
D20-2019-041 No Concerns

Kind regards,

Derryk Wolven, CBCO
Plans Examiner
Development Services, Building Division, City of Kawartha Lakes
705-324-9411 ext. 1273 www.kawarthalakes.ca



David Harding

From: Christina Sisson
Sent: Friday, September 06, 2019 4:26 PM
To: Mark LaHay
Cc: Kirk Timms; Kim Rhodes; Charlotte Crockford-Toomey
Subject: 20190906 D20-2019-040 Engineering Review

Importance: High

Please see the message below from Christina Sisson:

Good Afternoon Mark - further to our engineering review of the following:

Minor Variance – D20-2019-040
726 Balsam Lake Drive, Range North West Bay
Part Lot 16
Geographic Township of Bexley

It is the understanding by Engineering that the purpose and effect is to request relief from Section 45(1) of the Planning Act to reduce the minimum side yard setback for an accessory building from 1.2 metres to 0.6 metres to permit the construction of a new boathouse. We recognize the proposed side yard setback is less than the minimum setback recommended (1.0 to 1.2 metres) and note that the existing boathouse is in closer proximity. Any existing drainage patterns will remain.

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

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

Thanks,

CHRISTINA

Christina Sisson, P.Eng.
Supervisor, Development Engineering
Engineering & Corporate Assets, City of Kawartha Lakes
705-324-9411 ext. 1152 www.kawarthalakes.ca

