

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Walsh
Report Number COA2019-065

Public Meeting

Meeting Date: October 17, 2019
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 2 – Former Village of Bobcaygeon

Subject: The purpose and effect is to permit relief from Section 5.2(e) to reduce the minimum rear yard setback from 7.5 metres to 3.5 metres and from Section 5.2(j) to reduce the minimum water setback in from 20 metres to 4.6 metres. The reliefs sought will permit renovations to be done to the existing dwelling, which include the construction of a partial second storey and cathedral ceilings.

The variance is requested at 71 Perfectus Drive, former Village of Bobcaygeon (File D20-2019-048).

Author: David Harding, Planner II, RPP, MCIP

Signature: 

Recommendations:

Resolved That Report COA2019-065 Kimberly Walsh be received;

That minor variance application D20-2019-048 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the construction work on the dwelling related to this approval shall proceed substantially in accordance with the sketch in Appendix C and elevations in Appendix E submitted as part of report COA2019-065, which shall be attached to and form part of the Committee's Decision;
- 2) **That** prior to the issuance of a building permit the owners shall submit to the Secretary-Treasurer the written approval of the Kawartha Region Conservation Authority that all new additions are floodproofed 0.3 metres above the regulatory flood elevation;
- 3) **That** prior to the issuance of a building permit the owners shall submit to the Secretary-Treasurer the written approval of the Risk Management Official in the form of a Section 59 Notice for this variance application; and
- 4) **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 COA2019-065. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The owner wishes to modify the existing single storey dwelling by making three distinct modifications. The first modification involves adding cathedral ceilings to the two hexagonal rooms which directly face the northwestern shoreline and also adding canopies high up on the exterior walls of these hexagonal rooms. The canopies are proposed to be about 0.6 metres wide. The second modification involves expanding the footprint to the southeast, squaring off the dwelling along its southeastern face. The third modification involves adding a second storey over a portion of the enlarged footprint. The second storey is proposed over the southeastern portion of the dwelling closest to the property entrance.

The application was deemed complete September 23, 2019.

Proposal: To expand an existing 155.77 square metre (1,677 square foot) single storey dwelling into a two storey dwelling with a total floor area of 309.61 square metres (3,332.7 square metres). Of this total 82.27 square metres (885.6 square feet) is proposed on the new second floor.

Owners: Kimberly Walsh

Applicant: W.E. Oughtred and Associates Inc.

Legal Description: Part of Lot 15, Plan 245, former Village of Bobcaygeon, now City of Kawartha Lakes

Official Plan: Urban within the County of Victoria Official Plan

Zone: Urban Residential Type One (R1) Zone within the Village of Bobcaygeon Zoning By-law 16-78

Site Size: 1,821.75 square metres

Site Servicing: Municipal water and sewer

Existing Uses: Shoreline Residential

Adjacent Uses: North, West: Big Bob Channel
South: Little Bob Channel/Shoreline Residential
East: 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 within a shoreline residential neighbourhood on the southwestern side of Bobcaygeon. The neighbourhood contains a mixture of seasonal and year-round dwellings. The property is located at the terminus of Perfectus Drive. The narrow road transitions into the driveway. The parcel, which abuts water on three sides, is short and wide, finishing at a point in the southwest. The lot is also heavily vegetated with coniferous and deciduous trees, resulting in a high degree of canopy cover and vegetative shoreline buffering.

The proposed construction will allow for the creation of additional living space and the reconfiguration of existing space, allowing for the better utilisation of the dwelling.

The expansions are proposed within areas that are either not used as existing outdoor amenity spaces or are within outdoor amenity spaces which will be slightly relocated to abut the new expansions. Further, these footprint expansions are proposed away from the shoreline, mitigating any adverse massing or lot grading and drainage impacts that may have resulted. The majority of the trees on the property are proposed to be retained, which will maintain the established vegetative character of the shoreline in addition to providing a vegetative buffer that screens the addition from Big and Little Bob Channels.

The proposal is desirable and appropriate for the use of the land and is minor in nature.

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

The property is zoned Urban Residential Type One (R1) Zone within the Village of Bobcaygeon Zoning By-law 16-78. The footprint expansions are proposed away from the shoreline behind the existing built form. As such, the proposal will not further encroach into the water or rear yard setbacks, with the exception of the proposed canopies.

The added projection of the approximately 0.6 metre canopies into the rear yard and water setback is not anticipated to generate any adverse impacts as the canopies are elevated high off the ground and as such do not prevent the elements from reaching the surfaces beneath them.

The property contains a number of trees in various stages of maturity surrounding all sides of the dwelling. All trees, with the exception of three required to be removed for the expansion to the dwelling's footprint, are proposed to be retained. A significant number of the retained trees are in excess of two storeys in height. As such, the construction of a second storey to the southeast and creation of the two cathedral ceiling portions upon the two

shoreline hexagons is not anticipated to generate additional adverse massing impacts since the added height will be largely screened from view by a combination of coniferous and deciduous vegetation on a year-round basis. The proposed flat roof design also assists in maintaining an overall lower profile than would otherwise be found if a gable or hip roof design was proposed, furthering the ability of the vegetation to screen the dwelling.

The reductions do not adversely impact the area of available rear yard amenity space, nor is there another abutting residential use where the reductions are contemplated that could experience adverse impacts.

The variances meet the general intent and purpose of the Zoning By-law.

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

Yes

As the Bobcaygeon Secondary Plan is under appeal, the County of Victoria Official Plan is in effect.

The subject lands are designated Urban in the Official Plan, which anticipates a wide assortment of land uses within this designation, including residential uses.

The proposal maintains the intent and purpose of the Official Plan.

Other Alternatives Considered:

An addition to the southwest and expansions to the existing decks had been proposed. Through the pre-screening process these two features were removed as this would have furthered encroachments into the water setback.

Servicing Comments:

The property is serviced by municipal water and sewer.

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 (October 7, 2019): No concerns

Kawartha Region Conservation Authority (October 8, 2019): No objections provided their requested conditions are incorporated into the staff report. See Appendix F for further details.

Public Comments:

No comments received as of October 9, 2019.

Attachments:



Appendices A-F to
Report COA2019-065.

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Sketch
Appendix D – Existing Elevations
Appendix E – Proposed Elevations
Appendix F – 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: D20-2019-048

to

REPORT COA2019-065

FILE NO: D20-2019-048

"Bobcaygeon"

Lot 15

Concession 9

SUBJECT
LAND

Manor Rd

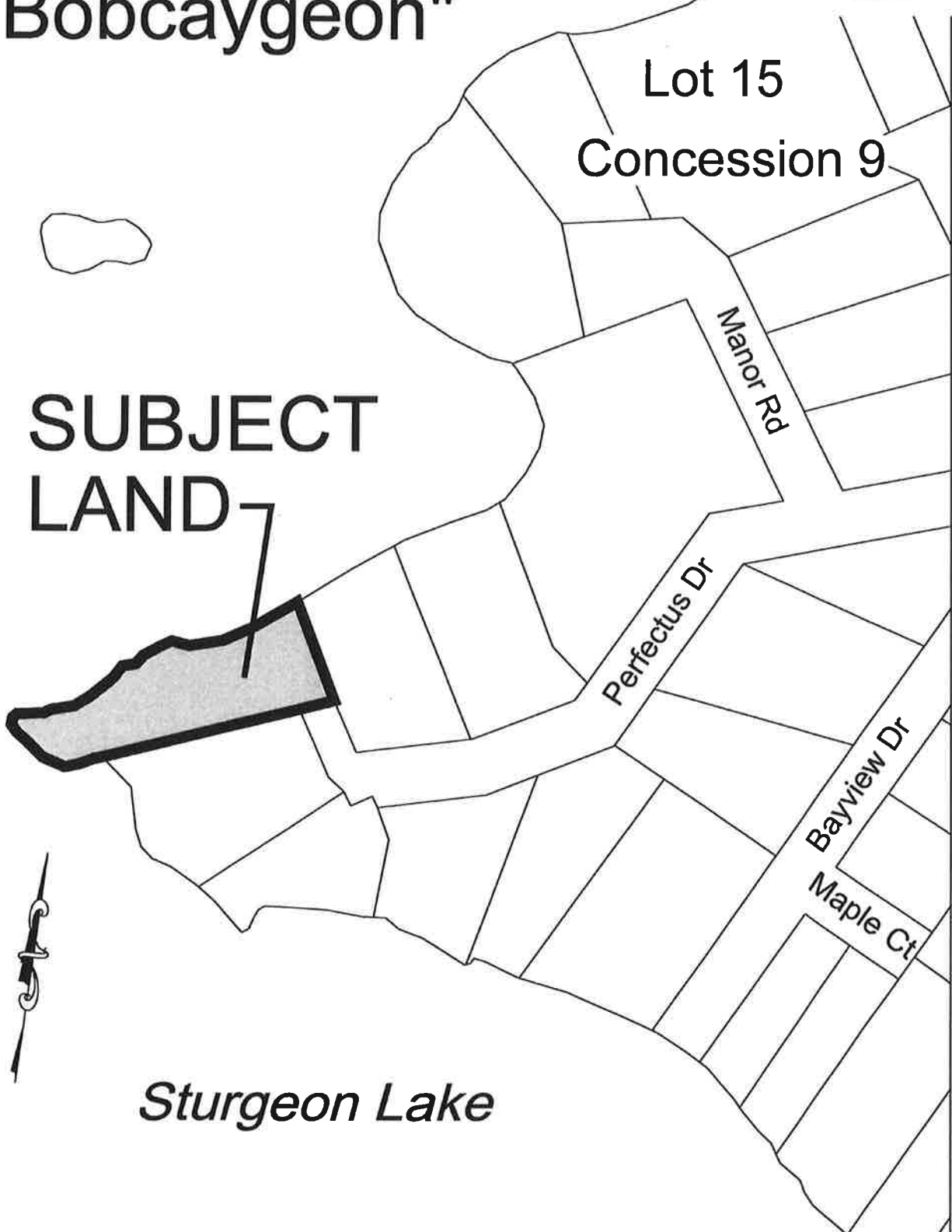
Perfectus Dr

Bayview Dr

Maple Ct



Sturgeon Lake





Subject Property

0.17

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
City Of Kawartha Lakes



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

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

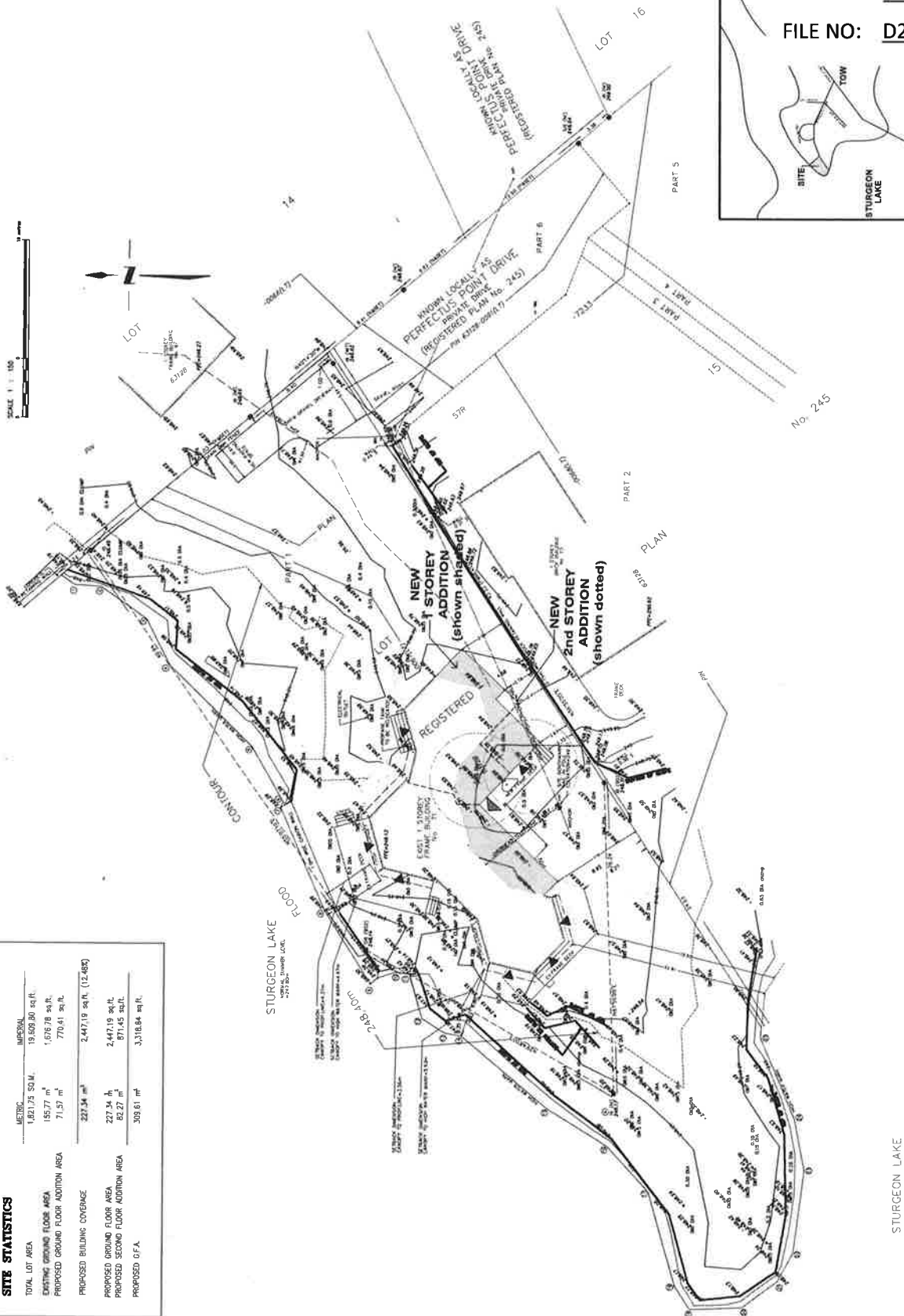
REPORT COA2019-065
FILE NO: D20-2019-048

APPENDIX " B " _____
to _____

to
REPORT COA2019-065
FILE NO: D20-2019-048

SITE STATISTICS

	METRIC	IMPERIAL
TOTAL LOT AREA	1,821.73 SQ. FT.	19,809.90 sq. ft.
EXISTING GROUND FLOOR AREA	155.77 m ²	1,676.78 sq. ft.
PROPOSED GROUND FLOOR ADDITION AREA	71.57 m ²	770.41 sq. ft.
PROPOSED BUILDING COVERAGE	227.34 m ²	2,447.19 sq. ft. (12.48%)
PROPOSED GROUND FLOOR AREA	227.34 m ²	2,447.19 sq. ft.
PROPOSED SECOND FLOOR ADDITION AREA	82.27 m ²	887.45 sq. ft.
PROPOSED G.F.A.	309.61 m ²	3,334.64 sq. ft.



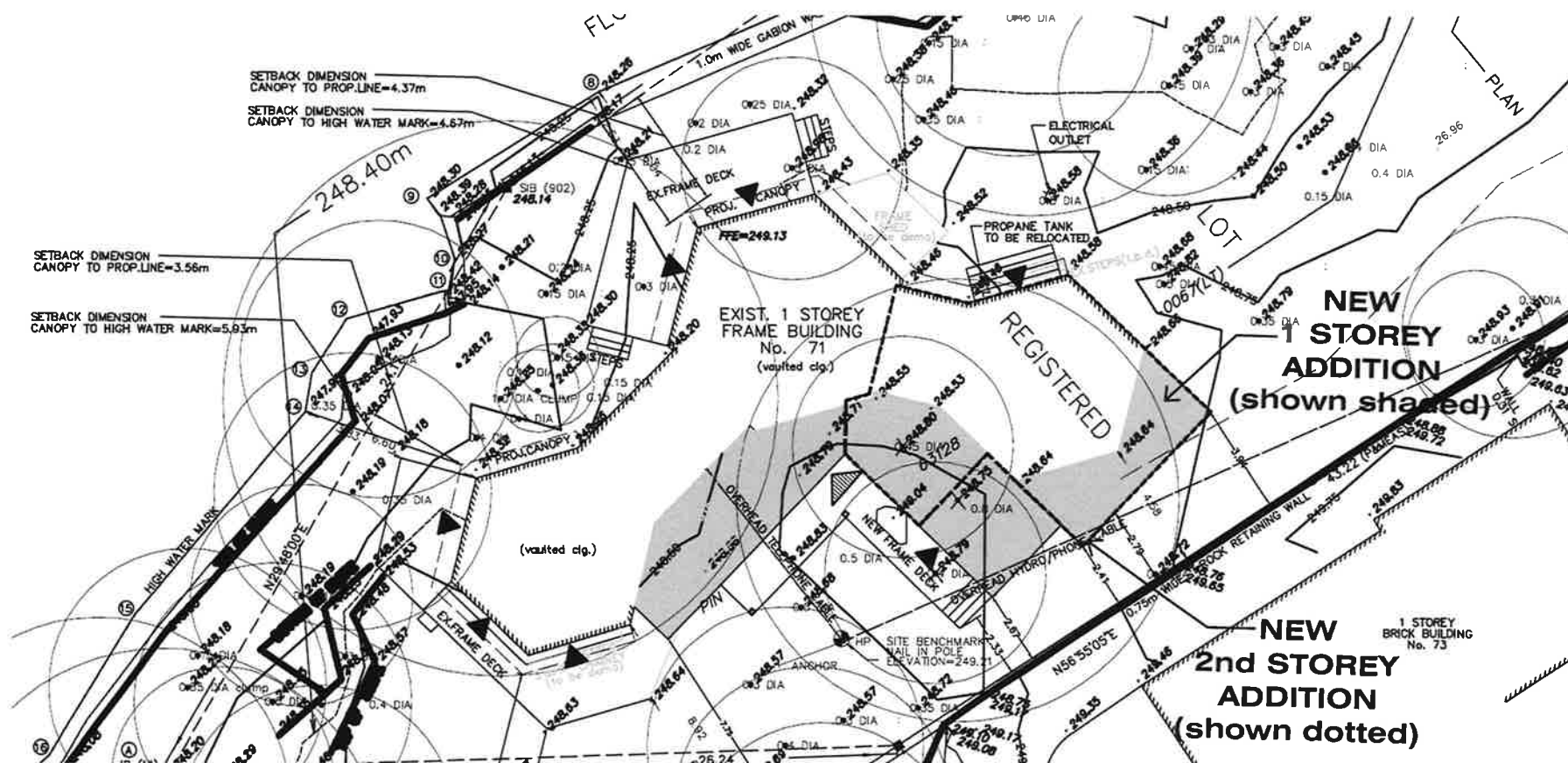
STURGEON LAKE

ARCHITECTURAL SITE PLAN

SCALE: 1" = 100'

KEY PLAN

SCALE: 1" = 100'

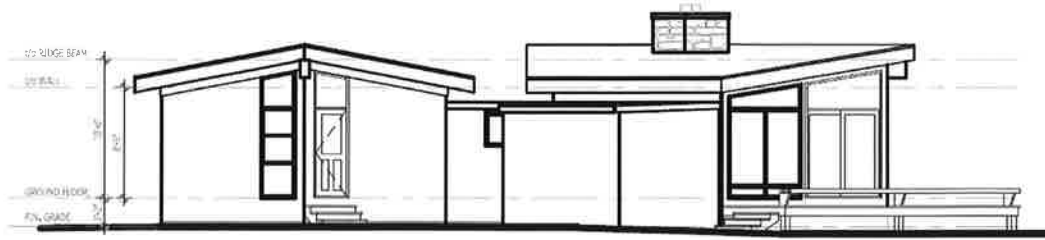


APPENDIX " D "

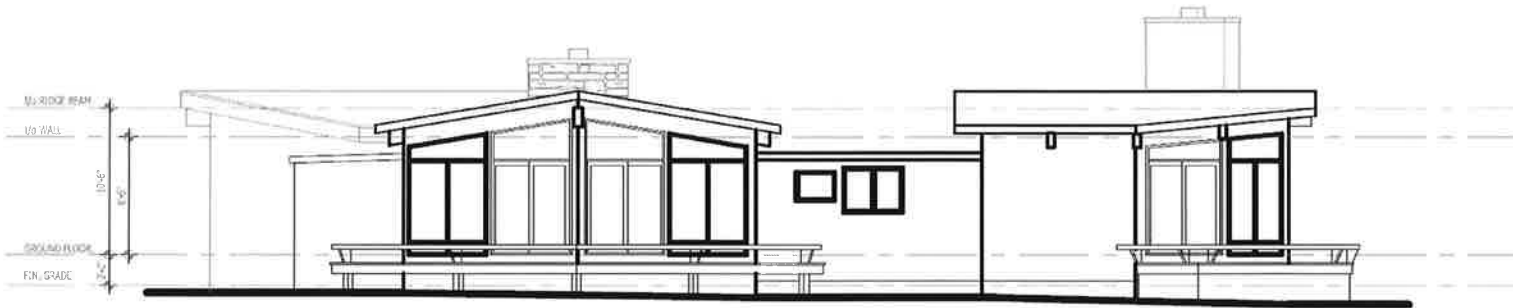
to

REPORT COA2019-065

FILE NO: D20-2019-048



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



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



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

APPENDIX " E "

to

REPORT COA2019-065

FILE NO: D20-2019-048



TH. ELEV - II
SCALE: 1/4" = 1'-0"



SIDE ELEV - II
SCALE: 1/4" = 1'-0"



REAR ELEV - II
SCALE: 1/4" = 1'-0"



TH. ELEV - II
SCALE: 1/4" = 1'-0"

David Harding

From: Derryk Wolven
Sent: Monday, October 07, 2019 11:37 AM
To: Charlotte Crockford-Toomey
Subject: D20-2019-048

APPENDIX " F "
to
REPORT COA2019-065

Please be advised building has no concerns with this application.

FILE NO. D20-2019-048

Derryk Wolven, CBCO

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

705-324-9411 ext. 1273 www.kawarthalakes.ca



Via Email: ccrockford-toomey@kawarthalakes.ca
Charlotte Crockford-Toomey
Administrative Assistant
Planning Department, City of Kawartha Lakes
180 Kent Street West
Lindsay, ON, K9V 2Y6

**Regarding: Application for Minor Variance
 D20-2019-048
 71 Perfectus Drive, Lot 15, Concession 9
 Township of Verulam
 Former Village of Bobcaygeon
 City of Kawartha Lakes**

Dear Ms. Crockford-Toomey

This letter acknowledges the receipt of the above noted application for Minor Variance D20-2019-048. Kawartha Conservation staff have reviewed the application and provide the following comments:

Application Purpose:

It is our understanding that the purpose of this application is to consider relief under Section 45(1) of the Planning Act, R.S.O., as amended, from the Village of Bobcaygeon Zoning By-law 16-78, as amended. The purpose and effect is to request relief to reduce the minimum rear yard setback from 7.5 metres to 3.5 metres and to reduce the minimum water setback from 20 metres to 4.6 metres. The reliefs sought will permit renovations to be done to the existing dwelling, which include the construction of a partial second storey and cathedral ceilings.

Site Characteristics:

Existing mapping indicates that the subject property is within the vicinity of the following natural heritage features:

- Sturgeon Lake
- Fish habitat

Natural hazards associated with these features include:

- Flooding

KAWARTHA CONSERVATION
277 Kenrei Road, Lindsay, ON K9V 4R1
705.328.2271 Fax 705.328.2286
KawarthaConservation.com

Our Watershed Partners:

City of Kawartha Lakes • Region of Durham • Township of Scugog • Municipality of Clarington • Township of Brock • Municipality of Trent Lakes • Township of Cavan Monaghan

Applicable Kawartha Conservation Regulation and Policies

Ontario Regulation 182/06 (as amended):

Any development with Kawartha Conservation's regulated area will require a Permit pursuant to Ontario Regulation 182/06 (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses), as amended.

Permissions are required from Kawartha Conservation prior to any of the following works taking place:

- a) Straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, or watercourse; or changing or interfering with a wetland; and
- b) Development, if the control of flooding, erosion, dynamic beaches, pollution or the conservation of land may be affected by the development.

Development is defined as:

- a) The construction, reconstruction, erection or placing of a building or structure of any kind,
- b) Any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- c) Site grading or, the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

The property is entirely regulated under Ontario Reg 182/06 as it is adjacent to Sturgeon Lake. Kawartha Conservation regulates from the greater of the flooding/erosion hazard associated with Sturgeon Lake. It appears as though the property within the Regulatory Flood Elevation for Sturgeon Lake (248.4 m/ASL). As such, the proposed development will require a permit from Kawartha Conservation.

Recommendation:

Kawartha Conservation has no objection to the approval of this Minor Variance Application D20-2019-048, provided that:

1. The finished floor elevation of all new additions be floodproofed 0.3 metre above the regulatory flood elevation in accordance with Kawartha Conservation floodproofing standards (minimum 248.7 m/ASL)
2. The subject area is entirely located within the Intake Protection Zone (IPZ-1) of the Bobcaygeon Municipal Drinking Water System. As such the property is in an area of the Trent Conservation Coalition (TCC) Source Protection Region. Please contact Jenna Stephens (Risk Management Official/Risk Management Inspector-copied on this email, ex 224) for additional information.

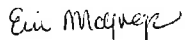
KAWARTHA CONSERVATION
277 Kenrei Road, Lindsay, ON K9V 4R1
705.328.2271 Fax 705.328.2286
KawarthaConservation.com

Our Watershed Partners:

City of Kawartha Lakes • Region of Durham • Township of Scugog • Municipality of Clarington • Township of Brock • Municipality of Trent Lakes • Township of Cavan Monaghan

Please inform this office of any decision made by the City of Kawartha Lakes with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed. Should you have any questions, please contact the undersigned.

Sincerely,



Erin McGregor
Resources Planner Technician – ex 232
Kawartha Conservation

CC:

Jenna Stephens, Risk Management Official/Source Protection Technician, Kawartha Conservation
Ron Warne, Director, Planning, Development, & Engineering, Kawartha Conservation
Mark LaHay, Planner II, City of Kawartha Lakes

KAWARTHA CONSERVATION
277 Kenrei Road, Lindsay, ON K9V 4R1
705.328.2271 Fax 705.328.2286
KawarthaConservation.com

Our Watershed Partners:

City of Kawartha Lakes • Region of Durham • Township of Scugog • Municipality of Clarington • Township of Brock • Municipality of Trent Lakes • Township of Cavan Monaghan