

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Stacey

Report Number COA2019-072

Public Meeting

Meeting Date: November 28, 2019

Time: 1:00 pm

Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 6 – Geographic Township of Fenelon

Subject: The purpose and effect is to request relief from Section 13.2.1.3(b)(ii) to reduce the minimum interior side yard requirement on the north side from 2.3 metres to 1 metre in order to permit the construction of an addition onto a two-storey dwelling.

The variance is requested at 233 Snug Harbour Road, geographic Township of Fenelon (File D20-2019-054).

Author: Quadri Adebayo, Planner II

Signature:



Recommendations:

Resolved That Report COA2019-072 Alma Stacey be received;

That minor variance application D20-2019-054 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 dwelling related to this approval shall proceed generally in accordance with the sketch in Appendix C2 submitted as part of Report COA2019-072, which shall be attached to and form part of the Committee's Decision. Any deviation from these specifications will require review by the City and may necessitate further approvals to be granted by the City and/or any other governing agency, body or authority, where applicable;
- 2) **That** notwithstanding the definition of rear yard, the granting of the variance for the reduced front yard setback will not be interpreted to permit the placement of any accessory building other than a boathouse between the rear wall of the dwelling and the water's edge;
- 3) **That** the frame shed currently located between the rear wall of the dwelling and the shoreline be relocated in a compliant manner at a minimum of 15 metres from the water's edge, a minimum of 1.2 metres from the side lot

line, and a minimum of 1.2 metres from the residential dwelling. The frame shed shall not be located in the front yard; and

- 4) **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 COA2019-072. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The owner seeks to make renovations to a two storey dwelling built circa 1942 (MPAC) that comprises of supplementary living space and an elevated deck at the rear of the dwelling. Part of the improvement includes additional kitchen space on the main level that will allow an extension on a portion of the north wall. The extension is proposed to flush with the existing non-complying wall setback in that part of the yard.

The application was deemed complete October 28, 2019.

Proposal: Single detached dwelling

Owner/Applicant: Alma Stacey

Legal Description: Part Lot 4, Concession 8, Plan 129, Lot 22, geographic Township of Fenelon, 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 Fenelon Zoning By-law 12-95

Site Size: 707.77 square metres

Site Servicing: Private individual well and holding tank

Existing Uses: Residential

Adjacent Uses: North and South: Residential
West: Sturgeon Lake
East: Snug Harbour Road, Agricultural

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 located in an established shoreline residential neighbourhood amongst a series of lots that run north and south along Sturgeon Lake. A large farm field is located to the east of the subject property.

The proposed development will be improving of an aged building and will not exacerbate the existing deficiency in the northern part of the yard. In terms of scale, the massing of the addition is not anticipated to be perceptible given that the wall addition will be located towards the rear of the dwelling. Likewise, the addition is not anticipated to pose any negative impact to abutting neighbour to the north (address #235) even though the property is a smaller dwelling (a single storey). The necessary building permits have also been obtained from the City's Building Division and Kawartha Conservation by the applicant which were provided as part of the minor variance submission.

Based on the above analysis, the variance is minor as well as 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 Fenelon Zoning By-law 12-95. The RR3 Zone permits vacation dwellings or single detached dwellings.

The minimum side yard requirement performs a series of functions such as providing for: adequate spatial separation from abutting lots, landscape area for storm water drainage, and navigable access between the front and rear yard for property maintenance; including governing the general character of the neighbourhood.

The proposed development is not anticipated to detract from the general character of the neighbourhood. The Sewage Systems Supervisor has confirmed that the proposal will not negatively impact the servicing utility on the property.

Considering the fact that the proposal has not fully exercised the zoning provision privileges, utilizing lot coverage of approximately 18% from a possible 30% maximum, the applicant has reasonably demonstrated that it is possible to develop the lot.

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. The designation anticipates residential uses.

The proposal follows Section 20.5.1 of the Official Plan regarding density and massing in the Waterfront designation. The proposed building will presumably maintain a low profile and blend with the natural surroundings.

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

Other Considerations:

As a compensatory measure to gain staff support for a non-compliant water setback, the applicant has advised that they will relocate the frame shed sitting within the water setback buffer to a compliant location in accordance with the Township of Fenelon By-law. The frame shed is not used to house marine related items but rather functions as storage for beverage and cocktail drinks.

Servicing Comments:

The property is serviced by a private individual well and holding tank.

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 – Plans Examiner (November 15, 2019): They advised that the spatial separation requirements of the Ontario Building Code may impact the wall design of the proposed addition. Planning staff is satisfied that the wall rating will be handled under the building permit that was issued to the applicant.

Part 8 Sewage Systems Program – Building Division (November 15, 2019): No objections.

Engineering and Corporate Assets Department (November 18, 2019): No objections.

Public Comments:

No comments received as of November 19, 2019.

Attachments:



Appendices A-D to
Report COA2019-072

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C1 – Applicant's Existing Site Plan Sketch

Appendix C2 – Applicant's Proposed Site Plan Sketch

Appendix D – Department and Agency Comments

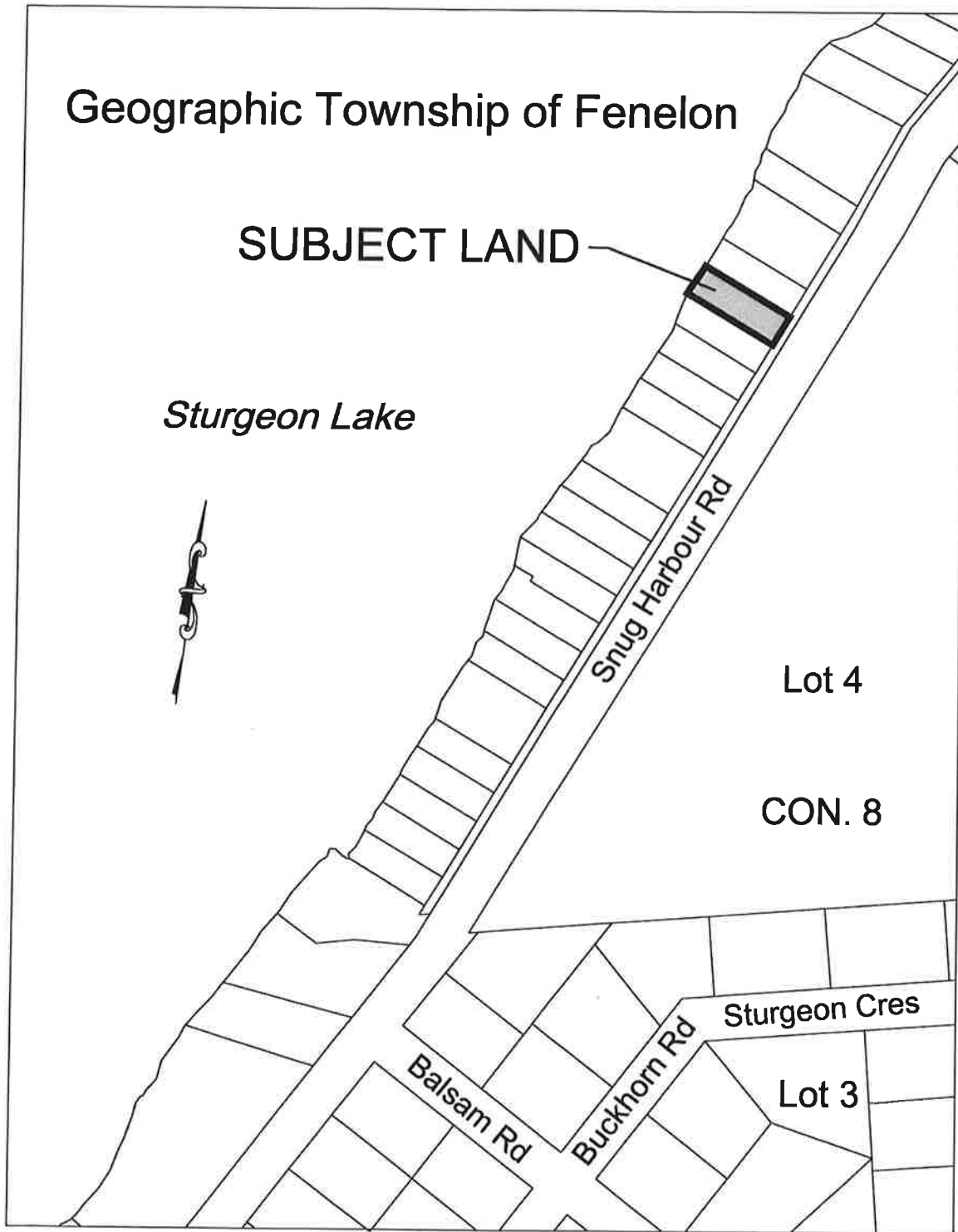
Phone: 705-324-9411 extension 1367

E-Mail: qadebayo@kawarthalakes.ca

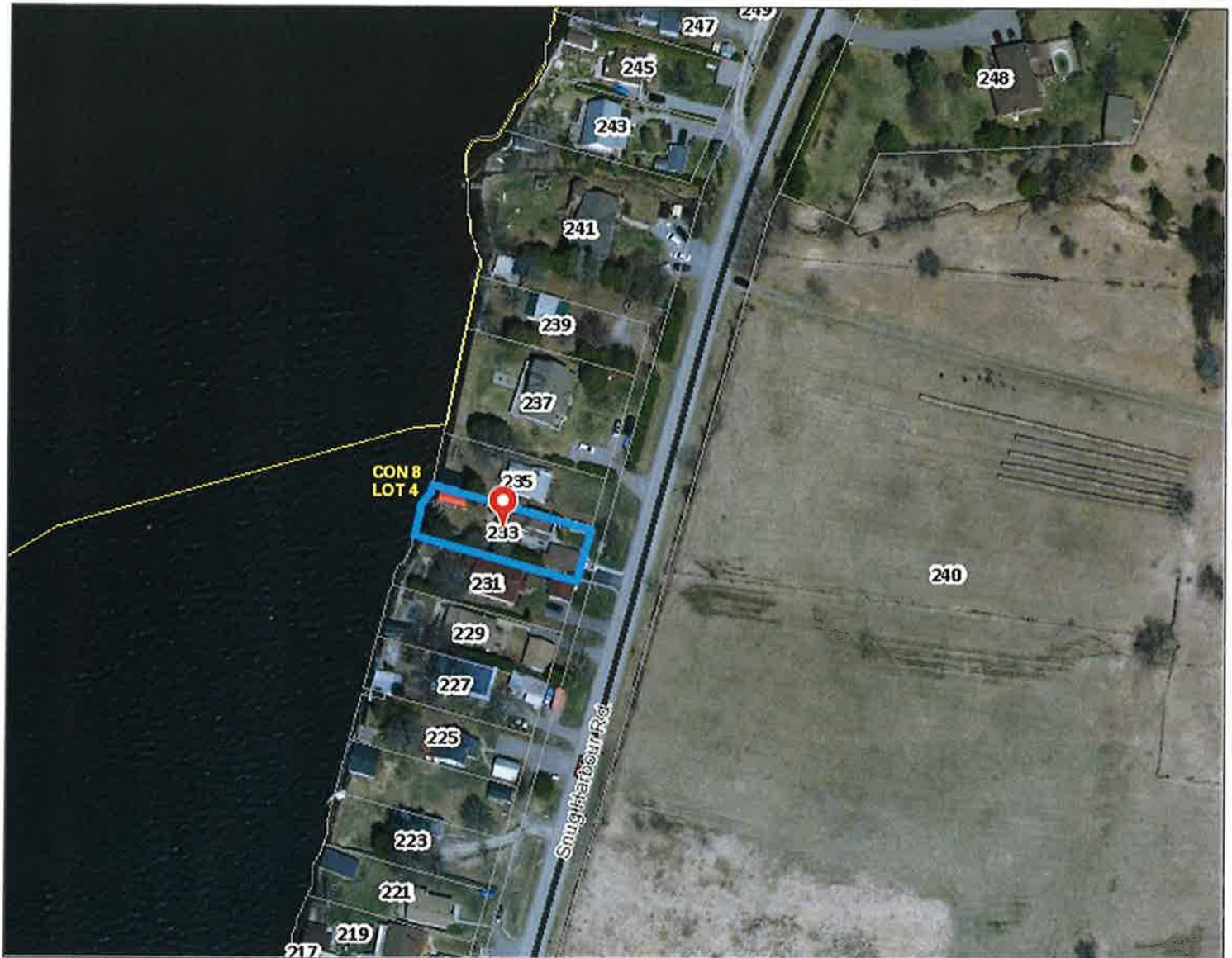
Department Head: Chris Marshall, Director of Development Services

Department File: D20-2019-054

D20-2019-054



233 Snug Harbour Road, geographic Township of Fenelon



0.11

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. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.

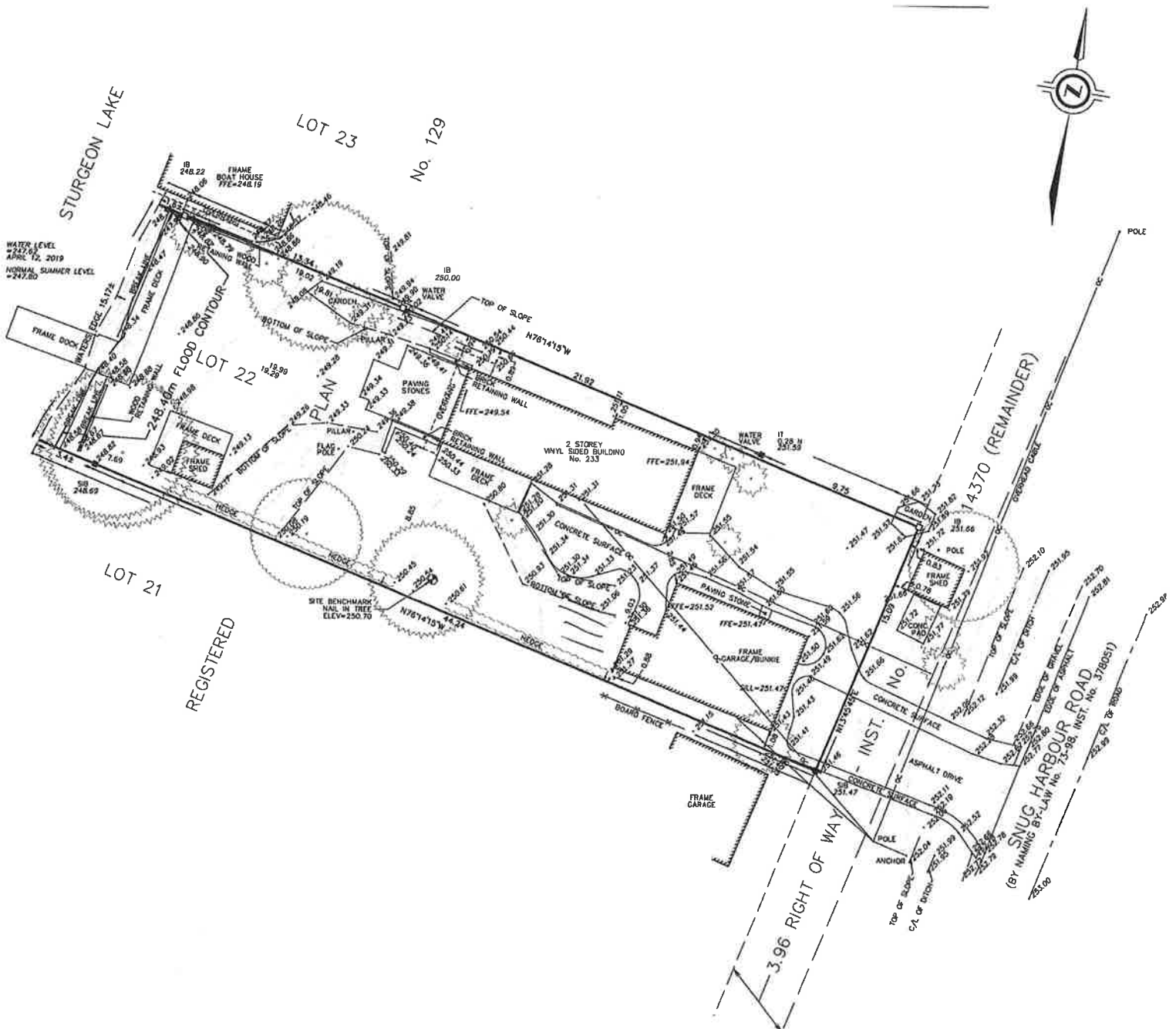
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to

REPORT COA2019-072

FILE NO: D20-2019-054

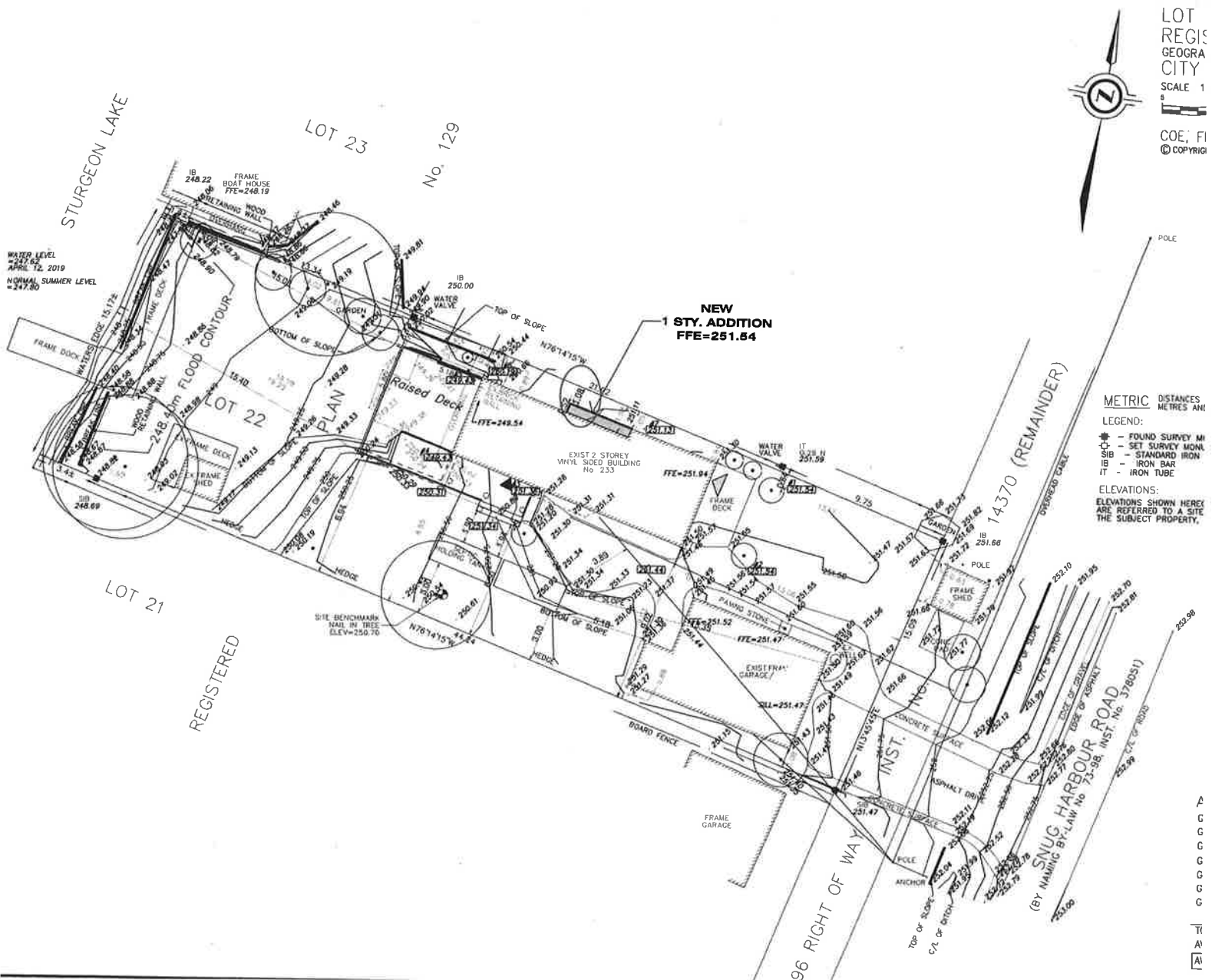
Existing Site Plan Sketch



to

REPORT COA2019-074FILE NO: D20-2019-054

Proposed Site Plan Sketch



Quadri Adebayo

APPENDIX " D "
to

From: Derryk Wolven
Sent: Friday, November 15, 2019 8:14 AM
To: Charlotte Crockford-Toomey
Subject: D20-2019-054

REPORT COA2019-072
FILE NO. D20-2019-054

Please be advised building division has the following comments:

Spatial separation requirements of the Ontario Building Code may impact the wall design of the proposed addition.

Derryk Wolven, CBCO

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

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



Quadri Adebayo

APPENDIX " D "

to

From: Anne Elmhirst
Sent: Friday, November 15, 2019 9:29 AM
To: Charlotte Crockford-Toomey
Subject: D20-2019-054 - 233 Snug Harbour Rd

REPORT COA 2019-072

FILE NO. D20-2019-054

Hello Charlotte,

I have received and reviewed the minor variance application to request relief for an addition to a 2 storey dwelling at 233 Snug Harbour Road.

The property recently completed an upgrade to the sewage system serving the property. The upgrade brought the property into compliance with the Ontario Building Code for sewage disposal systems.

The current proposal will not interfere with the location or capacity requirements for the recently installed system. As such, the Building Division – Sewage System Program has no objection to 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 Division, City of Kawartha Lakes

705-324-9411 ext. 1882 www.kawarthalakes.ca



Quadri Adebayo

APPENDIX D
to

From: Mark LaHay
Sent: Monday, November 18, 2019 3:21 PM
To: Quadri Adebayo
Cc: Charlotte Crockford-Toomey
Subject: FW: 20191119 D20-2019-054 - Engineering review

REPORT CoA2019-072
FILE NO. D20-2019-054

FYI - file

From: Kim Rhodes
Sent: Monday, November 18, 2019 3:14 PM
To: Mark LaHay
Cc: Christina Sisson; Kirk Timms
Subject: 20191119 D20-2019-054 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2019-054
233 Snug Harbour
Part Lot 4, Concession 8, Plan 129, Lot 22
Geographic Township of Fenelon

It is the understanding by Engineering that the purpose and effect is to request relief to reduce the minimum interior side yard requirement on the north side from 2.3 metres to 1 metre in order to permit from the construction of an addition onto a two-storey 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.
Supervisor, Development Engineering
Engineering & Corporate Assets, City of Kawartha Lakes
705-324-9411 ext. 1152 www.kawarthalakes.ca

