

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Lisa Selke

Report Number COA2020-026

Public Meeting

Meeting Date: September 17, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 8 –Geographic Township of Emily

Subject: The purpose and effect is to request relief from:

1. Section 12.2.1.3(e) to reduce the minimum water setback from 30 metres to 16.4 metres in order to permit an addition to a single detached dwelling; and
2. Section 3.1.2.1 to permit a shed within the front yard whereas an interior side or rear yard location is currently permitted.

The variances are requested at 95 Kenedon Drive, geographic Township of Emily (File D20-2020-022).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendations:

Resolved That Report COA2020-026 Lisa Selke, be received;

That minor variance application D20-2020-022 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction of the dwelling and shed related to this approval shall proceed substantially in accordance with the sketch in Appendix C and elevations in Appendix D submitted as part of Report COA2020-026, which shall be attached to and form part of the Committee's Decision; and
- 2) **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 COA2020-026. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: To construct an addition to the one storey single detached dwelling and permit a shed within the front yard.

This application was last amended August 27, 2020.

Proposal: To permit an approximately 36.7 square metre (395 square feet) addition to the dwelling. Approximately 18.2 square metres (195 square feet) will be for a seasonal sunroom, with the remaining 18.5 square metres (199.2 square feet) for a bedroom.

To recognize an accessory building (shed) within the front yard.

Owner: Lisa Selke

Legal Description: Lot 14, Plan 6, geographic Township of Emily, City of Kawartha Lakes

Official Plan: Waterfront within the City of Kawartha Lakes Official Plan (2012)

Zone: Rural Residential Type Three (RR3) Zone within the Township of Emily Zoning By-law 1996-30

Site Size: 1,687 square metres (0.42 acres)

Site Servicing: Private individual well and septic system

Existing Uses: Shoreline Residential

Adjacent Uses: North, South: Shoreline Residential
East: Shoreline Residential (Second Tier)
West: Pigeon River

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 situated in a shoreline residential neighbourhood on the west side of Pigeon Lake where it transitions into Pigeon River.

The addition is proposed to the south of the existing dwelling. While the addition is not in-line with the existing west wall, it is proposed to be no closer to the shoreline than the existing dwelling. The slight offset of the addition will allow

access from the sunroom, with the assistance of a new ground-level deck, to the greater deck structure to on north and west of the dwelling.

The addition is a single-storey and proposes a more intensive use of a very wide interior side yard.

The shed is proposed within the front yard. It is set well back from the road, is to the side of the dwelling, and is set into some vegetation that runs near the south lot line. Due to the combination of these site factors, the shed is not very visible from the road. Sheds provide for the storage of items that are not easily stored within the house. As the property does not contain a garage, there are no other buildings on the property that can currently store these items. It is therefore appropriate to permit a storage building on the property.

Due to the above analysis, the variances are minor in nature and desirable and appropriate for the use of the land.

3) Do the variances 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 Emily Zoning By-law 1996-30.

The intent of the water setback is to provide sufficient spatial separation between the shoreline and built form to protect the ecological integrity of the lake. The separation provides space for the establishment of vegetation to provide functions such as stormwater infiltration and attenuation, and provision of habitat.

The intent of relegating accessory buildings to interior side or rear yards is to ensure accessory uses are not the primary use within the front yard. Due to the location of and the screening of the shed, the dwelling visually remains the primary use on the property.

Therefore, the variances maintain the general intent and purpose of the Zoning By-Law.

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

Yes

The property is designated Rural within the City of Kawartha Lakes Official Plan. Low density residential uses, along with accessory uses are anticipated within this designation.

In consideration of the above the variances maintain the general intent and purpose of the Official Plan.

Other Alternatives Considered:

As a result of the pre-screening process, the depth and location of the screened porch was altered to provide an increased water setback.

Servicing Comments:

The property is serviced by a private individual well and sewage 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 8, 2020): No concerns.

Kawartha Region Conservation Authority (September 4, 2020): No concerns.

Public Comments:

No comments received as of September 8, 2020.

Attachments:



Appendices A-E to
Report COA2020-02

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Applicant's Elevations

Appendix E – Department and Agency Comments

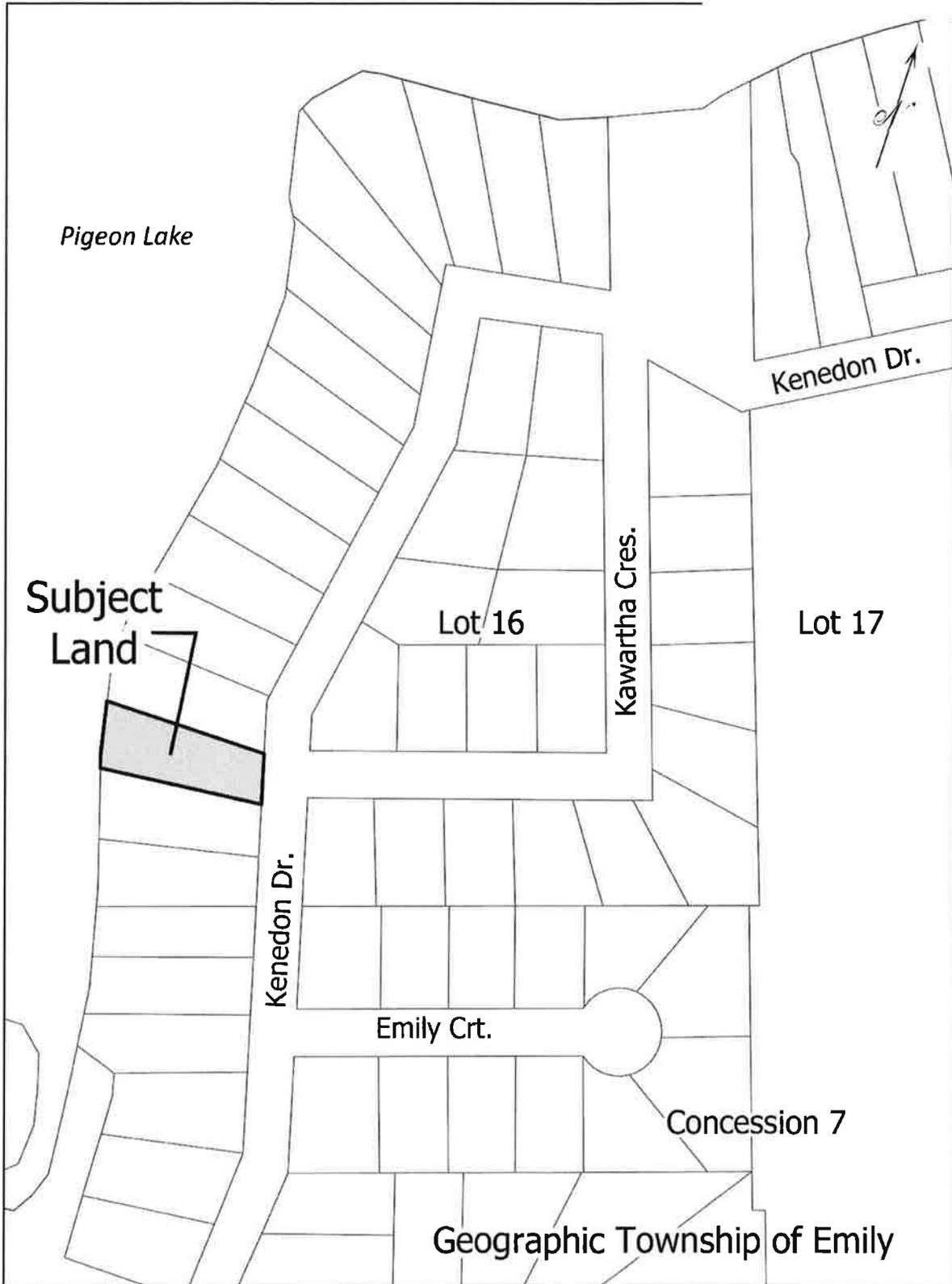
Phone: 705-324-9411 extension 1206
E-Mail: dharding@kawarthalakes.ca
Department Head: Chris Marshall, Director of Development Services
Department File: D20-2020-022

to

REPORT COA2020-026

FILE NO: D20-2020-022

D20-2020-022



95 Kenedon Drive, Geographic Township of Emily



0.06 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.

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

APPENDIX " B "

to

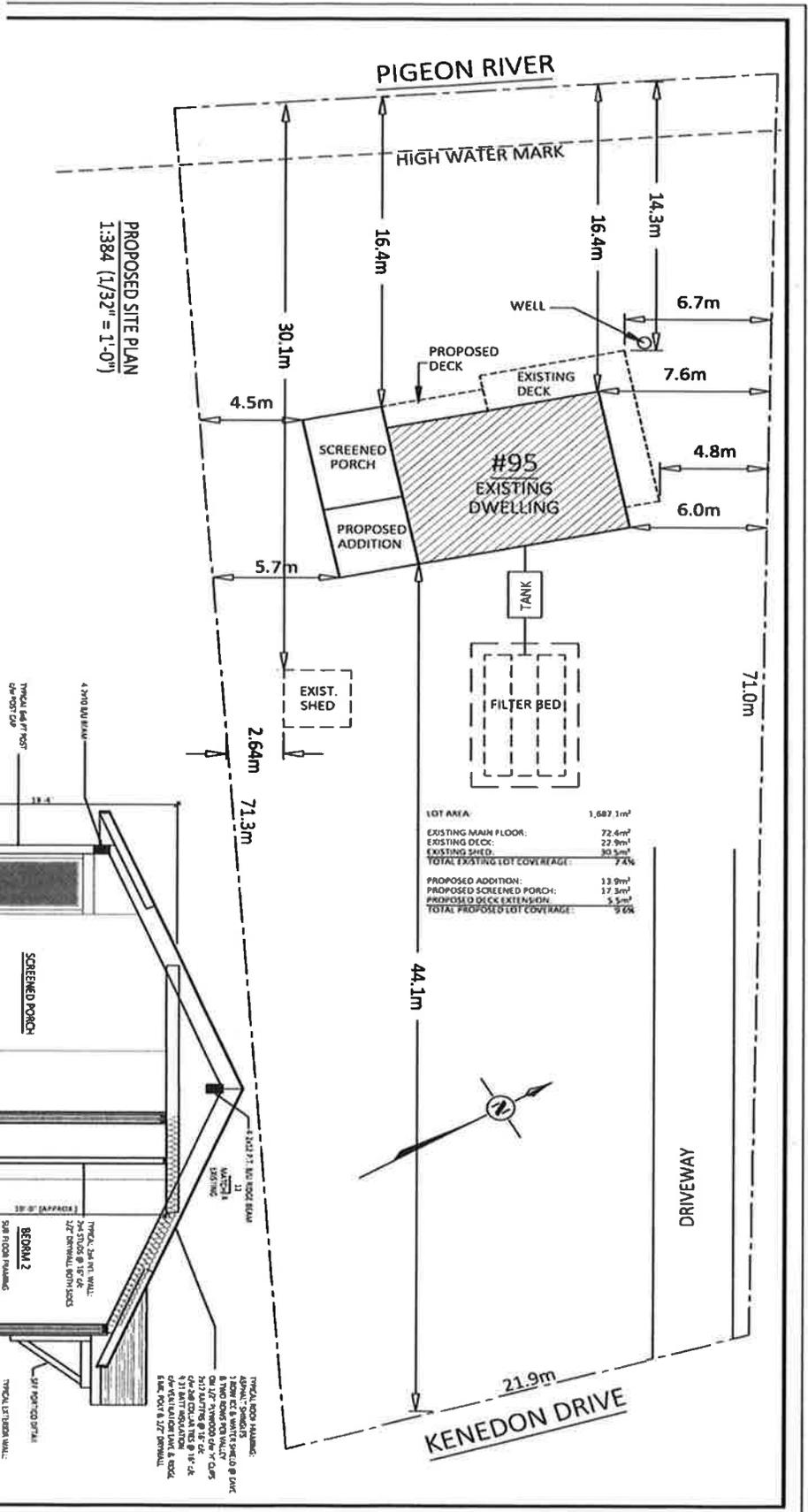
REPORT COA2020-026

FILE NO: D20-2020-022

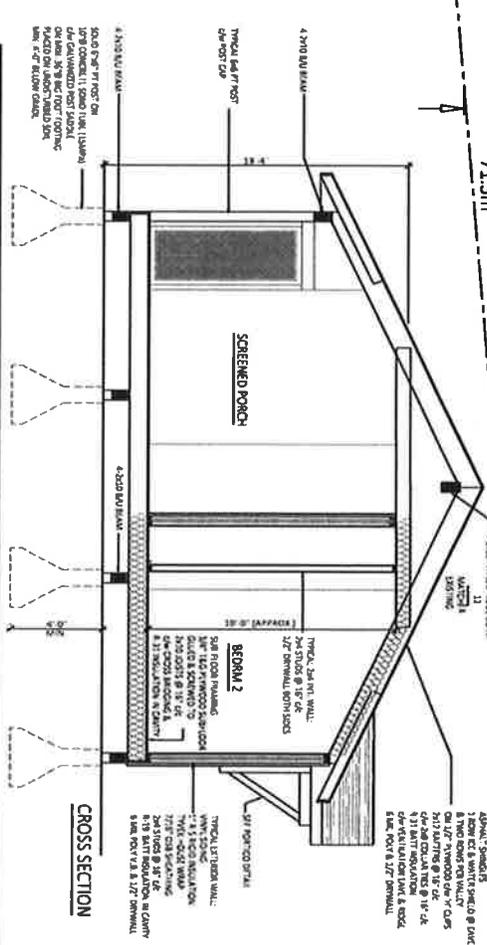
APPENDIX " C "

to
 REPORT COA2020-026
 FILE NO: D20-2020-022

PROPOSED SITE PLAN
 1:384 (1/32" = 1'-0")



LOT AREA:	1,587.1m ²
EXISTING MAIN FLOOR:	72.4m ²
EXISTING DECK:	22.9m ²
EXISTING SHED:	30.5m ²
TOTAL EXISTING LOT COVERAGE:	74%
PROPOSED ADDITION:	13.9m ²
PROPOSED SCREENED PORCH:	17.3m ²
PROPOSED DECK EXTENSION:	5.5m ²
TOTAL PROPOSED LOT COVERAGE:	9.6%



Hideaway
HOMES

Manufactured Dwellings & Building Services

1	EXISTING DWELLING	20-02-20	
2	PROPOSED ADDITION	20-02-21	
3	PROPOSED SCREENED PORCH	20-02-22	
4	PROPOSED DECK EXTENSION	20-02-23	

Project Title

SETLITE

SITE PLAN & CROSS SECTION

Scale

1/8" = 1'-0"

Date

20-02-19

HH

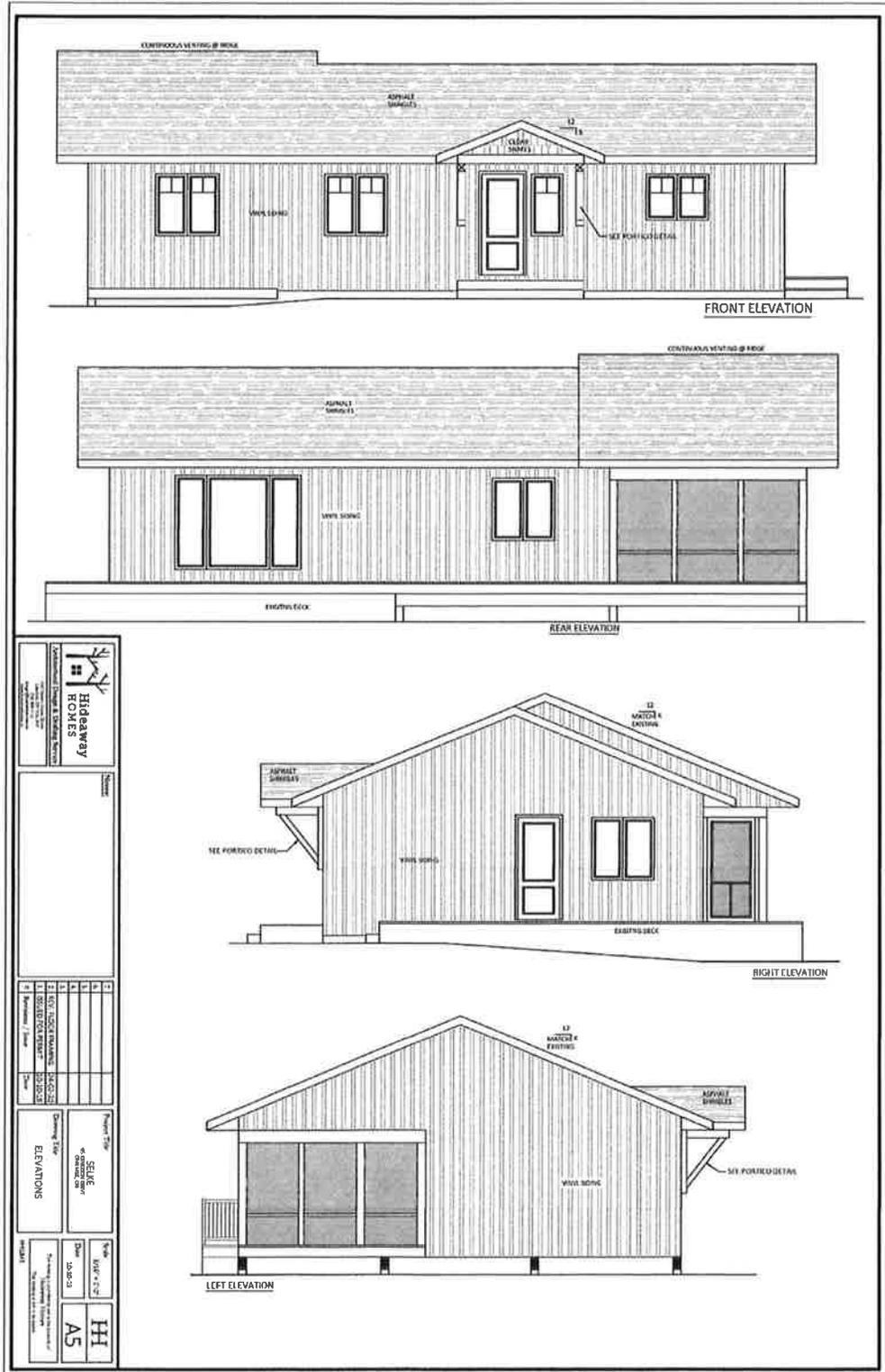
A6

APPENDIX " D "

to

REPORT COA2020-026

FILE NO: D20-2020-022





APPENDIX " E "
to
REPORT COA2020-026
FILE NO. D20-2020-022

KRCA File NO: PPLK-10229

Via Email: ccrockford-toomey@kawarthalakes.ca
Charlotte Crockford Toomey
Administrative Assistant
Development Services – Planning Division
180 Kent St West
Lindsay, ON, K9V 2Y6

**Regarding: Minor Variance Application
D20-2020-022
95 Kenedon Dr, Omeme
Lisa Selke/Holly Richards Conley**

Kawartha Conservation has completed review of the above noted Minor Variance Application, submitted by Holly Richards Conley on behalf of Lisa Selke. Kawartha Conservation has provided comments as per our MOU with the City of Kawartha Lakes to review the application with respect to Natural Heritage, Watershed Management, and Natural Hazards.

Our comments are as follows:

Application Purpose:

It is Kawartha Conservation's understanding that the purpose and effect of Minor Variance Application D20-2020-022 is to:

- Reduce the water setback from 30 metres to 16.4 metres for a proposed addition and screened porch, and
- To permit an existing shed within the front yard.

Site Characteristics:

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

Natural Heritage Features:

- Pigeon Lake/Fish Habitat. Kawartha Conservation regulates the shoreline of Pigeon Lake and 15 metres from the high water mark.

Natural Hazards:

Potential for flooding due to proximity to Pigeon Lake.

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



Water Resources:

The subject property is within the boundary of the Pigeon Lake Management Plan.

Applicable Kawartha Conservation Regulation and Policies

Ontario Regulation 182/06 (as amended):

Any development within 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.

Recommendation:

Kawartha Conservation has no objection to the approval of Minor Variance Application D20-2020-022 based on our consideration for Natural Heritage, Watershed Management, and Natural Hazards, and it is our opinion that the proposal complies with Section 3.1 of the Provincial Policy Statement (2020).

I trust this meets your information requirements at this time. Should you have any questions, please contact the undersigned.

Sincerely,

Erin McGregor



Resources Planner Technician

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



**KAWARTHA
CONSERVATION**

Discover • Protect • Restore

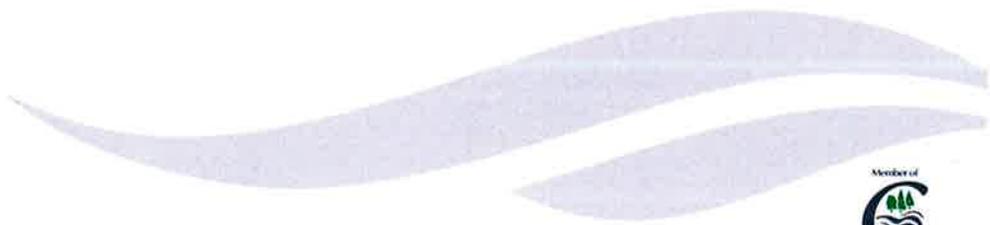
Kawartha Conservation

CC: Ron Warne, Director of Planning, Development, & Engineering, Kawartha Conservation

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



David Harding

From: Charlotte Crockford-Toomey
Sent: Tuesday, September 8, 2020 2:02 PM
To: David Harding
Subject: FW: D20-2020-022

fyi

Charlotte Crockford-Toomey
Administrative Assistant
Planning Department, City of Kawartha Lakes
705-324-9411 ext. 1231 www.kawarthalakes.ca



Due to COVID-19, all City Municipal buildings are closed to the public and some service levels have been affected. For COVID-19 information including service levels and how to access services, please call 705-324-9411 extension 4000 or visit www.kawarthalakes.ca/covid19

From: Derryk Wolven
Sent: Tuesday, September 8, 2020 1:59 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-022

Building Division has no concerns with the above noted application.

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

