

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Scott and Elizabeth Beacock**  
**Report Number COA2020-024**

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**Public Meeting**

**Meeting Date:** August 19, 2020  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward: 4 –Geographic Township of Mariposa**

**Subject:** The purpose and effect is to seek relief from Section 10.2.1.3 (a) to reduce the minimum front yard setback from 7.5 metres to 4.2 metres to permit the construction of a covered porch.

The variance is requested at 93 Cresswell Road, geographic Township of Mariposa (File D20-2020-020).

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**Author:** Kent Stainton, Planner II

**Signature:**



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**Recommendations:**

**Resolved That** Report COA2020-024 Beacock, be received;

**That** minor variance application D20-2020-020 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketches in Appendices C & D submitted as part of Report COA2020-024, 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 COA2020-024. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Background:** This application is proposing to replace an existing front porch in disrepair that is non-compliant with the Zoning By-law. A replacement covered porch of the same dimensions is proposed.

This application was deemed complete on July 2, 2020.

**Proposal:** To construct a 22.5 square metre (242.19 square feet) covered porch.

**Owner:** Scott and Elizabeth Beacock

**Legal Description:** 93 Cresswell Road, South Part of Lot 2, Concession 7, geographic Township of Mariposa, City of Kawartha Lakes

**Official Plan:** Hamlet Settlement Area within the City of Kawartha Lakes Official Plan (2012)

**Zone:** Hamlet Residential (HR) Zone within the Township of Mariposa Zoning By-law 94-07

**Site Size:** 1,100 square metres (11,840.3 square feet)

**Site Servicing:** Private individual well and sewage system.

**Existing Uses:** Residential

**Adjacent Uses:** North: Agricultural  
East: Residential, Community Facility (Church)  
South: Cresswell Road, Residential  
West: Residential

**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 within the hamlet of Cresswell in an established residential neighbourhood that contains a mix of historic and modern residential buildings. The dwelling was constructed in 1900 (according to MPAC) and is representative of the types of homes within the community.

The location of homes in relation to the depth of the lots within the hamlet of Cresswell varies significantly along Cresswell Road. The dwelling addressed as 91 Cresswell Road has a deep front yard setback while the residence at 87 Cresswell Road has virtually no front yard setback. Dwellings within the neighbourhood contain a variety of entryway designs as well. While the existing porch on the subject lands is uncovered, the proposed covered porch and associated railing will further complement the character of the neighbourhood by proposing a design, which maintains the historical character of the dwelling.

The proposal will provide increased amenity space for the existing dwelling and will considerably improve the aesthetics of front yard. As the covered porch is open on the front and both sides, there are no anticipated massing issues and impacts to sightlines. Overall, the functionality of the front yard will not be diminished.

Due to the above analysis, 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 Hamlet Residential (HR) Zone within the Township of Mariposa Zoning By-law 94-07.

The intent of the front yard setback is to provide separation between the road and residential uses; however, the subject property is within the urbanized hamlet area of Cresswell, which has reduced speed limits and contains numerous dwellings much closer than the proposed reduction of the front yard setback to 4.2 metres.

As the covered porch is replacing an existing porch with no additional expansion laterally or towards the road, there are no anticipated land use compatibility issues presented to the front yard-to-road interface. The established building line of the replacement porch is no closer to the road than the limit of development established to the east at 95 Cresswell Road.

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 Hamlet within the City of Kawartha Lakes Official Plan, which permits residential development. The variance maintains the general intent and purpose of the Official Plan

**Other Alternatives Considered:**

None considered at this time.

**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:**

Engineering and Corporate Assets Department (August 11, 2020): No concerns.

Building Division (August 11, 2020): No concerns.

**Public Comments:**

No comments received as of August 11, 2020.

**Attachments:**



Appendices A-E for  
Report COA2020-02.

Appendix A – Location Map  
Appendix B – Aerial Photo  
Appendix C – Applicant's Sketch  
Appendix D – Elevation Sketch  
Appendix E – Department and Agency Comments

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<b>Phone:</b>	705-324-9411 extension 1367
<b>E-Mail:</b>	kstainton@kawarthalakes.ca
<b>Department Head:</b>	Chris Marshall, Director of Development Services
<b>Department File:</b>	D20-2020-020

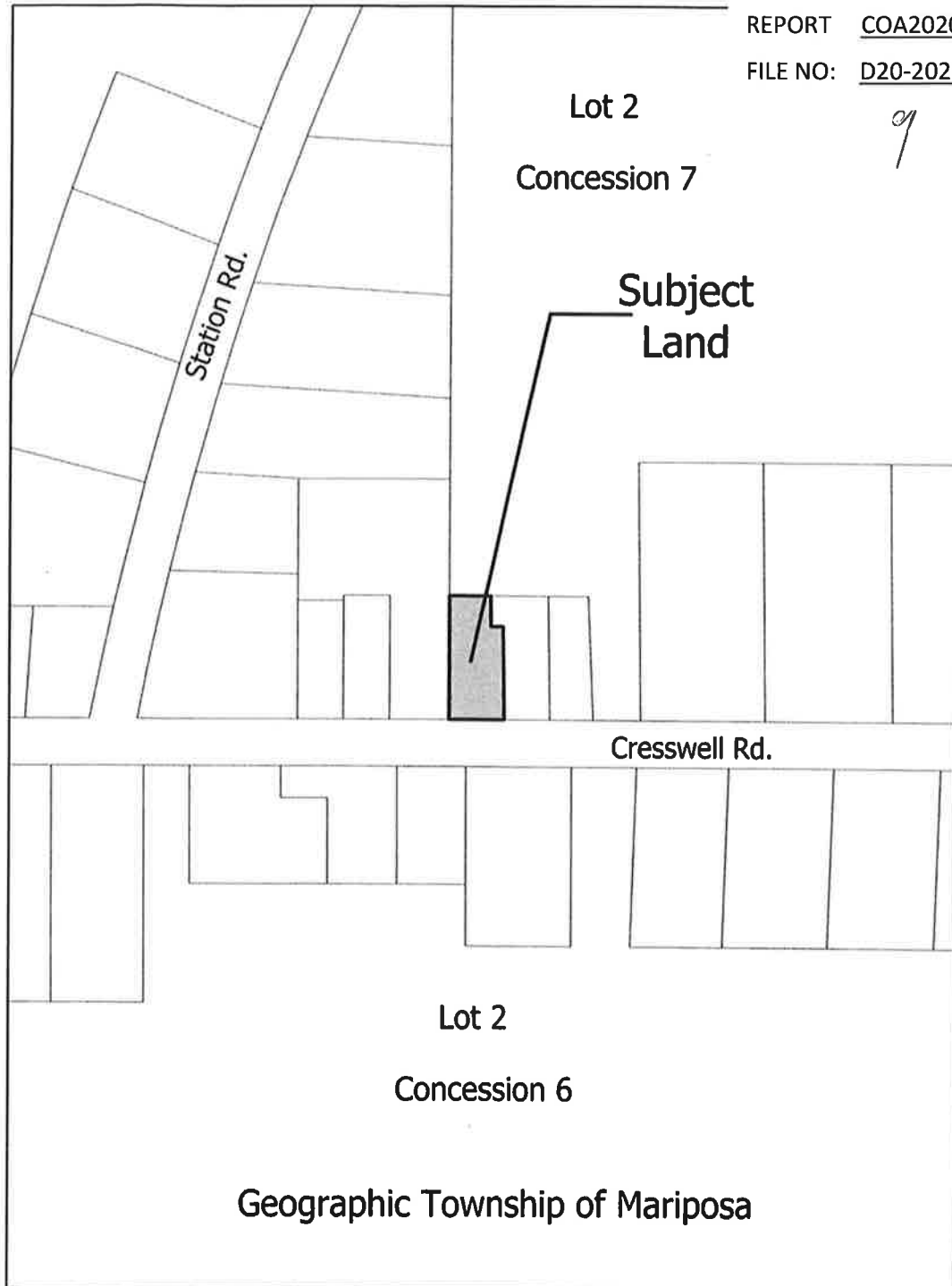
D20-2020-020

APPENDIX " A "

to

REPORT COA2020-024

FILE NO: D20-2020-020





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.

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

### Legend

- ☐ Property Roll Number
- ☒ Lots and Concessions
- ☐ Lower Tier Municipalities

## Notes

## Notes

REPORT COA2020-024  
FILE NO: D20-2020-020

APPENDIX " B "  
to

APPENDIX " C "

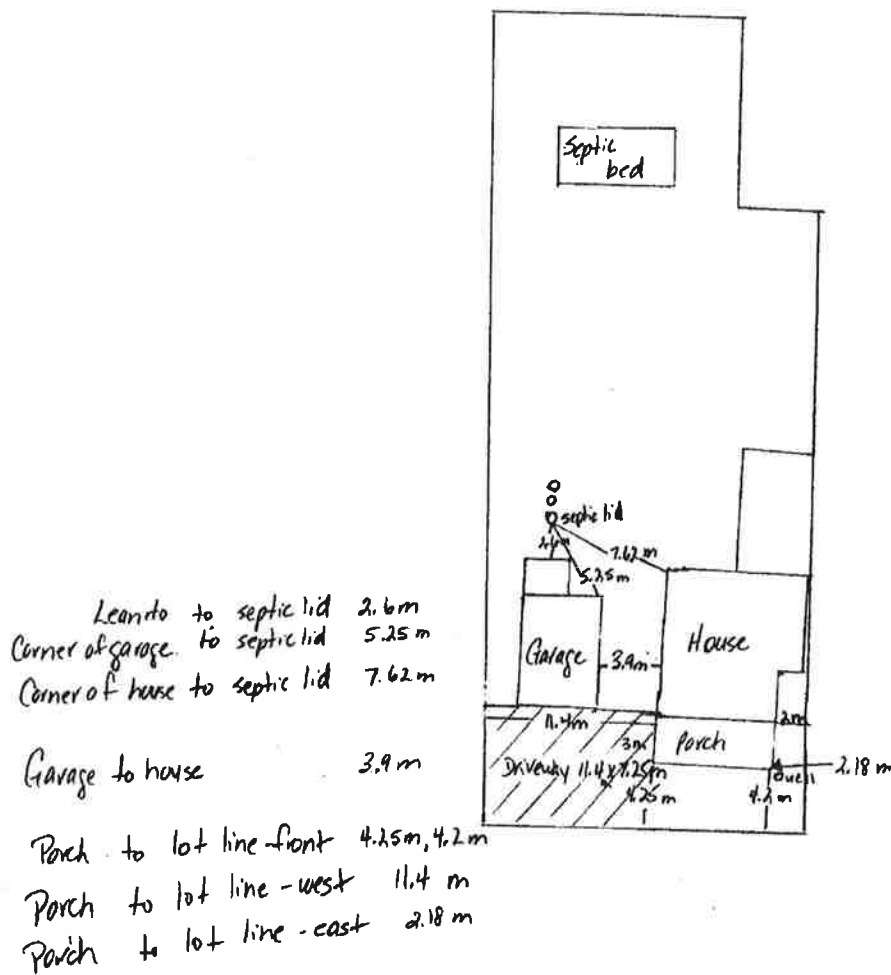
to

REPORT COA2020-024

FILE NO: D20-2020-020

93 Cresswell Rd

Site Plan

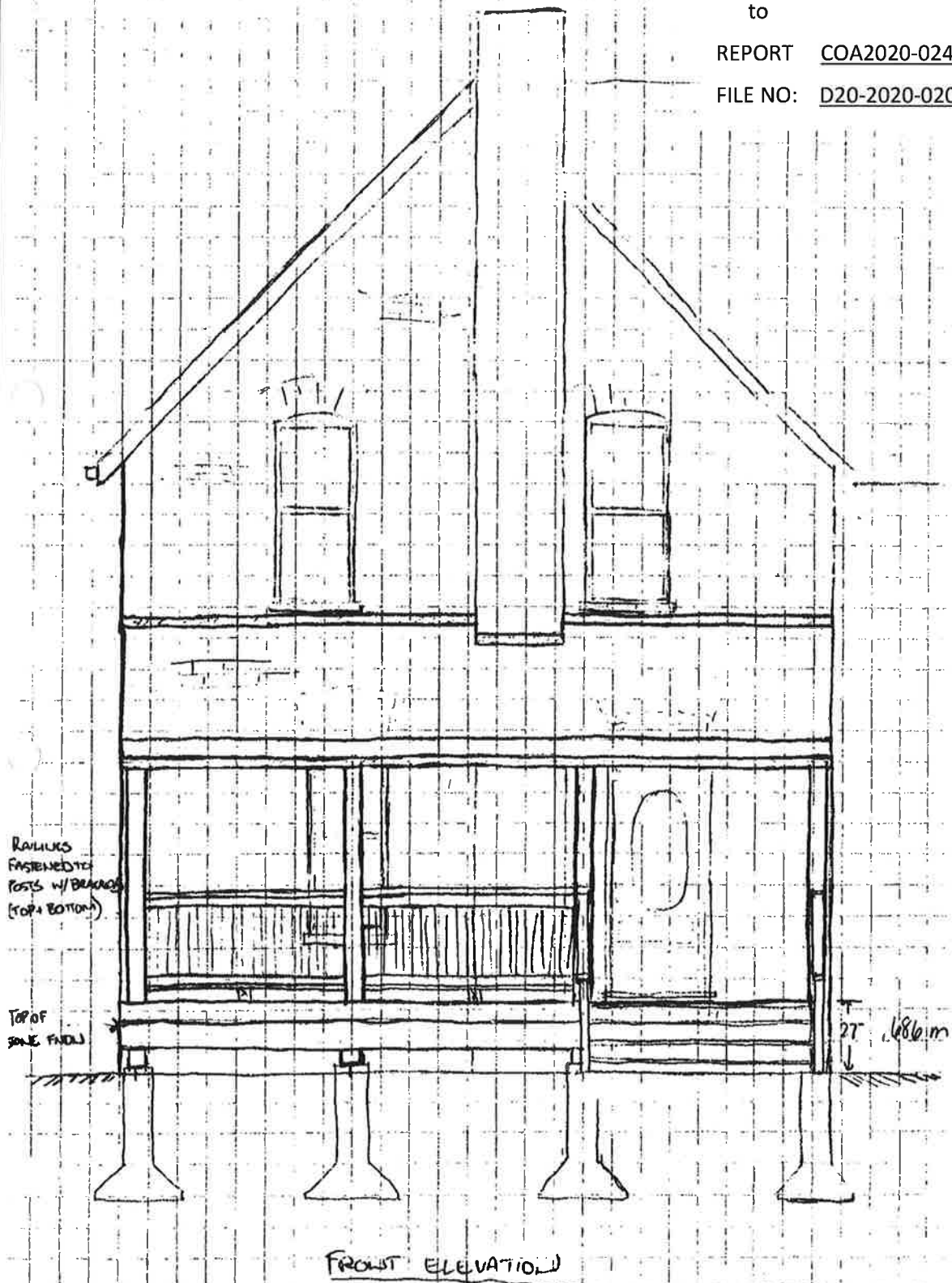


APPENDIX " D "

to

REPORT COA2020-024

FILE NO: D20-2020-020





## Kent Stainton

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**From:** Charlotte Crockford-Toomey  
**Sent:** Tuesday, August 11, 2020 2:06 PM  
**To:** David Harding; Kent Stainton  
**Subject:** FW: 20200811 D20-2020-003,016,017,018,019,020,021 Engineering Review

APPENDIX " E "

fyi

to

REPORT

COA2020-024

FILE NO.

D20-2020-020

### Charlotte Crockford-Toomey

Administrative Assistant

Planning Department, City of Kawartha Lakes

705-324-9411 ext. 1231 [www.kawarthalakes.ca](http://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](http://www.kawarthalakes.ca/covid19)

**From:** Kirk Timms <ktimms@kawarthalakes.ca>

**Sent:** Tuesday, August 11, 2020 1:00 PM

**To:** Mark LaHay <mlahay@kawarthalakes.ca>

**Cc:** Christina Sisson <csisson@kawarthalakes.ca>; Kim Rhodes <krhodes@kawarthalakes.ca>; Charlotte Crockford-Toomey <ccrockford-toomey@kawarthalakes.ca>

**Subject:** 20200811 D20-2020-003,016,017,018,019,020,021 Engineering Review

Good Afternoon Mark,

Please see Engineering's comments below for the listed Minor Variance Applications;

**D20-2020-003** - From an engineering perspective, we have no objection to the proposed Minor Variance.

**D20-2020-016** - From an engineering perspective, we have no objection to the proposed Minor Variance.

**D20-2020-017** - From an engineering perspective, we have no objection to the proposed Minor Variance.

**D20-2020-018** - From an engineering perspective, we have no objection to the proposed Minor Variance.

**D20-2020-019** - From an engineering perspective, we have no objection to the proposed Minor Variance.

**D20-2020-020** - From an engineering perspective, we have no objection to the proposed Minor Variance.

**D20-2020-021** - 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,  
Kirk

**Kirk Timms, C.E.T., CAN-CISEC**  
Senior Engineering Technician  
Engineering & Corporate Assets Department, City of Kawartha Lakes  
705-324-9411 ext. 1119 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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## Kent Stainton

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**From:** Charlotte Crockford-Toomey  
**Sent:** Tuesday, August 11, 2020 4:41 PM  
**To:** Kent Stainton  
**Subject:** FW: D20-2020-020 93 Cresswell Rd

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

fyi

**Charlotte Crockford-Toomey**  
Administrative Assistant  
Planning Department, City of Kawartha Lakes  
705-324-9411 ext. 1231 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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**From:** Derryk Wolven <[dwolven@kawarthalakes.ca](mailto:dwolven@kawarthalakes.ca)>  
**Sent:** Tuesday, August 11, 2020 4:39 PM  
**To:** Charlotte Crockford-Toomey <[ccrockford-toomey@kawarthalakes.ca](mailto:ccrockford-toomey@kawarthalakes.ca)>  
**Subject:** D20-2020-020 93 Cresswell Rd

Building division has no concerns with the above noted application.

Derryk Wolven  
Plans Examiner  
City of Kawartha Lakes Building Division