

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Patricia Jarvie
Report Number COA2020-039

Public Meeting

Meeting Date: October 15, 2020
Time: 1:00pm
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 the following provisions in order to construct a second storey addition and covered porch:

1. Section 3.11.1 to reduce the minimum lot size of an existing lot of record from 745 square metres to 603 square metres, and
2. Section 15.2.1.3(b)(ii) to reduce the minimum interior side yard setback from 2.3 metres to 1.5 metres.

The variance is requested at 100 Leslie Frost Lane, geographic Township of Fenelon (File D20-2020-034).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2020-039 Jarvie, be received;

That minor variance application D20-2020-034 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 sketch in Appendix C and elevations in Appendix D submitted as part of Report COA2020-039, 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 COA2020-039. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: This application was deemed complete September 29, 2020.

Proposal: To recognize the deficient lot area and permit a reduced interior side yard setback in order to facilitate the construction of a second storey to the existing single storey detached dwelling.

Owner: Patricia Jarvie

Legal Description: Part Lot 7, Concession 9, geographic Township of Fenelon, City of Kawartha Lakes

Official Plan: Waterfront within the City of Kawartha Lakes Official Plan

Zone: Limited Service Residential Exception One (LSR-1) Zone within the Township of Fenelon Zoning By-law 12-95

Site Size: 603.8 square metres (6,499.3 square feet)

Site Servicing: Private individual holding tank and lake-based water supply

Existing Uses: Shoreline Residential

Adjacent Uses: North: Shoreline Residential
South: Shoreline Residential, Sturgeon Lake
East: Residential, Shoreline Residential
West: Sturgeon Lake

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, and is the second last parcel at the end of a private road known as Leslie Frost Lane. The application proposes to renovate the existing single storey dwelling by adding a covered porch over the existing unenclosed porch, and a partial second storey. The second storey will house two bedrooms that are to be relocated from the first floor.

The proposed development is modest, being proposed over a portion of the existing dwelling footprint and over the existing unenclosed deck footprint, and is of a scale appropriate for the size of the existing lot.

The second floor addition will not impact the existing function of the north interior side yard, which functions as a utility space and grassed path between the front and rear yards.

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 Limited Service Residential Exception One (LSR-1) Zone within the Township of Fenelon Zoning By-law 12-95. The LSR-1 Zone permits vacation dwelling use.

The intent of the enhanced interior side yard setback for second storey buildings is likely to maintain sufficient spatial separation between dwellings on abutting lots to avoid massing/loss of privacy and additional space to perform maintenance on the taller building face.

The second storey addition will be in-line with the existing first storey. As such, there will be sufficient space to continue maintenance on the side of the building where the variance is sought. There is no use or building on 98 Leslie Frost Lane, being the lot immediately across from the proposed second storey wall, which is anticipated to experience adverse impacts from the increased height. The area on number 98 across from the wall is occupied by a modest accessory building, utility infrastructure, and lawn.

The General Provisions appear to have been written on the premise that lots which fall below 750 square metres require further review when development is proposed to ensure the development can be accommodated. The proposed addition is modest, contained upon the same footprint as the existing dwelling, and relocates two bedrooms on the main floor to the second level.

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 Waterfront within the City of Kawartha Lakes Official Plan. Low density residential uses, along with accessory uses are anticipated within this designation.

Policy 3.11 identifies that existing lots of record where buildings and/or structures are within 30 metres of the shoreline, expansion to existing buildings is permitted up to 15 metres from the shoreline. The addition is proposed to be stepped back from the first floor, and will be approximately 16 metres from the shoreline, in compliance with the LSR-1 water setback.

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

Other Alternatives Considered:

No other alternatives were considered at this time.

Servicing Comments:

The property is serviced by private individual holding tanks and lake-based water supply.

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 2, 2020): No concerns.

Development Engineering Division (October 5, 2020): No concerns.

Building Division – Part 8 Sewage Systems (October 6, 2020): No concerns.

Public Comments:

No comments received as of October 6, 2020.

Attachments:



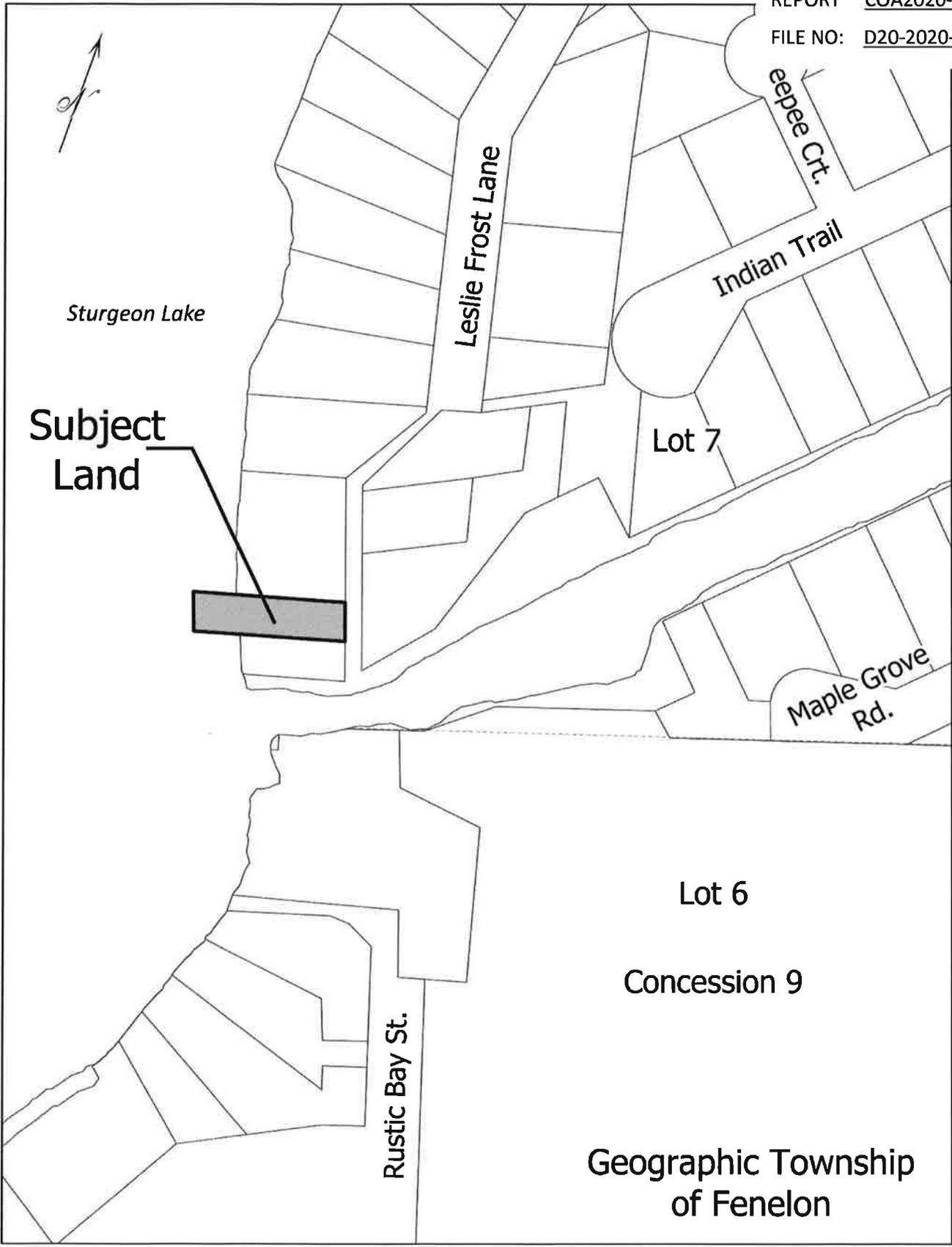
Appendices A-E to
COA2020-039.pdf

- Appendix A – Location Map
- Appendix B – Aerial Photo
- Appendix C – Applicant's Sketch
- Appendix D – 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: D20-2020-034

D20-2020-034

to
REPORT COA2020-039
FILE NO: D20-2020-034



**Subject
Land**

Sturgeon Lake

Leslie Frost Lane

Indian Trail

eepee Ct.

Lot 7

Maple Grove Rd.

Lot 6

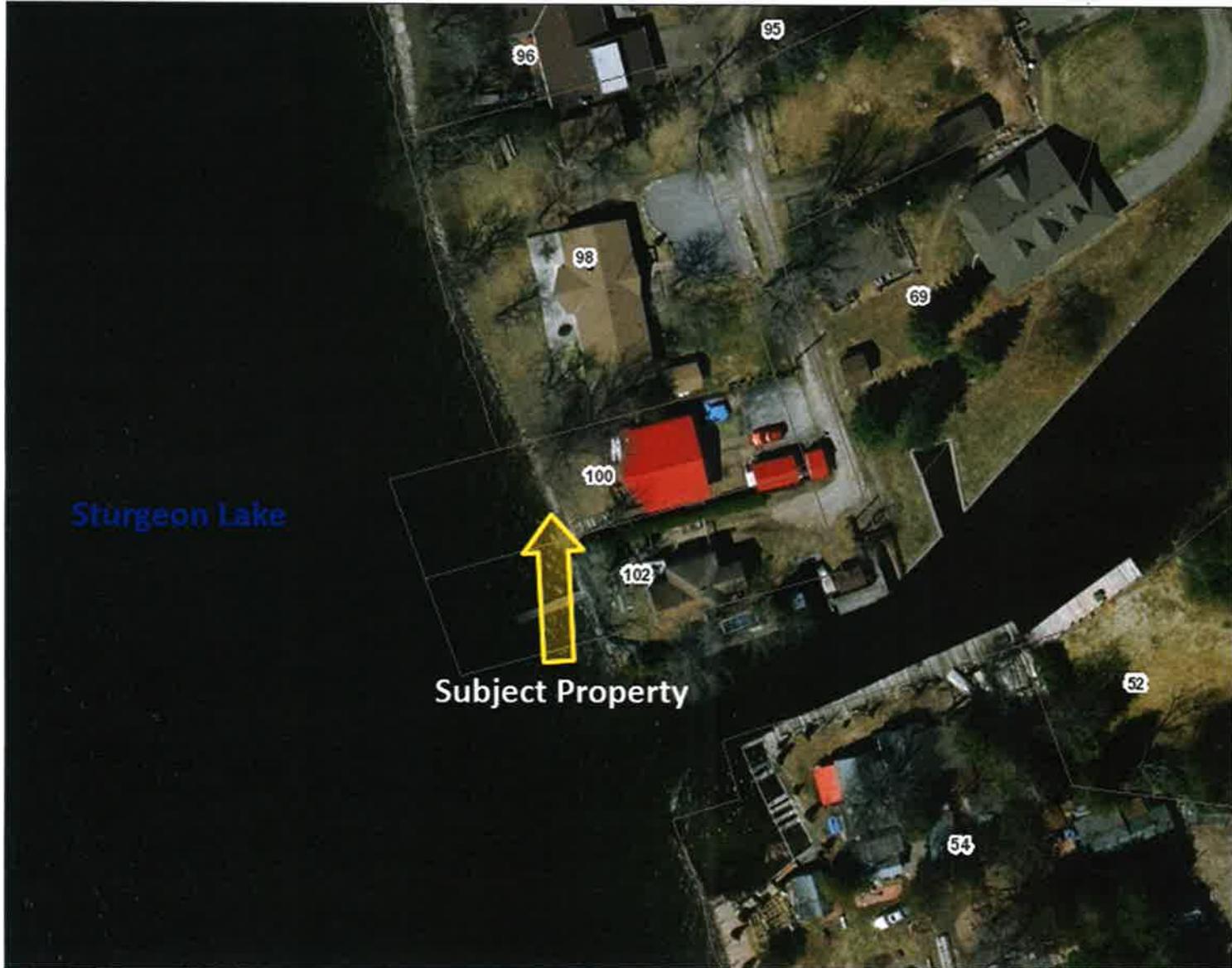
Concession 9

Rustic Bay St.

Geographic Township
of Fenelon



100 Leslie Frost Lane, geographic Twp. of Fenelon



0.06

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere

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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

REPORT COA2020-039
FILE NO: D20-2020-034

APPENDIX " B "

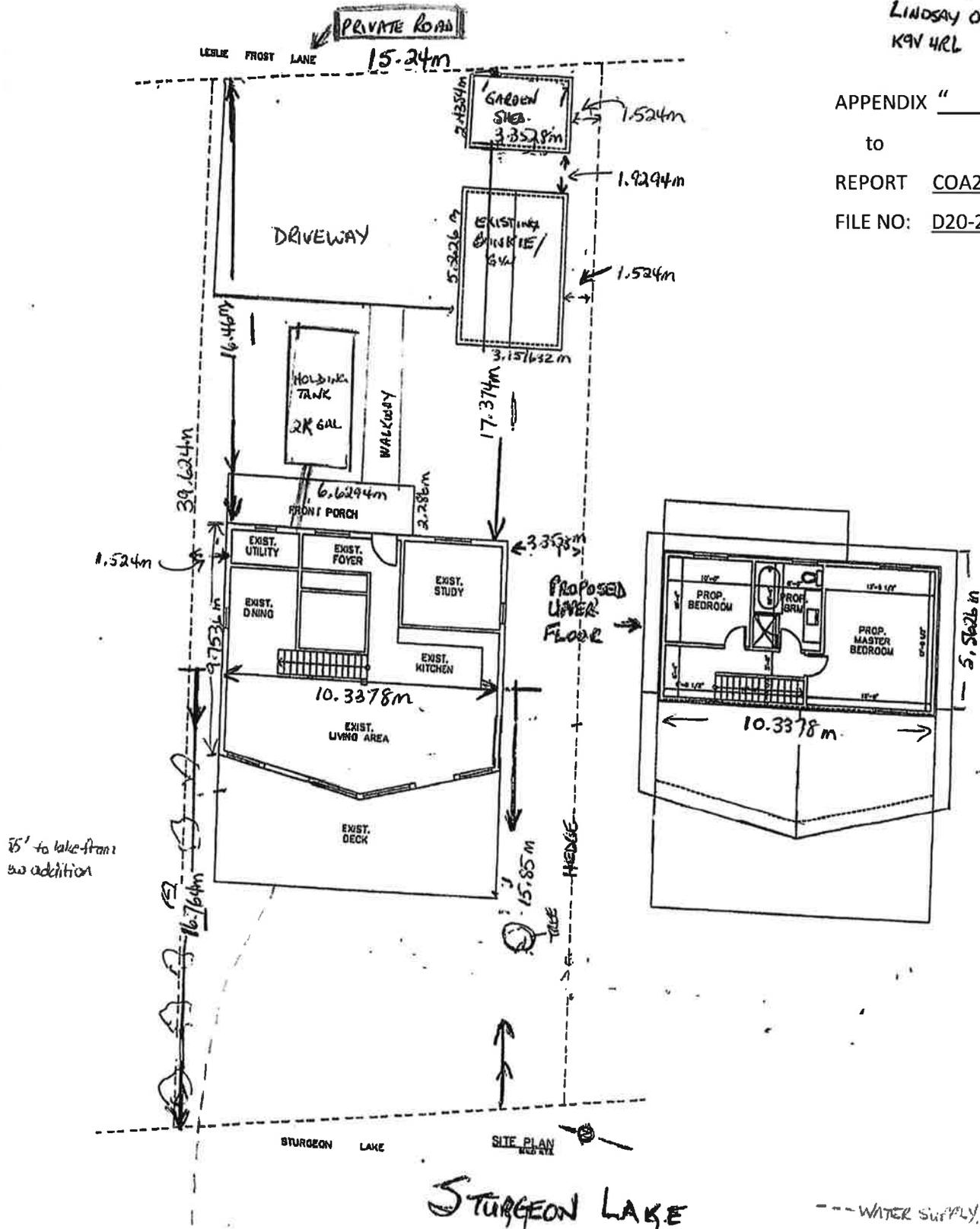
SITE PLAN - 100 LESLIE FLEET,
LINDSAY ON
K9V 4R6

APPENDIX " C "

to

REPORT COA2020-039

FILE NO: D20-2020-034

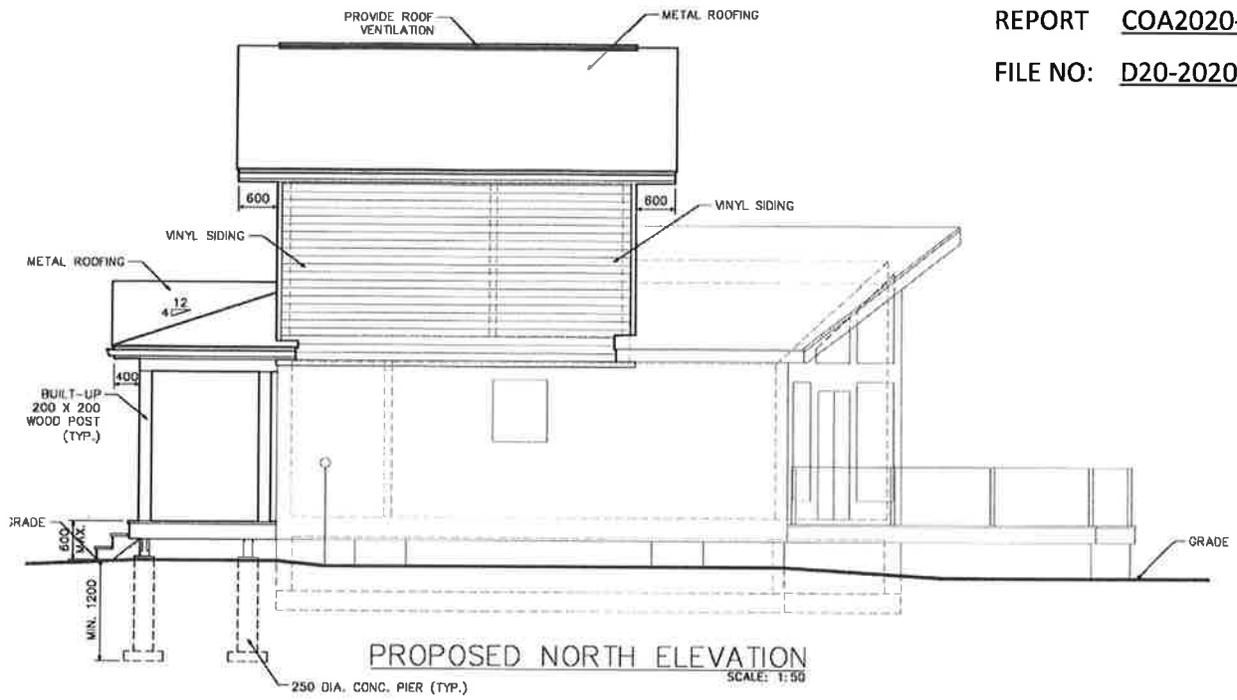


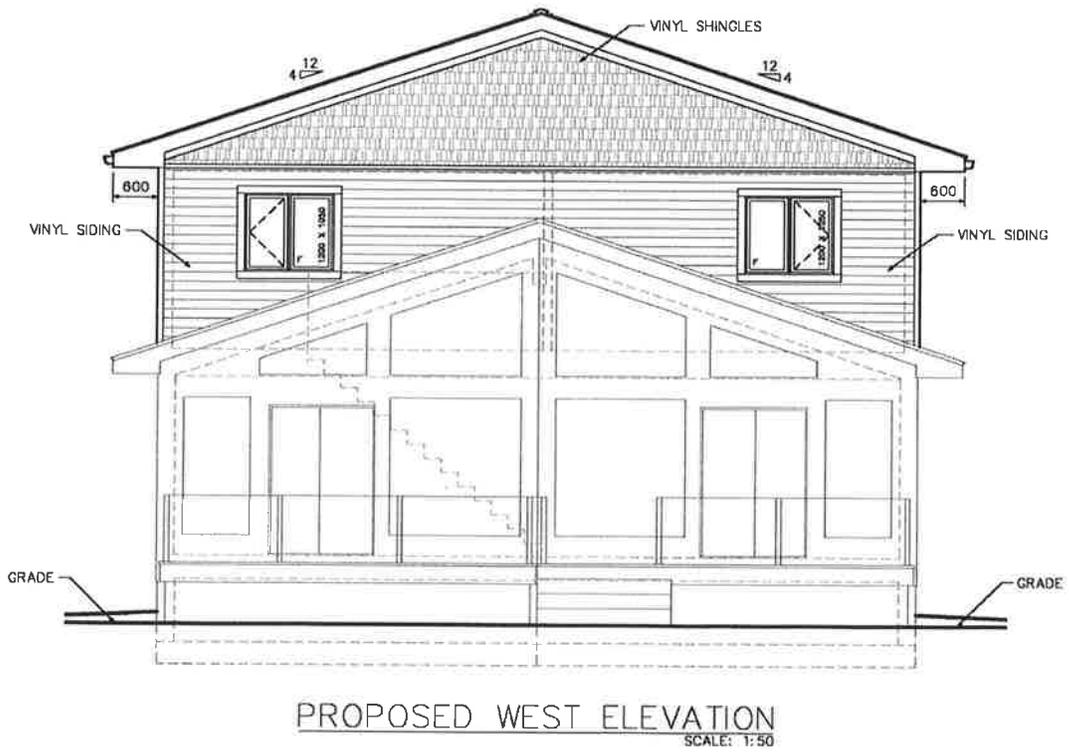
APPENDIX " D "

to

REPORT COA2020-039

FILE NO: D20-2020-034





David Harding

From: Mark LaHay
Sent: Monday, October 5, 2020 10:18 AM
To: David Harding; Kent Stainton
Cc: Charlotte Crockford-Toomey
Subject: FW: 20201005 D20-2020-034 - Engineering review

APPENDIX " E "
to
REPORT C0x2020-039
FILE NO. D20-2020-034

FYI - file

From: Kim Rhodes <krhodes@kawarthalakes.ca>
Sent: Monday, October 5, 2020 9:48 AM
To: Mark LaHay <mlahay@kawarthalakes.ca>
Cc: Christina Sisson <csisson@kawarthalakes.ca>; Kirk Timms <ktimms@kawarthalakes.ca>
Subject: 20201005 D20-2020-034 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2020-034
100 Leslie Frost Lane
Part of Lot 7, Concession 9
Geographic Township of Fenelon

It is the understanding by Engineering that the purpose and effect is to request relief from the following provisions in order to construct a second storey addition and covered porch:

1. Section 3.11.1 to reduce the minimum lot size of an existing lot of record from 745 square metres to 603 square metres; and
2. Section 15.2.1.3 (b)(ii) to reduce the minimum interior side yard setback from 2.3 metres to 1.5 metres.

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



David Harding

From: Derryk Wolven
Sent: Friday, October 2, 2020 1:57 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-034 100 Lelise Frost

No Concern

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



David Harding

From: Anne Elmhirst
Sent: Tuesday, October 6, 2020 11:21 AM
To: David Harding
Subject: D20-2020-034 - 100 Leslie Frost Lane

Hi David,

I have received and reviewed the application for minor variance for 100 Leslie Frost Lane.

We have completed a Sewage System Review process to review this proposal. The proposal will not constitute an increase in the total daily sewage flow and will not encroach on the existing Class 5 Holding Tank.

As such, the Building Division – Sewage System Program has no concerns with this proposal.

Thanks,

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



Please note: The Building Division offices at 180 Kent St W, Lindsay remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.