

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Ann Palmer and Bryan Pierson**  
Report Number COA2021-032

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**Public Meeting**

**Meeting Date:** May 20, 2021  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward: 8 – Geographic Township of Emily**

**Subject:** The purpose and effect is to request relief from Section 12.3.6.1 d) to reduce the minimum side yard setback from 7.6 metres to 1.2 metres in order to facilitate the construction of an addition to an existing detached garage.

The variance is requested at 21 Ryan Road, geographic Township of Emily (File D20-2021-022).

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**Author:** Kent Stainton, Planner II

**Signature:** 

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**Recommendations:**

**Resolved That** Report COA2021-032 Palmer/Pierson, be received;

**That** minor variance application D20-2021-022 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendices C-D submitted as part of Report COA2021-032, 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 COA2021-032. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Background:** The owners applied for a pre-screening application associated with the addition to the detached garage and a pre-screening meeting was held on December 3, 2020.

This application was deemed complete on March 26, 2021.

**Proposal:** To permit the construction of an approximately 66 square metre (710.42 square feet) two-bay addition to an existing 67.5 square metre (726.56 square feet) two-bay detached garage.

**Owners:** Ann Palmer and Bryan Pierson

**Legal Description:** 21 Ryan Road, Part Lot 13, Concession 7; being Part 11 of RP 57R-4905, 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 Exception Six (RR3-6) Zone within the Township of Emily Zoning By-law 1996-30

**Site Size:** 2,250.36 square metres (0.56 acres)

**Site Servicing:** Private individual well and private septic system

**Existing Uses:** Residential

**Adjacent Uses:** North: Residential, Pigeon River  
East: Ryan Road, Agricultural, Woodland  
South: Woodland, Residential  
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 quiet shoreline residential neighbourhood near the end of an extension of Ryan Road on the south side of the Pigeon River before it transitions into Pigeon Lake. The neighbourhood consists of secluded waterfront lots and backlots primarily comprised of one and two storey vacation and single detached dwellings.

The topography of the property is undulating with considerable variation. The dwelling is located at the highest point of the property. A 1.5 storey dwelling with a tiered wooden deck steps down the western side of the property before transitioning to manicured lawn and the shoreline. The southern section of the property is densely wooded with mixed deciduous forest.

The existing two-bay garage (constructed in 1997 according to MPAC) is located in the southeastern section of site and is constructed partially into the slope that rises to the west. Extending the garage to the north is impractical, as the entranceway to the property would be impeded and a separate detached garage would be challenging to construct, given the location of the septic bed in the front yard. The uneven grade also presents difficulties with respect to construction. As the section of Ryan Road to the north and east of subject lands is ultimately a dead-end, traffic is minimal and the garage complies with the front yard setback requirement.

The addition, which will essentially double the size of the existing garage, is required in order to facilitate the storage of two classic cars. The existing garage will continue to serve primarily as storage. As the garage is proposed as an addition to an existing detached garage, the exterior design and treatments will match the appearance of the existing detached garage as identified in Appendix D.

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 Exception Six (RR3-6) Zone within the Township of Emily Zoning By-law 1996-30. The RR3-6 zone requires an additional 0.1 metres pertaining to an interior side yard setback when compared to the requirements of the parent zone (RR3).

As mentioned, the woodland consisting of a variety of mature coniferous and deciduous trees is located in the southern portion of the lot. The increasing grade to the south provides additional screening of the garage from the neighbouring lot to the south mitigating any potential privacy concerns to the neighbouring property. By constructing into the slope, there are no massing or built form implications. The proposed 1.2-metre setback maintains access to the south of the proposed garage for building maintenance and lot drainage purposes.

The height of the proposed addition to the garage is compliant with the general provisions for accessory buildings. The proposed eave projections are also compliant with the Zoning By-law. As a result, the addition does not require to be setback further than the proposed 1.2 metres.

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

**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.

The proposed garage will be at least 30 metres away from the shoreline, satisfying Policy 3.11, which directs development away from the shoreline wherever possible and establishes a minimum water setback of 15 metres.

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

**Other Alternatives Considered:**

No alternatives are being considered through this application.

**Servicing Comments:**

The property is serviced by a private individual well and private 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:**

Engineering and Corporate Assets Division (May 7<sup>th</sup>, 2021): No objections.

Building and Septic Division (May 6<sup>th</sup>, 2021): Building and Septic Division has no concerns with the application.

Building and Septic Division (May 7<sup>th</sup>, 2021): The Supervisor of Part 8 Sewage Systems notes that a site visit was completed to locate and assess the on-site sewage disposal system.

The sewage system was observed to be located in the roadside yard of the dwelling. The proposed garage addition was located outside the required clearance distance to the existing sewage system. In addition, the garage will not incorporate any habitable space or plumbing.

As such, the Building and Septic Division has no objections to the proposed garage addition as it relates to private on-site sewage disposal.

Kawartha Region Conservation Authority (April 19<sup>th</sup>, 2021): Kawartha Conservation has issued a permit (Permit #2021-132) under their Regulation in order to facilitate construction of the addition to the detached garage. The geotechnical component of the permit review was comprehensive and staff have no concerns with the variance.

**Public Comments:**

No comments received as of May 12, 2021.

**Attachments:**



Appendices A-E for  
COA2021-032.pdf

Appendix A – Location Map  
Appendix B – Aerial Photo  
Appendix C – Applicant’s Sketch (Site Plan)  
Appendix D – Applicant’s Drawings (Garage Elevations)  
Appendix E – Department and Agency Comments

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**Phone:** 705-324-9411 extension 1367  
**E-Mail:** [kstainton@kawarthalakes.ca](mailto:kstainton@kawarthalakes.ca)  
**Department Head:** Richard Holy, Acting Director of Development Services  
**Department File:** D20-2021-022

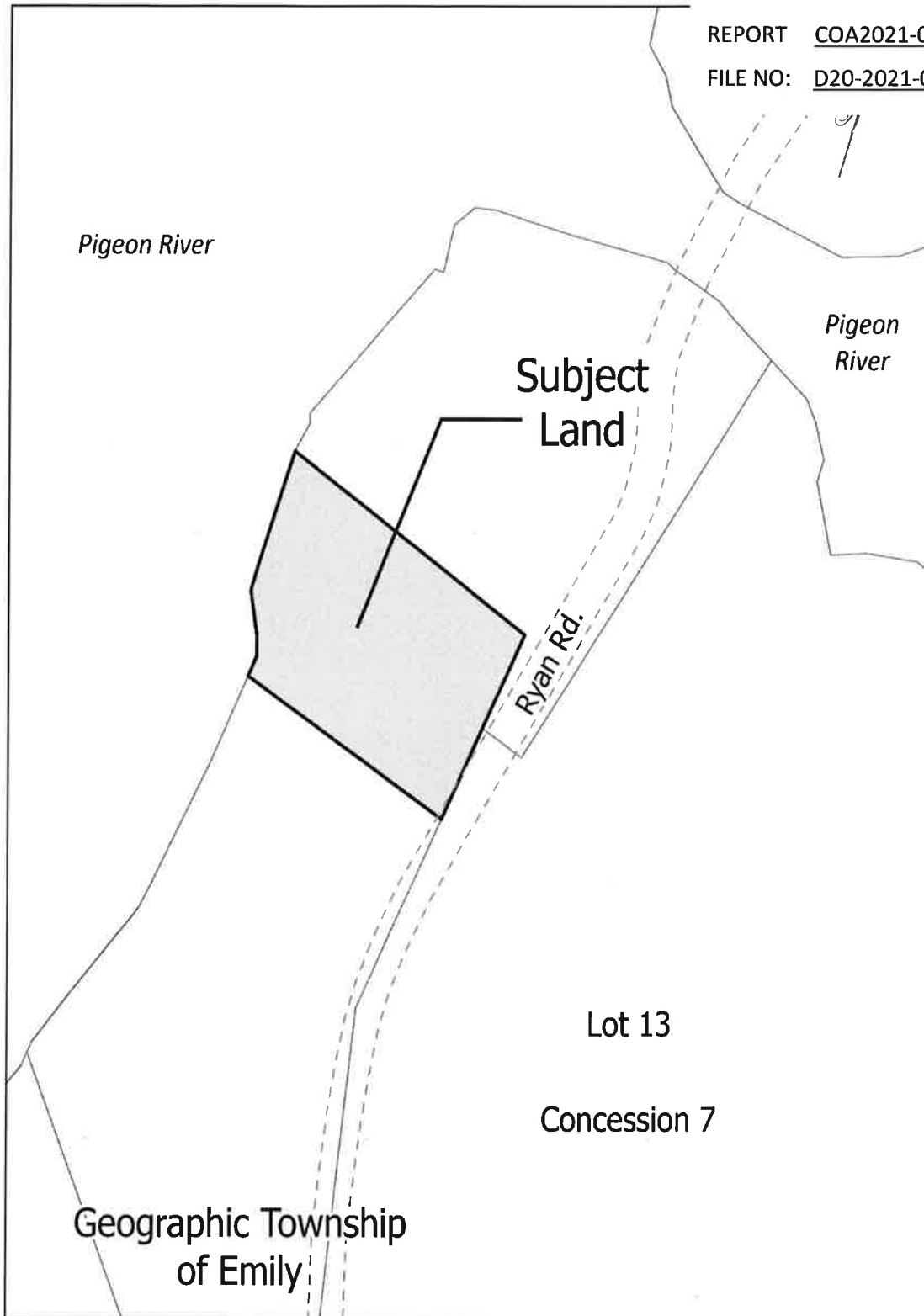
# D20-2021-022

APPENDIX " A "

to

REPORT COA2021-032

FILE NO: D20-2021-022



# 21 Ryan Road, Geographic Township of Emily



**Legend**  
 Property Roll Number

**Notes**  
Notes

0.14 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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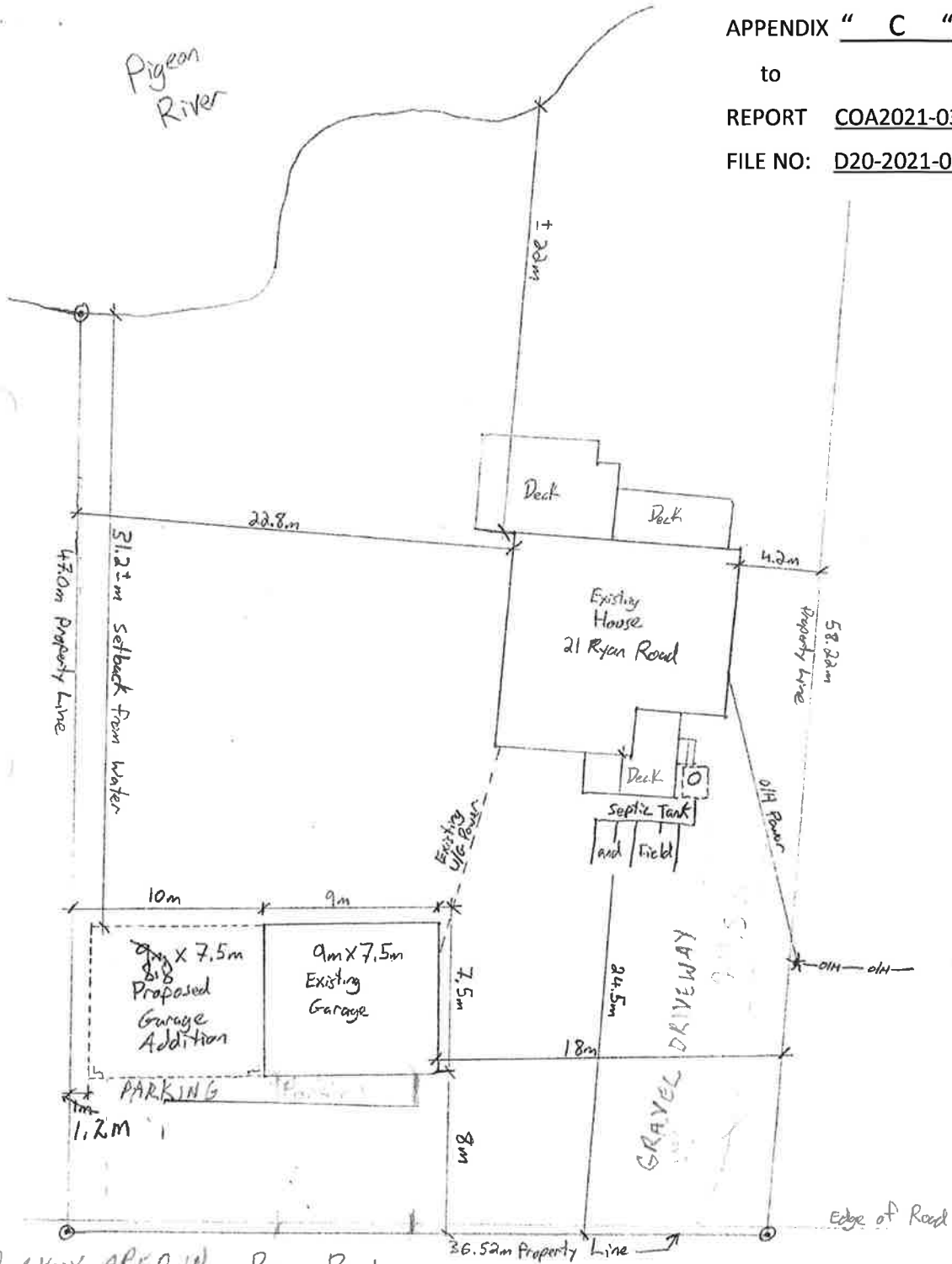
APPENDIX " B "  
to  
REPORT COA2021-032  
FILE NO: D20-2021-022

APPENDIX " C "

to

REPORT COA2021-032

FILE NO: D20-2021-022



PARKING AREA IN FRONT OF EXISTING GARAGE 9m x 8m  
PARKING AREA IN FRONT OF PROPOSED ADDITION 8.8m x APPROX 8m - GRAVEL

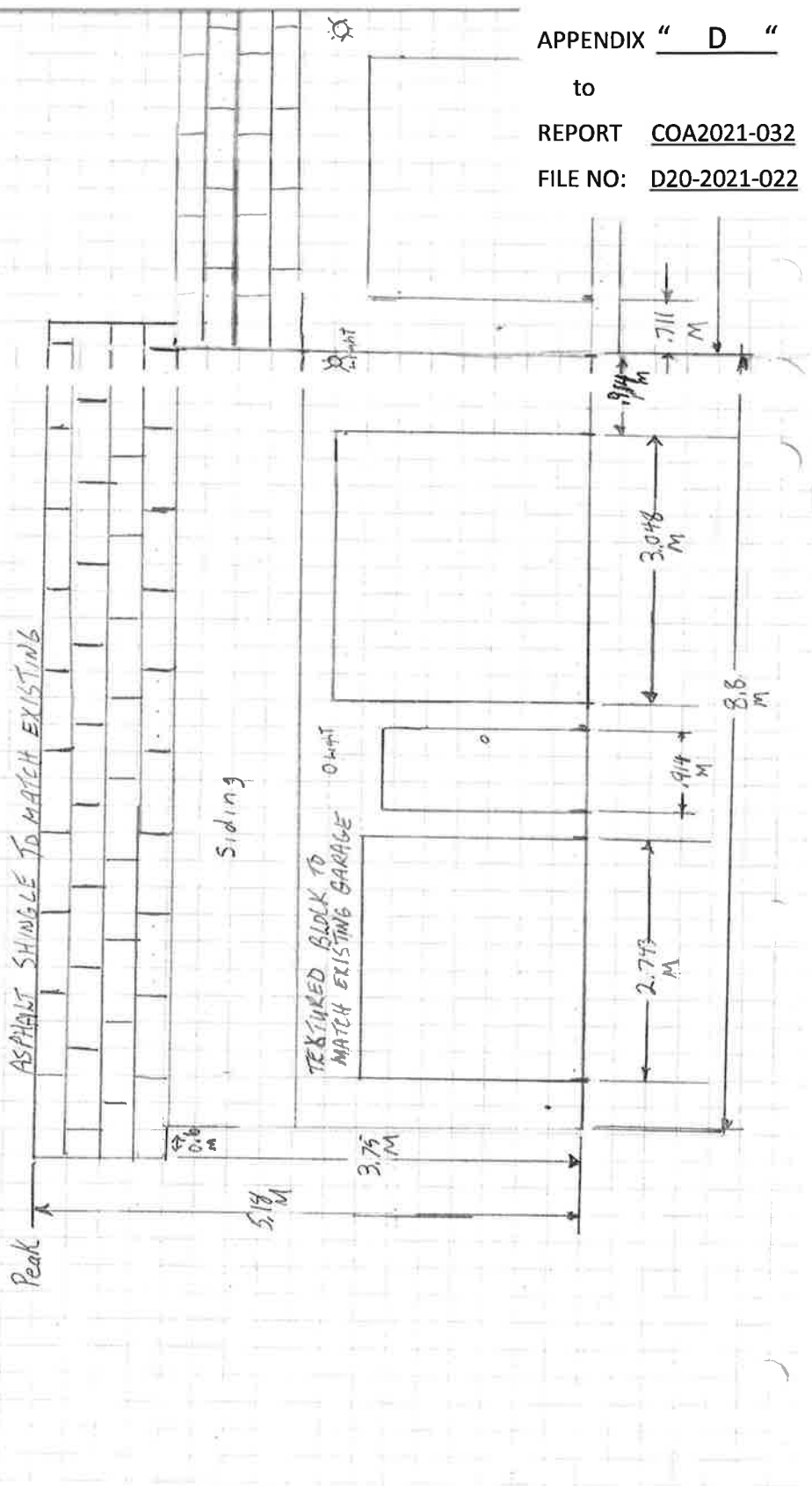
Lot 13 concession 7 Part II. Plan 57R-4905



21 RYAN ROAD

APPENDIX " D "

to  
REPORT COA2021-032  
FILE NO: D20-2021-022



## Kent Stainton

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**From:** Kim Rhodes  
**Sent:** Friday, May 7, 2021 12:13 PM  
**To:** Mark LaHay  
**Cc:** Charlotte Crockford; Christina Sisson; Kirk Timms; Benjamin Courville  
**Subject:** 20210507 D20-2021-022 - Engineering review

**Please see the message below from Christina Sisson:**

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

Minor Variance – D20-2021-022  
21 Ryan Road  
Part Lot 13, Concession 7  
Geographic Township of Emily

APPENDIX " E "  
to  
REPORT COA2021-032  
FILE NO. D20-2021-022

It is the understanding by Engineering that the purpose and effect is to request relief from Section 12.3.6.1 d) to reduce the minimum side yard setback from 7.6 metres to 1.2 metres in order to facilitate the construction of an addition to an existing detached garage.

*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  
Lean Six Sigma Black Belt  
Engineering & Corporate Assets, City of Kawartha Lakes  
705-324-9411 ext. 1152 (office) 705-878-3186 (mobile) [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



**Our office is closed to the public. Please note all courier packages and mail must be directed to City Hall, 26 Francis Street, Box 9000, Lindsay, ON, K9V 5R8.**

## Kent Stainton

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**From:** Anne Elmhirst  
**Sent:** Friday, May 7, 2021 6:46 PM  
**To:** Charlotte Crockford  
**Subject:** RE: Notice of Public Hearing for Minor Variance, D20-2021-022, 21 Ryan Road, Emily

Hello Charlotte,

I have received and reviewed the minor variance application D20-2021-022 to construct an addition onto the existing detached garage.

A site visit was completed to locate and assess the on-site sewage disposal system. The sewage system was observed to be located in the roadside yard of the dwelling. The proposed garage addition was located outside the required clearance distance to the existing sewage system. In addition, the garage will not incorporate any habitable space or plumbing.

As such, the Building and Septic Division has no objections to the proposed garage addition as it relates to private on-site sewage disposal.

Best Regards,

**Anne Elmhirst C.P.H.I.(C), B.A.Sc., B.Sc.**  
Supervisor – Part 8 Sewage Systems  
Development Services - Building and Septic Division, City of Kawartha Lakes  
705-324-9411 ext. 1882 [www.kawarthalakes.ca](http://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.

**From:** Charlotte Crockford  
**Sent:** Thursday, May 6, 2021 1:00 PM  
**To:** Christina Sisson ; Kim Rhodes ; Tracy Richardson ; Susanne Murchison ; Derryk Wolven ; Anne Elmhirst  
**Subject:** Notice of Public Hearing for Minor Variance, D20-2021-022, 21 Ryan Road, Emily

Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-022, 21 Ryan Road, Emily

Many thanks

**Charlotte Crockford**  
Administrative Assistant

## Kent Stainton

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**From:** Derryk Wolven  
**Sent:** Thursday, May 6, 2021 3:45 PM  
**To:** Charlotte Crockford  
**Subject:** RE: Notice of Public Hearing for Minor Variance, D20-2021-022, 21 Ryan Road, Emily

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

Building division has no concerns with the above noted application.

**From:** Charlotte Crockford  
**Sent:** Thursday, May 6, 2021 1:00 PM  
**To:** Christina Sisson ; Kim Rhodes ; Tracy Richardson ; Susanne Murchison ; Derryk Wolven ; Anne Elmhirst  
**Subject:** Notice of Public Hearing for Minor Variance, D20-2021-022, 21 Ryan Road, Emily

Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-022, 21 Ryan Road, Emily

Many thanks

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



Please note: The Development Services 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.

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)

## Kent Stainton

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**From:** Erin McGregor <emcgregor@kawarthaconservation.com>  
**Sent:** Monday, April 19, 2021 2:29 PM  
**To:** Nancy Ord  
**Subject:** RE: Advance Circulation for KRCA comment - Application for Minor Variance, 21 Ryan Road, Emily (Palmer/Pierson)

Good afternoon Ann,

I wanted to let you know that we have waived review for this Minor Variance Application D20-2021-022. The applicant reached out to us indicating that they already have a permit from us for the proposed works which required a comprehensive review from our office. Since we already knew the proposed location, we have no concern with the variances. We have received the cheque – however it won't be deposited.

Sincerely,  
Erin McGregor  
Resources Planner Technician  
KAWARTHA CONSERVATION  
277 Kenrei Road  
Lindsay, ON K9V 4R1

Tel: 705.328.2271 ext. 232  
Fax: 705.328.2286

**IMPORTANT COVID-19 NOTICE:** In light of health concerns related to the Covid-19 virus, the Kawartha Conservation office will be closed to the public until further notice. Residents can reach the office by calling 705.328.2271 or by emailing [geninfo@kawarthaconservation.com](mailto:geninfo@kawarthaconservation.com).

[KawarthaConservation.com](http://KawarthaConservation.com)



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CONSERVATION**

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