

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Pollard

Report Number COA2021-035

Public Meeting

Meeting Date: May 20, 2021

Time: 1:00 pm

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

Ward: 1 – Geographic Township of Bexley

Subject: The purpose and effect is to request relief from Section 12.2.1.3 (b) to reduce the minimum interior side yard from 1.2 metres to 1.1 metres to permit the construction of a single detached dwelling.

The variance is requested at 39 Lakeview Cottage Road, geographic Township of Bexley (File D20-2021-025).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2021-035 Pollard, be received;

That minor variance application D20-2021-025 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' submitted as part of Report COA2021-035, which shall be attached to and form part of the Committee's Decision; and
- 2) **That** the building construction related to the minor variance shall be completed within a period of six (6) 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 COA2021-035. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: The surveyor's as constructed site plan confirmed that the foundation wall of the dwelling had been placed 0.09 metres too close to the south side lot line. The applicant advises that the foundation was placed in relation to the surveyor's benchmark, which was slightly south of the lot line.

This application was deemed complete April 16, 2021.

Proposal: To recognize a single detached dwelling.

Owner: Richard Pollard

Applicant: Emmett Yeo

Legal Description: 39 Lakeview Cottage Road, Lot 6 Lakeview Cottages, Plan 179, Part Lot 14, Range NWB, geographic Township of Bexley, 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 Bexley Zoning By-law 93-09

Site Size: 727 square metres (7,825.3 square feet)

Site Servicing: Private individual sewage system and lake-based water supply

Existing Uses: Shoreline Residential

Adjacent Uses: North, South: Shoreline Residential
East: Balsam Lake
West: Shoreline Residential Backlots

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 situated in shoreline residential neighbourhood on the northwest side of Balsam Lake. The shoreline residential lots are on the east side of the road, and the residential backlots are on the west side. The lots on both sides appear to have been developed with a mix of seasonal and permanent dwellings.

The two storey dwelling under construction is slightly closer to the south lot line than permitted. Its southeastern corner is a bit closer to the lot line (1.11 metres) than its southwestern corner (1.17 metres).

The built form is not anticipated to cause any adverse massing impacts on the dwelling to the south, which has windows on its north-facing wall, as the degree

of encroachment into the south interior side yard is minimal, and is not anticipated to be perceptible.

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 subject property is zoned "Rural Residential Type Three (RR3) Zone" within the Township of Bexley Zoning By-law 93-09. The RR3 zone permits single detached dwellings.

The interior side yard requirements are staggered, with a 3 metre requirement on one side and a 1.2 metre requirement on the other side. The wider side is anticipated to function in a way that allow vehicles to park beside the dwelling, and to allow for sufficient space for larger vehicles/items to pass between the front and rear yards such as boats, water toys, and construction equipment for shoreline/sewage/well work. The reduction is not impacting the intended function of this larger side yard.

The smaller side yard is sized to allow sufficient room to maintain the side of the dwelling and provide for adequate lot grading and drainage. The minimal reduction is not anticipated to cause adverse impacts for potential maintenance as it is not anticipated to be perceptible nor has Development Engineering raised any concerns.

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 (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:

No other alternatives have been considered at this time.

Servicing Comments:

The dwelling is serviced by a private individual sewage system 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 (May 6, 2021): The building is required to have a 45 minute fire resistance ratings as per 9.10.15.5 of the Ontario Building Code.

Development Engineering Division (May 7, 2021): No objections.

Public Comments:

No comments received as of May 11, 2021.

Attachments:



Appendices A-D to
COA2021-035

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Department and Agency Comments

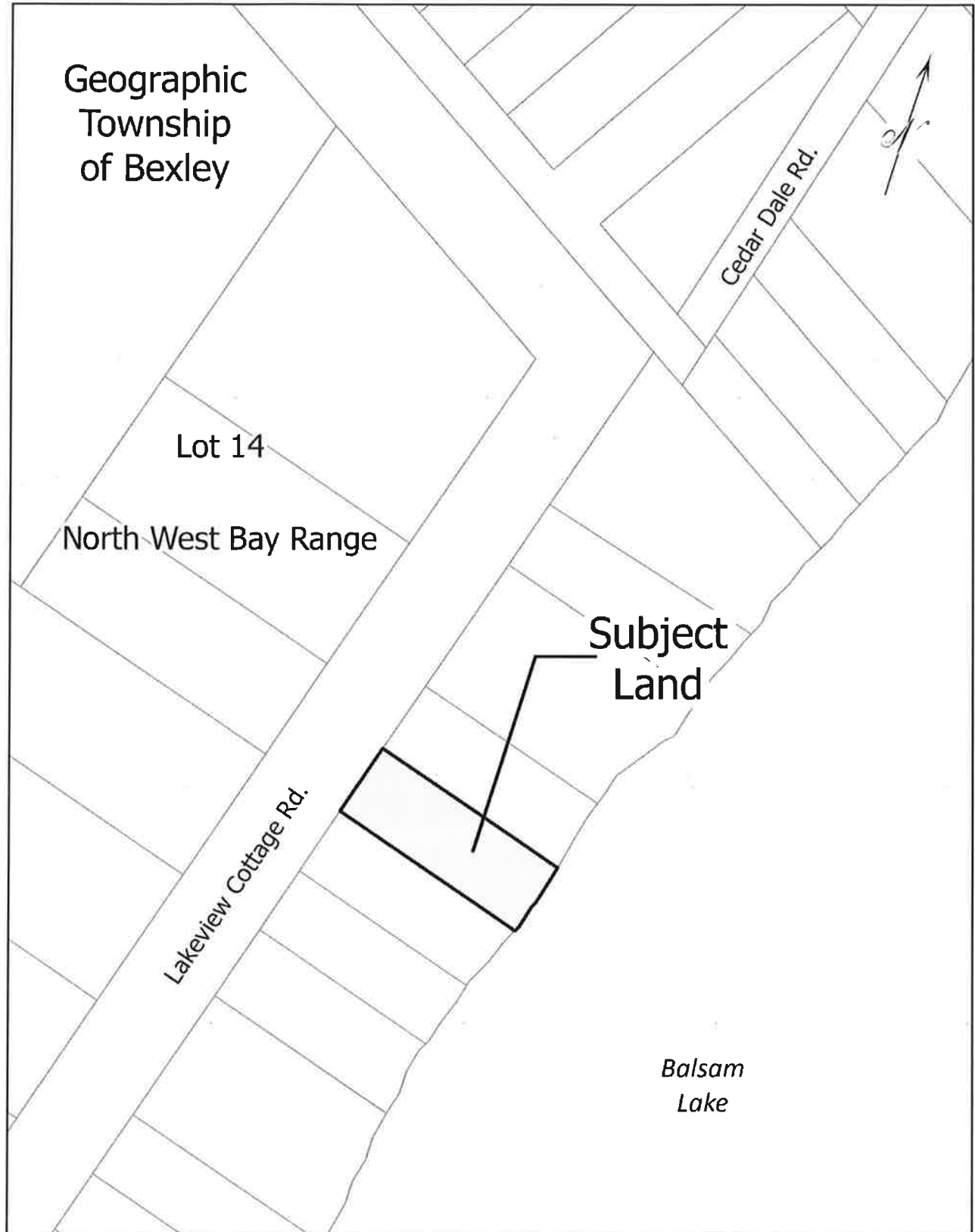
Phone: 705-324-9411 extension 1206
E-Mail: dharding@kawarthalakes.ca
Department Head: Richard Holy, Acting Director of Development Services
Department File: D20-2021-025

to

REPORT COA2021-035

FILE NO: D20-2021-025

D20-2021-025



39 Lakeview Cottage Road, geographic Twp. of Bexley



0.07 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



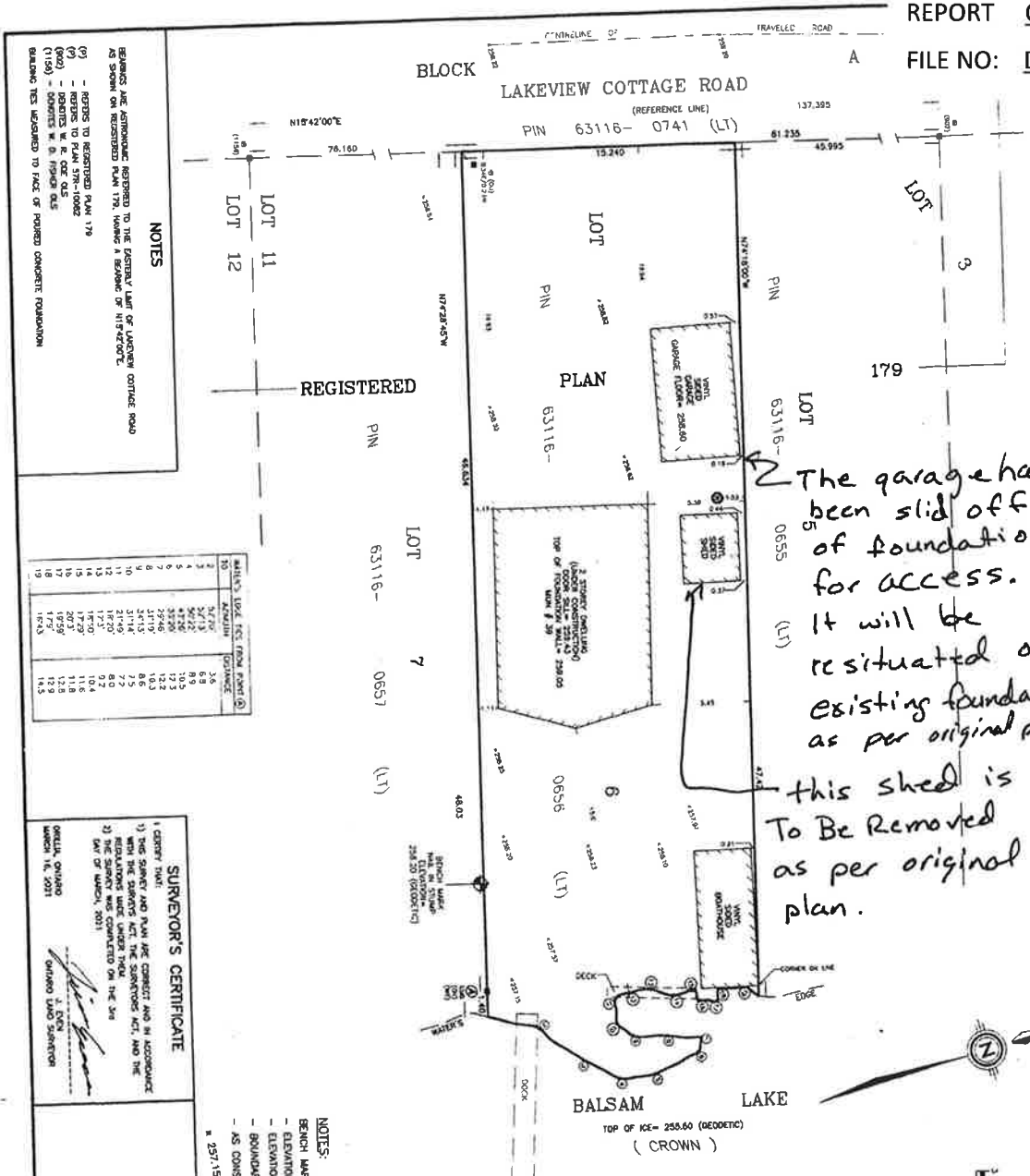
This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

APPENDIX " B "
to
REPORT COA2021-035
FILE NO: D20-2021-025

OWN ON THIS PLAN ARE IN METERS AND
ERIED TO FEET BY DIVIDING BY 0.3048

© C.T. STRONGMAN SURVEYING LTD. O.L.S. NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER
THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF C.T. STRONGMAN O.L.S.



The garage has
been slid off
of foundation
for access.
It will be
resituated on
existing foundation
as per original plan.
this shed is
To Be Removed
as per original
plan.

NOTES
REMARKS ARE AS SHOWN ON REGISTERED PLAN 179, UNLESS OTHERWISE SPECIFIED.
AS SHOWN ON REGISTERED PLAN 179, UNLESS OTHERWISE SPECIFIED.
1) - DIMENSIONS TO FACE OF POURED CONCRETE FOUNDATION
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20) - DIMENSIONS TO FACE OF POURED CONCRETE FOUNDATION

TO	FROM	BEARING	DISTANCE
1	2	N 77° 15' E	3.6
2	3	S 88° 55' E	8.8
3	4	S 88° 55' E	10.5
4	5	S 88° 55' E	12.3
5	6	S 88° 55' E	12.3
6	7	S 88° 55' E	12.3
7	8	S 88° 55' E	12.3
8	9	S 88° 55' E	12.3
9	10	S 88° 55' E	12.3
10	11	S 88° 55' E	12.3
11	12	S 88° 55' E	12.3
12	13	S 88° 55' E	12.3
13	14	S 88° 55' E	12.3
14	15	S 88° 55' E	12.3
15	16	S 88° 55' E	12.3
16	17	S 88° 55' E	12.3
17	18	S 88° 55' E	12.3
18	19	S 88° 55' E	12.3
19	20	S 88° 55' E	12.3

SURVEYOR'S CERTIFICATE
I, the undersigned, being a duly qualified and licensed Surveyor in Ontario, do hereby certify that the foregoing is a true and correct copy of the original plan as shown on the records of the Department of Lands and Forests, Ontario, and that the same has been examined and found to be correct and true.
Dated at Toronto, Ontario, this 1st day of March, 2021.
C.T. STRONGMAN SURVEYING LTD.
Ontario Land Surveyors

C.T. STRONGMAN SURVEYING LTD.
Ontario Land Surveyors
1000 Dundas Street West
Toronto, Ontario M6J 1B7
Telephone: (416) 593-0765
Fax: (416) 593-0744
www.strongmansurveying.com
C-6606

NOTES:
- BENCH MARK - NAL IN STUMP (258.20 GEODETIC)
- ELEVATIONS SHOWN HEREON ARE GEODETIC.
- ELEVATIONS AND DISTANCES ARE EXPRESSED IN METERS AND DECIMALS THEREOF.
- BOUNDARY INFORMATION BASED ON FIELD WORK CONDUCTED SEPTEMBER 22, 2020
- AS CONSTRUCTED INFORMATION BASED ON FIELD WORK CONDUCTED MARCH 3, 2021
* 257.15 - MEASURED GROUND ELEVATIONS MARCH 3, 2021

Additional Comments:
The Finished Ground Floor Elevation is 259.43, Design is 258.85

The Top of Foundation Wall Has Been Constructed to an Elevation Which is 40.49 Meters of Elevation on the REVIEWED BY Engineering Site Grading Plan (or The Attached As-Constructed Site Grading Plan) on This Date March 3, 2021 Final Grading Was Not Completed on This Date March 3, 2021

As-Constructed Foundation Control Certificate
Building Permit No.: 2020-0879
Original Plan No.: 2020-0879
Legal Description: Lot 6, Registered Plan 179
Location: Lakeview Cottage Road
Borough: Erinville
City of Kawartha Lakes
Geographic Township of Benary
City of Kawartha Lakes
Original Plan Date: October 20, 2020
Reviewed by Engineering Stamp Date: November 5, 2020
Field Measurement Date: November 5, 2020
The Foundation For The Above
Is In General Conformity With The Minimum Undercode of
Footing and Top of Foundation Wall Elevations Shown on
The REVIEWED BY Engineering Site Grading Plan on
This Date March 3, 2021

Front Side	Back Side	Right Side	Left Side	Top of Foundation	As-Constructed
1843	150	1.11	2.30	259.28	N/A

AS CONSTRUCTED SITE PLAN
OF LOT 6, REGISTERED PLAN 179
(GEOGRAPHIC TOWNSHIP OF BENARY)
CITY OF KAWARTHA LAKES
L. EVAN B.S.C., O.L.S., O.L.P.
2021
SCALE 1:150
15 METERS

David Harding

From: Derryk Wolven
Sent: Thursday, May 6, 2021 1:31 PM
To: Charlotte Crockford
Subject: Re: Notice of Public Hearing for Minor Variance D20-2021-025, 39 Lakeview Cottage Road, Bexley

APPENDIX " D "
to
REPORT COA2021-035

Follow Up Flag: Follow up
Flag Status: Flagged

FILE NO. D20-2021-025

Building is required to have a 45minute fire resistance rating as per 9.10.15.5 of OBC.

From: Charlotte Crockford
Sent: May 6, 2021 1:19:55 PM
To: Christina Sisson; Kim Rhodes; 'alanna.boulton@canada.ca'; Emmett Yeo; Susanne Murchison; Derryk Wolven
Subject: Notice of Public Hearing for Minor Variance D20-2021-025, 39 Lakeview Cottage Road, Bexley
Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-025, 39 Lakeview Cottage Road, Bexley.

Many thanks

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

David Harding

From: Kim Rhodes
Sent: Friday, May 7, 2021 12:15 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Benjamin Courville
Subject: 20210507 D20-2021-025 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-025
39 Lakeview Cottage Road
Lot 6 Lakeview Cottages, Plan 179, Part Lot 14, Range NWB
Geographic Township of Bexley

It is the understanding by Engineering that the purpose and effect is to request relief from Section 12.2.1.3 (b) to reduce the minimum interior side yard from 1.2 metres to 1.1 metres to permit the construction of a single detached 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
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



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.