

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Michelle Thompson
Report Number COA2021-036

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 Eldon

Subject: The purpose and effect is to request relief from the following provisions in order to permit the construction of an addition to an existing detached dwelling as well as a new partially enclosed deck:

Detached Dwelling

1. Section 13.2.1.3 a) to reduce the minimum front yard setback from 7.5 metres to 4.1 metres,

Deck

2. Section 3.1.3.1 to increase the maximum lot coverage for all accessory buildings and structures, excluding outdoor swimming pools, from 10% to a maximum of 100 square metres for a lot within the Limited Service Residential (LSR) Zone to 103.91 square metres.

The variances are requested at 27 North Taylor Road, geographic Township Eldon (File D20-2021-026).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2021-036 Thompson, be received;

That minor variance application D20-2021-026 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 COA2021-036, 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 COA2021-036. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The applicant initially proposed a reduced front yard setback back associated with the construction of a new ground floor addition (mudroom) through a pre-screening application submitted in February 2021.

Through the pre-screening process, an additional relief pertaining to the maximum lot coverage for accessory buildings and structures was identified.

The application was deemed complete on April 2, 2021.

Proposal: To construct a 5.95 square metre (64 square feet) addition to an existing shoreline residential dwelling along with a 46.29 square metre (498.26 square feet) partially enclosed wooden deck.

Owner: Michelle Thompson

Legal Description: 27 North Taylor Road, Part Lot 52, North of Portage Road Range, geographic Township of Eldon, City of Kawartha Lakes

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

Zone: Limited Service Residential (LSR) Zone within the Township of Eldon Zoning By-law 94-14

Site Size: 1,340 square metres (14,423.64 square feet)

Site Servicing: Private individual well and private septic system

Existing Uses: Shoreline Residential

Adjacent Uses: North: Mitchell Lake
South: Rural Residential, North Taylor Road, Portage Road
West: Shoreline Residential
East: Shoreline Residential

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 on an island in Mitchell Lake, east of where Canal Lake flows into Mitchell Lake at Portage Road. Many of the dwellings along North Taylor Road in this neighbourhood were constructed prior to the 1970's and are smaller in size and height. Many are less than 185 square metres in area. The subject property and the property to the east, 31 North Taylor Road, are older one-storey dwelling units. The property to the west at 25 North Taylor Road is a two-storey, newer build. It is anticipated that this neighbourhood will experience a change in built-form over time trending towards larger, higher dwellings. The dwelling is being raised to accommodate a basement that will effectively double the Gross Floor Area (GFA) of the existing dwelling and provide a walkout to the rear yard. The proposed partially enclosed deck will effectively serve as an extension of the main floor and provide additional amenity space.

The topography of the front yard slopes to the north and towards the front of the dwelling from the road. Since the owner intends on raising the dwelling to accommodate a basement, the addition (mudroom) will be level with the grade once raised. The ground then plateaus where the existing cottage is before sloping towards the shoreline. There is a boathouse that was constructed in 1965 (according to MPAC) that is currently under construction and is being shifted to the east to comply with the side yard setback requirement for boathouses. A detached garage constructed in 2004 (according to MPAC) is located immediately to the east of dwelling.

The front yard is screened from the west by a row of conifers delineating the western property line and cedar hedge is planted running parallel to the front lot line. Both vegetative buffers assist in concealing any intrusion presented through the small addition to the front yard. Moreover, there is no uniform established building line for the front yards along North Taylor Road and the encroachment is minor enough to blend in with this trend.

As the dwelling does not currently have a front entrance, the addition will enable direct access from the driveway. As mentioned, the construction of the partially enclosed deck will increase the rear yard amenity space by offering a level place to enjoy the waterfront views.

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 subject property is zoned Limited Service Residential (LSR) Zone in the Township of Eldon Zoning By-law 94-14. The LSR Zone permits both single detached dwellings as well as vacation dwellings.

The intent of the front yard setback is to provide separation between the road and residential uses; however, North Taylor Road does not appear to experience a lot of traffic due to the proximity to the arterial Portage Road. There are no anticipated land use compatibility issues presented to the front yard-to-road interface, as more than four (4) metres exists between the limit of the addition to the front property line and there is a cedar hedge present delineating the approximate limit of the front lot line. Through raising the dwelling, the prominence of the south face of the dwelling will be increased; however, the addition will not impose onto the streetscape.

The General Provisions set a maximum coverage of 10% for accessory buildings or structures to a maximum of 100 square metres in the LSR Zone. On smaller residential properties, the provision can substantially restrict the ability to construct sufficiently sized buildings or structures. The proposal complies with the total maximum lot coverage provision within the LSR Zone category and is less than the percentage threshold for accessory coverage at 7.75%. The deck is also compliant with the water yard setback. The small increase of 3.91 square metres over the maximum 100 square metre provision is negligible, as the increased lot coverage does not impair the area of available landscaped amenity space or the appearance of the property. There is ample spatial separation between the boathouse, deck and detached garage.

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.

The proposed addition and wooden deck 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 were considered through this application.

Servicing Comments:

The property is serviced by a private individual well and private 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 Division (May 7th, 2021): No objections.

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

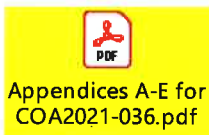
Building and Septic Division (May 7th, 2021): The Supervisor of Part 8 Sewage Systems notes that a site visit was conducted to review the proposal and location of the construction as it relates to the sewage system. A sewage system installation permit has been issued for this property under file E-15-95. The sewage system is located at a clearance distance to the dwelling that it will not be hindered by the proposal. As well, the proposal will not cause a capacity or component issue for the existing sewage system.

As such, the Building and Septic Division has no objection to the proposed minor variance as it relates to private on-site sewage disposal.

Public Comments:

No comments received as of May 12, 2021

Attachments:



- Appendix A – Location Map
- Appendix B – Aerial Photo
- Appendix C – Applicant's Sketch
- Appendix D – Applicant's Drawings (Elevations)
- Appendix E - Department and Agency Comments

Phone: 705-324-9411 extension 1367
E-Mail: kstainton@kawarthalakes.ca
Department Head: Richard Holy, Acting Director of Development Services
Department File: D20-2021-026

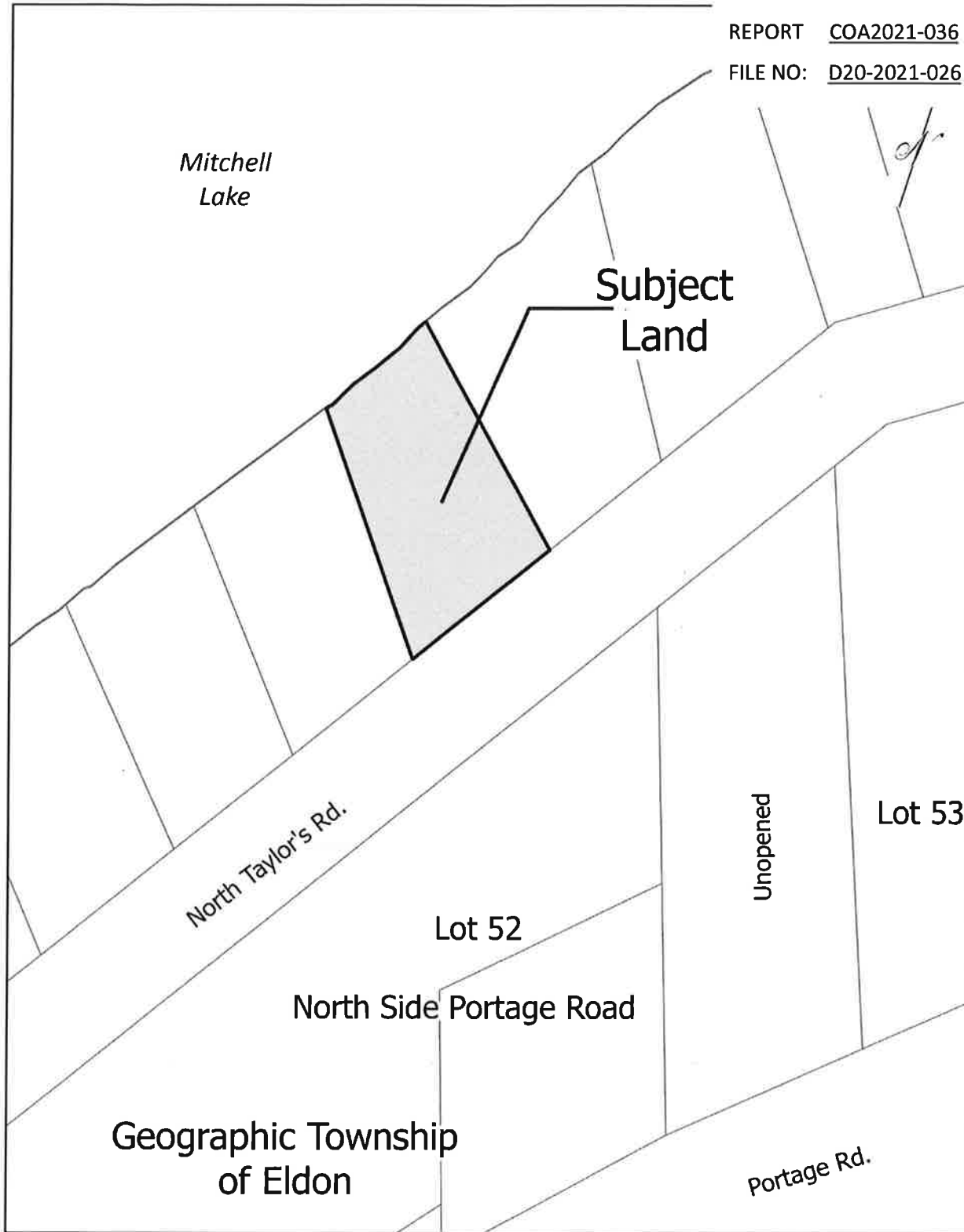
D20-2021-026

APPENDIX " A "

to

REPORT COA2021-036

FILE NO: D20-2021-026





Legend

Property Roll Number

APPENDIX " B "

to

REPORT COA2021-036

FILE NO: D20-2021-026

Notes

Notes

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 " C "

to

REPORT COA2021-036
FILE NO: D20-2021-026

SITE PLAN # 27 NORTH TAYLOR ROAD 1
ON PART OF LOT 52, NORTH OF PORTAGE ROAD,
GEOGRAPHIC TOWNSHIP OF ELTON,
CITY OF KAMATHA LAKES
SCALE 1 : 200 METRES
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
CAN BE CONVERTED TO FEET BY DIVIDING BY 3048.

NOTES:
- LOT AREA = 1,460 SQ.M.
- EXISTING OUTAGE AREA = 64.5 SQ.M.
- EXISTING GARAGE AREA = 27.5 SQ.M.
- EXISTING DRIVE AREA = 37.0 SQ.M.
- PROPOSED WALKWAY AREA = 8.0 SQ.M.
- PROPOSED DRIVEWAY AREA = 17.3 SQ.M.
- PROPOSED TOTAL LOT COVERAGE = 11.0%
- ZONING IS LIMITED SERVICE RESIDENTIAL (LSR).
- THIS PROPERTY IS IN AN UNEQUALLED CONSERVATION SENSITIVE AREA.

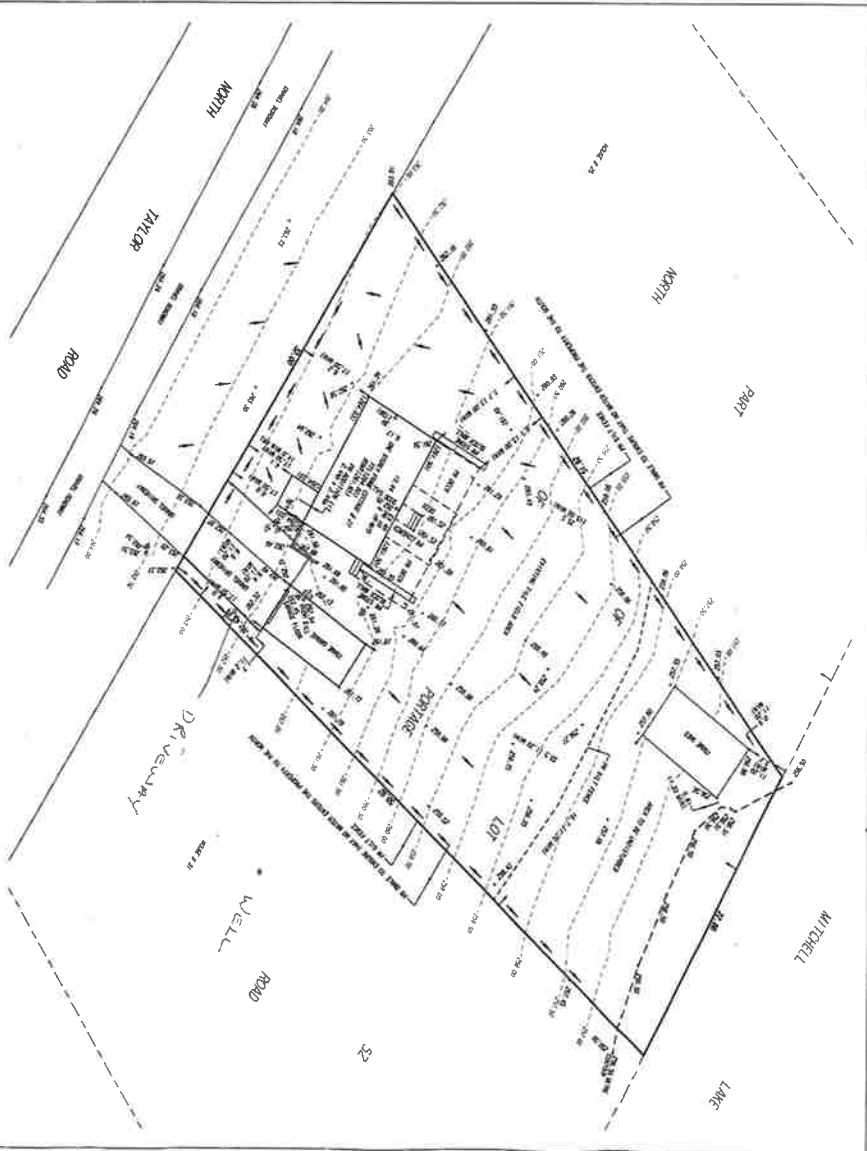
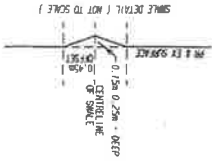
BENCHMARK:
- STATION 00187010 - ELEVATION 282.666 METRES
- FLAQUE SET IN TOP OF LARGE CONCRETE CEMENT ON THE
- WEST SIDE OF ANSELME STREET NORTH, LINDSAY (PRE-1978)

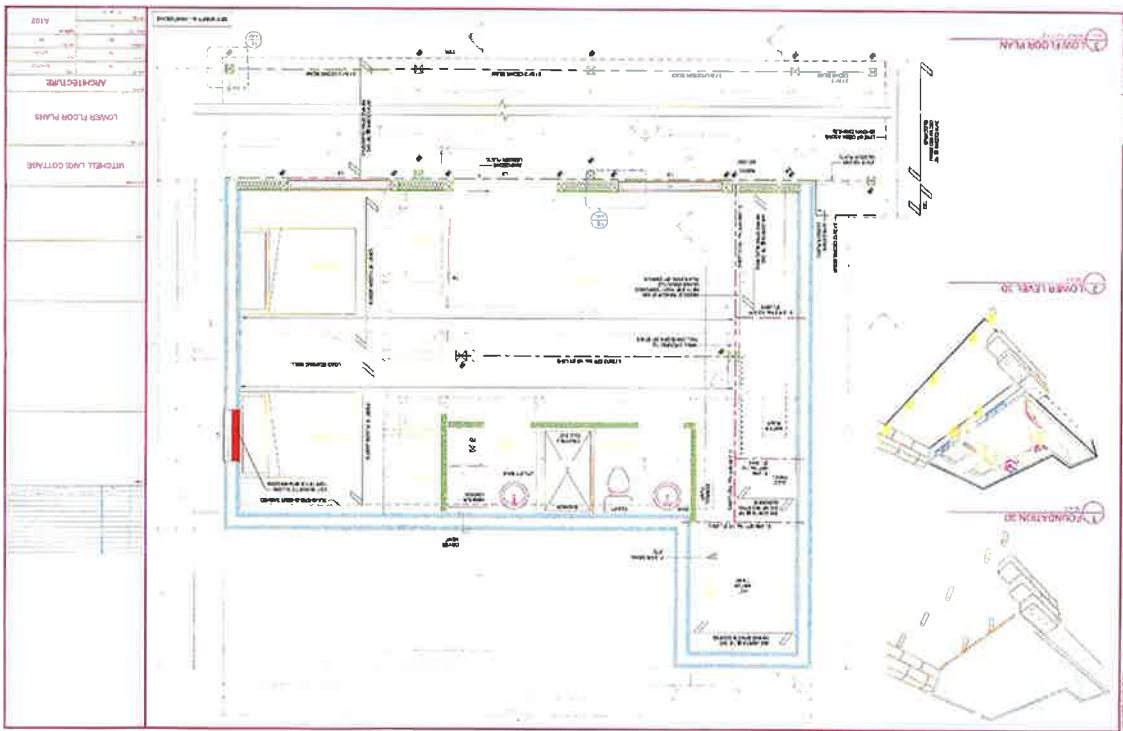
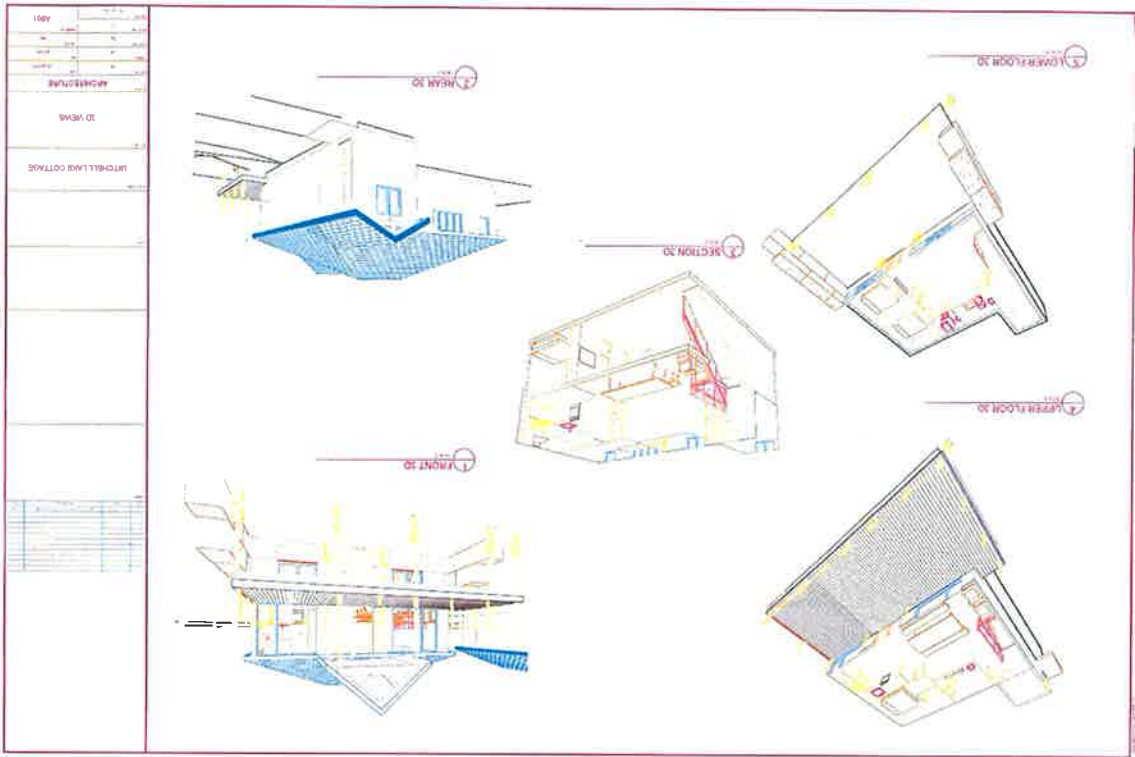
LEGEND:
- (200.00) - REMOVES EXISTING ELEVATIONS
- (200.00) - REMOVES PROPOSED ELEVATIONS
- (200.00) - DIRECTION OF SURFACE FLOWS AND/OR SWALES

1. DRAINAGE SHALL BE SELF-DRAINAGE ON SITE BY THE
DRAINAGE SHALL NOT IMPACT ADJACENT PROPERTIES.
CONNECTION OF SWALES OR DRAIN TO A PROTECTED OUTLET
TO PREVENT POLLUTION OF SILT AND SEDIMENT FROM THE SUBJECT
LOT TO ANY ADJACENT LOT, INCLUDING ADJACENT RIGHT-OF-WAY.
SPECIAL CARE SHALL BE TAKEN TO ENSURE THAT SILT AND SEDIMENT
LARGE SWALES WITHIN LOT SHALL BE DESIGNED OR THROUGH THE
ENVIRONMENTALLY SENSITIVE AREA, EITHER OVERLAND OR THROUGH THE
DRAINAGE SYSTEM. THE OVERFLOWER SHALL COMPLY WITH ALL
DRAINAGE REQUIREMENTS AND BE REMOVED DURING BUILDING
CONSTRUCTION TO ENSURE THAT DRAINAGE DOES NOT ADVERSELY AFFECT
ADJACENT PROPERTIES. SWALES DRAINING ON THE PROPERTY SHALL BE
COMPLETED SUCH THAT DRAINAGE IS CONTAINED ON SITE OR CONTROLLED
TO A PROTECTED OUTLET.
4. ALL DISCHARGES AND OTHER DRAINAGE DISCHARGE POINTS SHALL
DISCHARGE ON TO A SWALE PAD OR APPROVED EQUIVALENT
5. SWALE DISCHARGE POINTS MUST BE BUILT WITHIN PRIVATE PROPERTY.
THE OVERFLOWER IS RESPONSIBLE FOR OBTAINING UTILITY AND
SERVICING LOCATIONS PRIOR TO ANY WORKS.
7. ALL DISTURBED AREAS ARE TO BE SOODED OR SEEDED OVER A MINIMUM
OF 50% OF TROPICAL OR APPROVED EQUIVALENT.
8. THE OVERFLOWER MUST OBTAIN A ROAD CONNECTION PERMIT FROM PUBLIC
WORKS PRIOR TO ANY WORKS WITHIN THE MUNICIPAL ROAD ALLOWANCE.
9. AN ELEVATION WILL BE LESS THAN 0.15M DETENTION FLOOD GROUND AND TOP
OF FLOODPLAIN WILL BE LESS THAN 0.15M DETENTION FLOOD GROUND AND TOP
OF FLOODPLAIN WILL BE LESS THAN 0.15M DETENTION FLOOD GROUND AND TOP
10. A COPY OF THE "REVIEWED BY ENGINEERING" LOT DRAINAGE AND
DRAINAGE PLAN IS TO BE ON SITE FOR REFERENCE AT
11. THE SUBMISSION OF THIS PLAN REPRESENTS THAT OWNER HEREBY
ALL TIMES DURING CONSTRUCTION.
- (M) - MANDATORY
- (A) - ADVISORY
- (E) - EXISTING
- (P) - PROPOSED
- (R) - REMOVES EXISTING
- (S) - SERVICES EXISTING
- (U) - UTILITIES TO BE HUNG TO EXISTING
- (V) - VENTILATION
- (W) - WELLS
- (X) - EXISTING
- (Y) - YARDS
- (Z) - ZONES TO BE REMOVED

SURVEYOR'S CERTIFICATE:
1) THE FIELDWORK SHOWN ON THIS
DATE: 22 MARCH 2021
2) THE STATIONING IS CORRECT
3) THE STATIONING OF THE PROPOSED
ON THE PLANS AND DIMENSIONS
BUILDING PERMIT HAS BEEN A
MARCH 23, 2021

OWNER: HANSON, WITBELE
PROJECT NO: 8142-SP-1.090
DATE: 23 MARCH 2021





Kent Stainton

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 D20-2021-026 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-026
27 North Taylor Road
Part of Lot 52, Range North of Portage Road
Geographic Township of Eldon

APPENDIX " E "
to
REPORT COA 2021-036
FILE NO. D20-2021-026

It is the understanding by Engineering that the purpose and effect is to request relief from the following provisions in order to permit the construction of an addition to an existing detached dwelling as well as a new partially enclosed deck:

Detached Dwelling

1. Section 13.2.1.3 a) to reduce the minimum front yard setback from 7.5 metres to 4.1 metres,
2. Section 13.2.1.7 to reduce the minimum Gross Floor Area (minimum per dwelling unit) from 74 square metres to 70.5 square metres,

Deck

1. Section 3.1.3.1 to increase the maximum lot coverage for all accessory buildings and structures, excluding outdoor swimming pools, from 10% to a maximum of 100 square metres for a lot within the Limited Service Residential (LSR) Zone to 103.91 square 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

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

Kent Stainton

From: Anne Elmhirst
Sent: Friday, May 7, 2021 7:35 PM
To: Charlotte Crockford
Subject: RE: Notice of Public Hearing for Minor Variance D20-2021-026, 27 North Taylor Road, Eldon

Hello Charlotte,

I have received and reviewed the application for minor variance D20-2021-026 for 27 North Taylor Road to permit a reduced front yard setback, a reduced gross floor area and an increased maximum lot coverage for accessory structures.

A site visit was conducted to review the proposal and location of the construction as it relates to the sewage system. A sewage system installation permit has been issued for this property under file E-15-95. The sewage system is located at a clearance distance to the dwelling that it will not be hindered by the proposal. As well, the proposal will not cause a capacity or component issue for the existing sewage system.

As such, the Building and Septic Division has no objection to the proposed minor variance 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



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 1:26 PM
To: Christina Sisson ; Kim Rhodes ; 'alanna.boulton@canada.ca' ; Emmett Yeo ; Susanne Murchison ; Derryk Wolven ; Anne Elmhirst ; 's.filson@lsrca.on.ca'
Subject: Notice of Public Hearing for Minor Variance D20-2021-026, 27 North Taylor Road, Eldon

Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-026, 27 North Taylor Road, Eldon.

Many thanks

Kent Stainton

From: Derryk Wolven
Sent: Thursday, May 6, 2021 1:40 PM
To: Charlotte Crockford
Subject: Re: Notice of Public Hearing for Minor Variance D20-2021-026, 27 North Taylor Road, Eldon

Follow Up Flag: Follow up
Flag Status: Flagged

Building division has no concern with the above noted application.

From: Charlotte Crockford
Sent: May 6, 2021 1:26:14 PM
To: Christina Sisson; Kim Rhodes; 'alanna.boulton@canada.ca'; Emmett Yeo; Susanne Murchison; Derryk Wolven; Anne Elmhirst; 's.filson@lsrca.on.ca'
Subject: Notice of Public Hearing for Minor Variance D20-2021-026, 27 North Taylor Road, Eldon
Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-026, 27 North Taylor Road, Eldon.

Many thanks

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



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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