

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Donna Banks**  
Report Number COA2021-040

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**Public Meeting**

**Meeting Date:** June 17, 2021  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

**Ward: 5 – Former Town of Lindsay**

**Subject:** The purpose and effect is to request relief from Section 6.2(f) to reduce the minimum rear yard setback from 7.5 metres to 6 metres to permit the construction of an attached deck.

The variance is requested at 88 Alcorn Drive, former Town of Lindsay (File D20-2021-031).

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**Author:** Kent Stainton, Planner II

**Signature:**



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**Recommendations:**

**Resolved That** Report COA2021-040 Banks, be received;

**That** minor variance application D20-2021-031 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 generally in accordance with the elevation in Appendix D submitted as part of Report COA2021-040, 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 COA2021-040. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Background:** The application was brought to the attention of Planning Staff through the Building and Septic Division.

The application was deemed complete on April 8, 2021.

**Proposal:** To construct an 18.13 square metre (195 square feet) wooden deck attached to the 1.5 storey single detached dwelling on the subject lands.

**Owner:** Donna Banks

**Legal Description:** 88 Alcorn Drive, Lot 70, Plan 57M-802, former Town of Lindsay, now City of Kawartha Lakes

**Official Plan:** Residential within the Town of Lindsay Official Plan

**Zone:** Residential One Special Exception Seventeen (R1-S17) Zone within the Town of Lindsay Zoning By-law 2000-75

**Site Size:** 480 square metres (5,167 square feet)

**Site Servicing:** Municipal water, sewer and stormwater services

**Existing Uses:** Residential

**Adjacent Uses:** North: Jennings Creek, Woodland  
East, South, West: 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 in a newer residential subdivision (Plan 57M-802) in the north end of the Town of Lindsay, known as the Woods of Jennings Creek. The property backs onto open space in the form of Jennings Creek and woodland immediately to the north with a stormwater management facility in the form of a naturalized pond to the northeast.

The neighbouring reach of Alcorn Drive is comprised of 1.5 storey and 2 storey designs with walkouts to the rear yard. The subject lands lack any form of landscaping as the installation of the deck is anticipated to facilitate future grading and rear yard landscaping in the near future. Due to the recent occupancy of the dwelling, the majority of properties within the vicinity of the subject lands do not contain fencing or accessory buildings/structures. It is highly likely that fencing as well as the construction of accessory sheds and decks will continue within the rear yards along Alcorn Drive over time.

Many of the dwellings along Alcorn Drive were designed with the construction of a deck providing access to the rear yard. The proposed deck will provide increased amenity space for the existing dwelling by extending the main floor of the dwelling and will enable access from the to the rear yard. The 1.5-metre encroachment into the rear yard setback still provides for utilization and access to the greater rear yard portion to the north of the proposed deck.

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 "Residential Type One Special Exception Seventeen (R1-S17) Zone" within the Town of Lindsay Zoning By-law 2000-75. The special exception allows for an increased 40% maximum lot coverage for all buildings. The R1-S17 Zone permits single detached dwellings and accessory uses.

The intent of the rear yard setback is to provide sufficient rear yard amenity space, address massing impacts, and reduce land use and privacy conflicts between abutting properties. The lots along Alcorn Drive are shallow with the rear yard of the subject property totalling 9.7 metres (31.8 feet) from the rear wall of the dwelling. The proposed 1.5 metre reduction of the rear yard requirement is also not anticipated to pose any land use compatibility issues as Jennings Creek and open space is located to the north and no decks currently exist on the abutting properties. Over 6 metres exists between the extent of the deck and the rear lot line, providing ample amenity space and room for accessibility and maintenance purposes. The proposed deck also complies with the applicable height provisions and lot coverage provisions of the Zoning By-law.

Therefore, the variance maintains the general intent and purpose of the Zoning By-Law.

**4) Do the variances maintain the intent and purpose of the Official Plan?**

**Yes**

As the Lindsay Secondary Plan part of the City of Kawartha Lakes Official Plan is under appeal, the Town of Lindsay Official Plan (Official Plan) applies.

The lands are designated "Residential" within the Official Plan. The subject property is within a neighbourhood that would be classified as Low Density Residential. Low density residential uses and buildings and structures accessory to residential uses are permitted.

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 property is serviced by municipal sewer, water, and storm water systems.

**Consultations:**

Notice of this application was circulated in accordance with the requirements of the Planning Act. Comments have been received from:

**Agency Comments:**

Development Engineering (June 7, 2021): No objection.

Building and Septic Division (June 4, 2021): No concerns.

**Public Comments:**

No comments received as of June 9, 2021

**Attachments:**



Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch (Site Plan)

Appendix D – Applicant's Drawings (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:** D20-2021-031

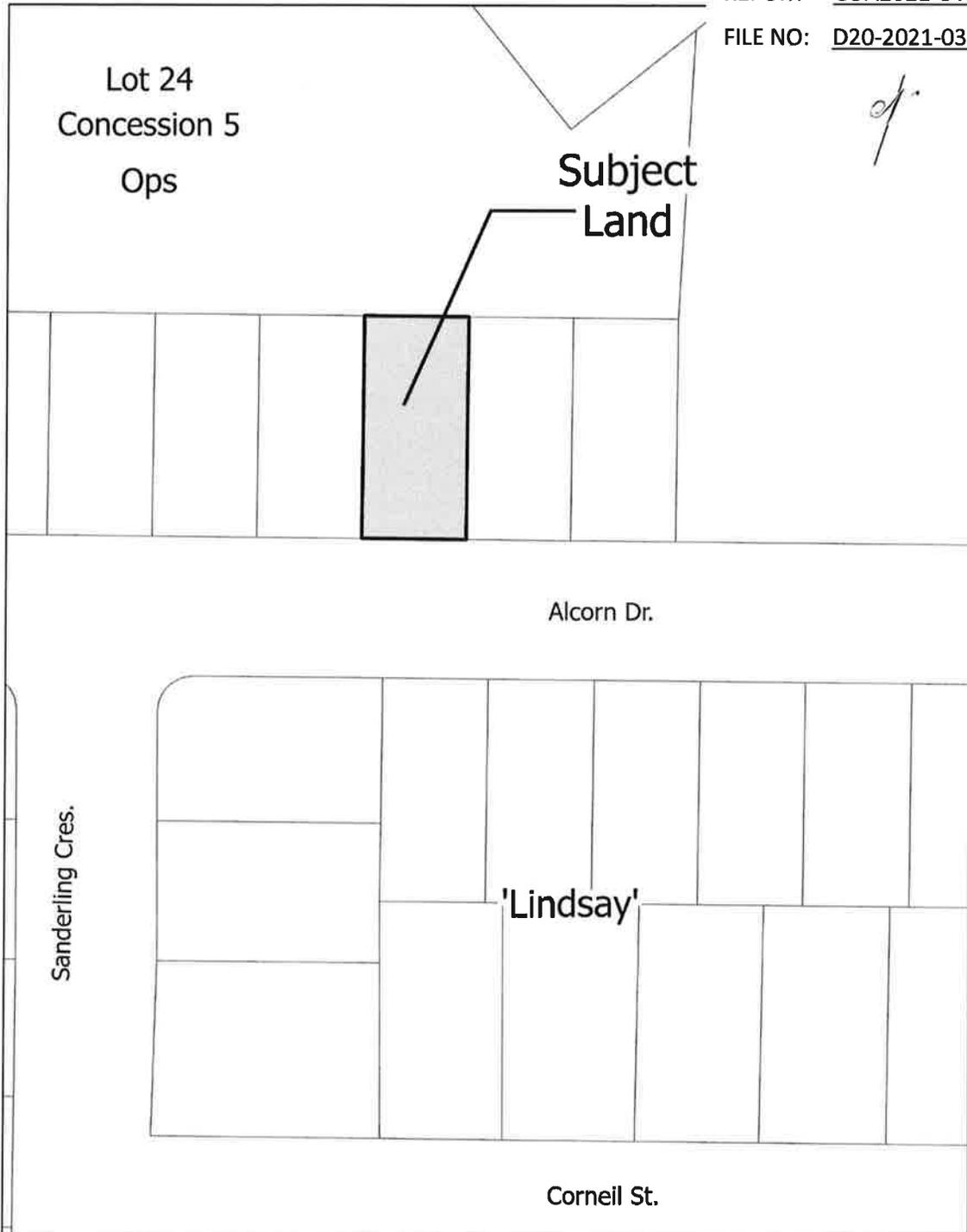
# D20-2021-031

APPENDIX " A "

to

REPORT COA2021-040

FILE NO: D20-2021-031



### 68 Cedartree Lane, former Village of Bobcaygeon



- Legend**
- Property Roll Number
  - Lots and Concessions

**Location of Subject Property**

0.06 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

**Notes**  
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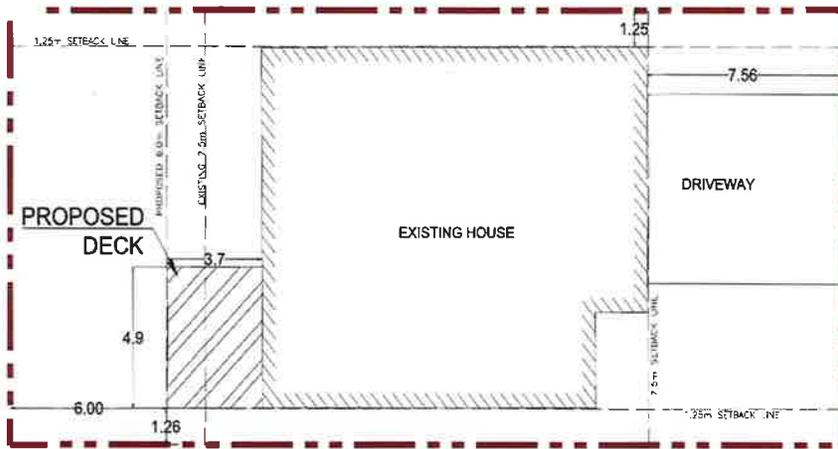
APPENDIX " B "  
to  
REPORT COA2021-040  
FILE NO: D20-2021-031

APPENDIX " C "

to

REPORT COA2021-040

FILE NO: D20-2021-031



ALCORN DRIVE

SITE STATISTICS			
GENERAL EMPLOYMENT ZONE			
REQUIREMENT	BYLAW REQUIREMNT	CURRENT	PROPOSED
MINIMUM LOT AREA	450.0m <sup>2</sup>	480m <sup>2</sup>	480m <sup>2</sup>
MINIMUM LOT FRONTAGE	15.0m	15.0m	15.0m
MINIMUM FRONT YARD SETBACK	7.5m	7.55m	7.55m
MINIMUM EXTERIOR SIDE YARD SETBACK	3.0m	-	-
MINIMUM INTERIOR SIDE YARD SETBACK	1.25m	1.25m	1.25m
MINIMUM REAR YARD SETBACK	7.5m	9.65m	6.0
MAXIMUM LOT COVERAGE	50%	38.50%	39.30%

RECEIVED

MAR 25 2021

City of Kawartha Lakes  
Development Services  
Planning Division

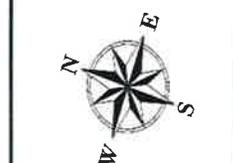
ENGINEER:

M.V. Wilson Engineering Inc.



245 Kent Street West, Lindsay  
Ontario, Canada  
K9V 2Z3  
Tel: (705) 324-8236  
Fax: (705) 328-1208

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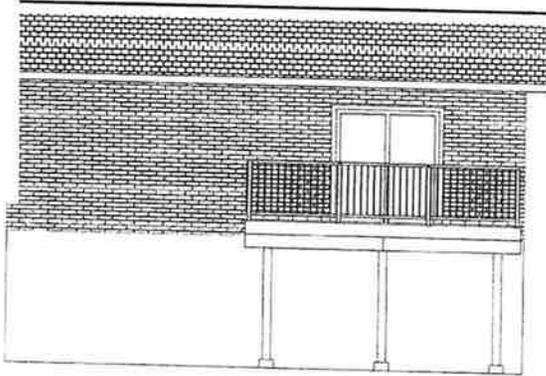
PROJECT:  
DONNA BANKS  
MINOR VARIANCE  
68 ALCORN DR. K9V 2A8  
LINDSAY, ON.

SITE PLAN  
SCALE: 1:150 DRAWING NO.  
DATE: Mar 19, 21 LS  
PROJECT: E271511 SP1

APPENDIX " D "

to

REPORT COA2021-040  
 FILE NO: D20-2021-031



TITLE PAGE	A-1
FOUNDATION PLAN	A-2
MAIN FLOOR PLAN	A-3
DECK FRAMING PLAN	A-4
FRONT ELEVATION	A-5
LEFT ELEVATION	A-6
RIGHT ELEVATION	A-7
CONSTRUCTION NOTES	A-8
Pier Detail	1
Beam Details	2 - 3
Ledger Detail	4
Jolst Detail	5
Guard Detail	6
Stair Details	7 - 6

RECEIVED  
 MAR 01 2021  
 City of Kawartha Lakes Building Division

CLIMATIC & DESIGN LOAD DATA	
Lindsay, Ontario	
ROOF LOADING	KPA (psf)
GROUND SNOW LOAD $S_g$	2.3 (48.04 psf)
RAIN LOAD $S_r$	0.4 (8.35 psf)
SNOW LOAD FACTOR $C_s$	0.55
ROOF DESIGN SNOW LOAD	1.67 (34.77 psf)
ROOF & CEILING DESIGN DEAD LOAD	0.57 (12.00 psf)
FLOOR LOADING	
GROUND & SECOND FLOOR	1.92 (40.00 psf)
FLOOR DESIGN DEAD LOAD	0.48 (10.00 psf)
WIND LOADING	
150 WIND PRESSURE	0.38 (7.94 psf)
175 WIND PRESSURE	0.29 (6.06 psf)
TEMPERATURE	
DEGREE DAYS BELOW 18°C	4320
SOIL	
ASSUMED ALLOWABLE BEARING PRESSURE AT FOOTING FOUNDING ELEVATION(S)	75 (1556 psf)
ROCK	
FREEZING INDEX	N/A
ELEVATION	225

THE DESIGN DEAD LOADS SPECIFIED ABOVE ARE BASED ON THE DIMENSIONS AND MATERIALS EITHER SPECIFIED OR ASSUMED. UNLESS OTHERWISE SPECIFIED, THE CONTRACTOR MUST NOTIFY THE DESIGNER PRIOR TO CONSTRUCTION OF ANY LOAD-BEARING ELEMENTS THAT MAY BE AFFECTED.

GENERAL NOTE: These drawings are not to be built. All dimensions must be verified by contractor prior to construction and at any time. Any dimensions must be reported directly to the designer.

**LINDSAY Home**  
 building centre  
 705-324-3516  
 Home Building Centre Lindsay  
 (705) 324 3516

CERTIFIED PROFESSIONAL ENGINEER  
 G.K. BELL  
 319050  
 PROVINCE OF ONTARIO

CERTIFIED ENGINEERING TECHNOLOGIST  
 ONTARIO  
 DONNA BANKS  
 N° 43765

Donna Banks - Deck  
 88 Alcom Drive  
 Lindsay, Ontario

Date of Issue: February 26, 2021  
 Scale: N/A

TITLE PAGE

File No: DKP-21-15926  
 Drawing No: A-1

**Kent Stainton**

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**From:** Kim Rhodes  
**Sent:** Monday, June 7, 2021 1:02 PM  
**To:** Mark LaHay  
**Cc:** Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead  
**Subject:** 20210507 D20-2021-031 - Engineering review APPENDIX "E"

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

to  
REPORT COA2021-040

FILE NO. D20-2021-031

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

Minor Variance – D20-2021-031  
88 Alcorn Drive  
Lot 70, Plan 57M-802  
Former Town of Lindsay

It is the understanding by Engineering that the purpose and effect of the application is to request relief from Section 6.2 (f) in order to reduce the rear yard setback from 7.5 metres to 6 metres to permit the construction of a deck attached to 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](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:** Derryk Wolven  
**Sent:** Friday, June 4, 2021 11:03 AM  
**To:** Charlotte Crockford  
**Subject:** RE: D20-2021-031, Notice of Public Hearing for Minor Variance, 88 Alcorn Drive, Lindsay

Building division has no concerns with the above noted application.

Derryk Wolven  
Plans Examiner  
City of Kawartha Lakes  
705-324-9411 ext 1273  
[www.kawarthlakes.ca](http://www.kawarthlakes.ca)



**From:** Charlotte Crockford  
**Sent:** Wednesday, June 2, 2021 4:41 PM  
**To:** 'Erin McGregor' ; Christina Sisson ; Kim Rhodes ; Amber Hayter ; Pat Dunn ; Susanne Murchison ; Derryk Wolven  
**Subject:** D20-2021-031, Notice of Public Hearing for Minor Variance, 88 Alcorn Drive, Lindsay

Good afternoon

Please find attached D20-2021-031, Notice of Public Hearing for Minor Variance, 88 Alcorn Drive, Lindsay.

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.