

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Brandon Hack and Lauren
Downie

Report Number COA2021-071

Public Meeting

Meeting Date: October 21, 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 Section 13.2.1.3 (b) to reduce the minimum interior side yard setbacks from 3 metres on one side and 2.2 metres on the other side to 2.51 metres and 1.27 metres on the other side. The relief is required to facilitate the construction of a second-storey addition to a vacation dwelling.

The variance is requested at 93 Paradise Road, geographic Township of Eldon (File D20-2021-059).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2021-071 Hack and Downie, be received;

That minor variance application D20-2021-059 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 drawings in Appendix D submitted as part of Report COA2021-071, 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 COA2021-071. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The owners are proposing to construct a new second storey addition to an existing vacation dwelling including replacement decks in the front yard and water yard of the property as well as a second level balcony.

This application was deemed complete on August 18, 2021.

Proposal: To construct a 181.89 square metre (1,958 square feet) second storey addition onto an existing vacation dwelling.

Owners: Brandon Hack and Lauren Downie

Applicant: Yaso Somalingam (Cantam Group Ltd.)

Legal Description: 93 Paradise Road, Part Lot 11, Range NPR, geographic Township of Eldon, City of Kawartha Lakes

Official Plan: Waterfront within the City of Kawartha Lakes Official Plan (2012)

Zone: Limited Service Residential Exception One (LSR-1) Zone and Limited Service Residential Exception Two (LSR-2) Zone (Back-lot) within the Township of Eldon Zoning By-law 94-14

Site Size: 1,216.91 square metres (0.3 Acres)

Site Servicing: Private water system (lake-draw) and private septic system

Existing Uses: Shoreline Residential

Adjacent Uses: North, West, East: Canal Lake, shoreline residential
South: Paradise Road, backlot with detached garage, swamp

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 shoreline residential area on the south side of Canal Lake. This reach of Canal Lake is developed with several shoreline residential lots comprised primarily of smaller vacation dwellings. It is anticipated that infill will occur along this stretch of Canal Lake in the near future.

The subject property consists of a shoreline lot and a backlot. The shoreline lot contains a U-shaped bungalow and is surrounded by vegetative buffers along the interior side yards, which assist in screening the property from the road and the abutting residential parcels. A large wooden deck on the waterside of the dwelling projects towards the lake and contains a hot tub. The waterside deck is proposed to be replaced.

A mature cedar hedge runs the entire length of the eastern property boundary with mature trees and shrub species running along the western lot line. The backlot is also well vegetated with forest surrounding the parcel, which contains a detached garage and provides additional parking spaces for the subject property.

The proposed 0.49 metre and 0.93 metre reductions from the requirements of the Zoning By-law are negligible and minor, in nature. The projections into the side yard emulate the existing footprint of the dwelling with no further encroachment proposed. There are no windows proposed on the western face of the addition, as to negate any privacy implications to the abutting western property. As the detached garage on the abutting property to the east is the closest building, no massing impacts are anticipated as a result of the application. No additional access points are proposed along the interior sides of the dwelling and sufficient space also remains within the side yards to allow passage 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 subject property is zoned Limited Service Residential Exception One (LSR-1) Zone and Limited Service Residential Exception Two (LSR-2) Zone within the Township of Eldon Zoning By-law 94-14.

The LSR-1 Zone permits vacation dwellings and associated uses. The LSR-2 Zone on the backlot portion of the property restricts the type of buildings to garages, boathouses or buildings and structures that are not suitable for human habitation. As mentioned, the backlot is currently developed with a detached garage.

The intent of the interior side yard setback is to ensure there is sufficient space for maintenance to be carried out, ensure sufficient space for lot grading and drainage, and ensure sufficient accessibility for the passage of items between the front and rear yards. The existing side yards of the vacation dwelling are non-compliant with the Zoning By-law. No further reduction through projecting into the interior side yards is proposed. Engineering has confirmed that there will be no drainage impacts to adjacent properties through the proposal. There will be no impediment to accessibility for passage along either side yard of the subject lands.

The proposed replacement deck and second storey balcony comply with the water yard setback requirements of the Zoning By-law.

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.

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 a lake-based water supply 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:

Building and Septic Division – Supervisor, Part 8 Sewage Systems (October 8, 2021): A sewage system permit to install has been issued for the proposed 2 storey vacation dwelling. The sewage system will be located in the roadside yard as per the site plan submitted. As such, the Building and Septic Division has no concerns with the proposed minor variance

Development Engineering Division (October 8, 2021): No objection.

Public Comments:

No comments received as of October 13, 2021.

Attachments:



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 1367
E-Mail:	kstainton@kawarthalakes.ca
Department Head:	Richard Holy, Acting Director of Development Services
Department File:	D20-2021-059

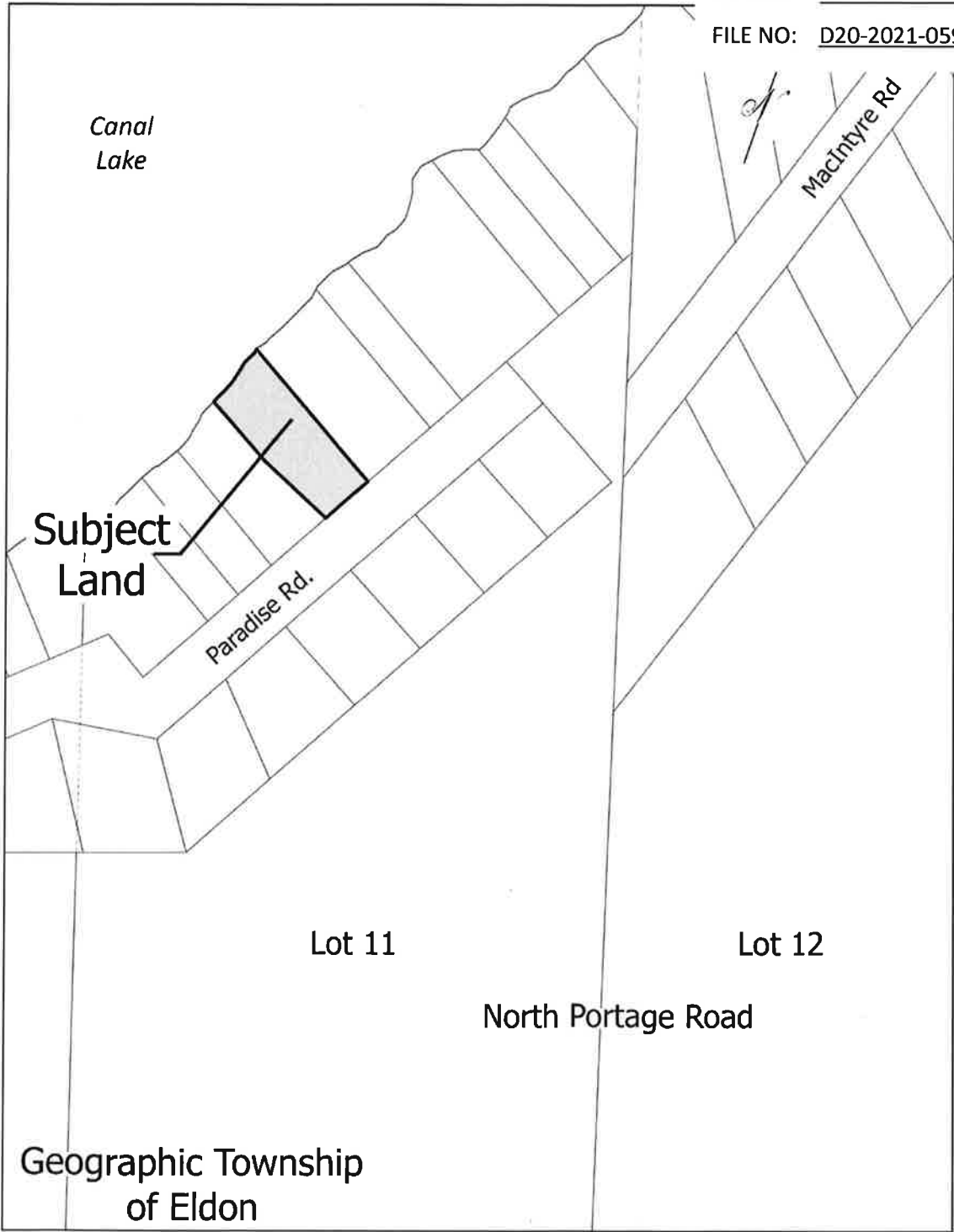
D20-2021-059

APPENDIX " A "

to

REPORT COA2021-071

FILE NO: D20-2021-059



93 Paradise Road, Geographic Township of Eldon



Legend

- Property Roll Number
- Lots and Concessions
- Road Centreline (2016 Needs)

Notes

Notes

APPENDIX " B "

to

REPORT COA2021-071

FILE NO: D20-2021-059

0.11

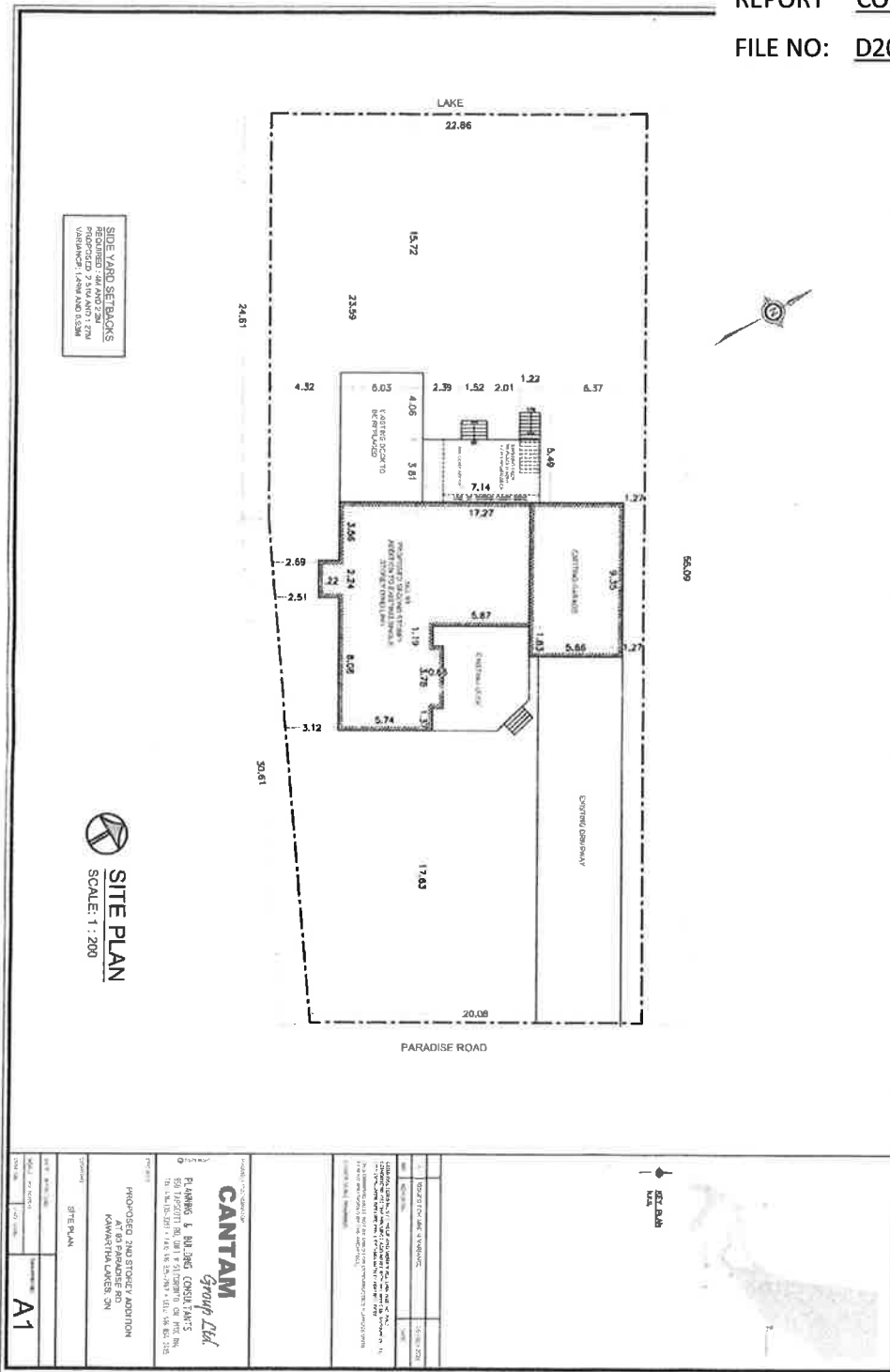
Kilometers

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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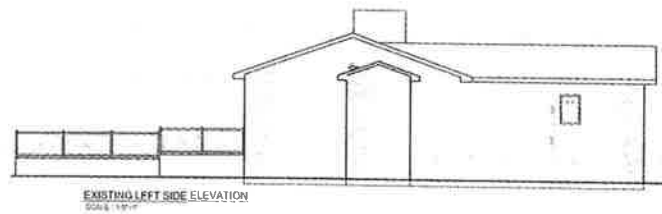


APPENDIX " D "

to

REPORT COA2021-071

FILE NO: D20-2021-059



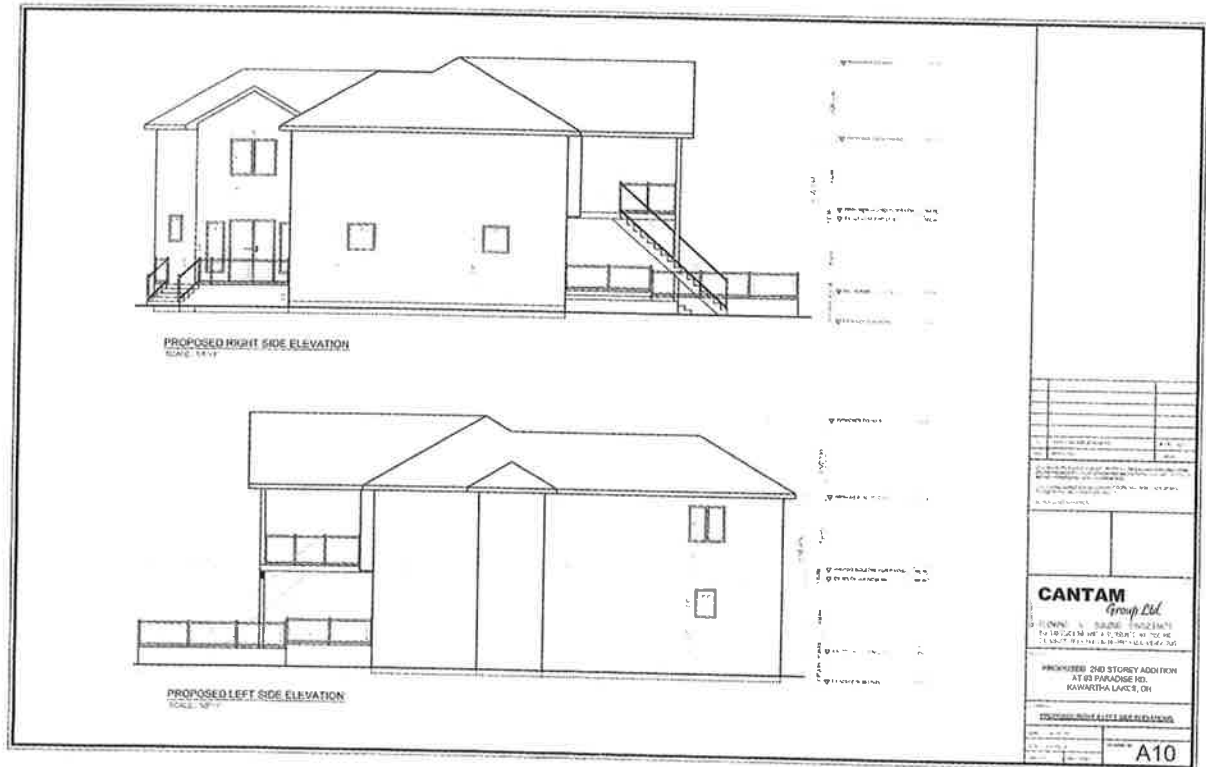
CANTAM Group Ltd.	
PLANNING & DESIGN CONSULTANTS	
200-1000 BAYVIEW AVE. SUITE 100	
SCARBOROUGH, ONTARIO M1B 2Y5	
TEL: (416) 291-1111 FAX: (416) 291-1112	
WWW.CANTAMGROUP.COM	
PROPOSED 2ND STOREY ADDITION	
AT 83 PARADISE RD.	
KAWARTHA LAKES, ON	
CANTAM GROUP LTD. (2021) 0000000000	
A5	

Proposed South and North Elevations



CANTAM Group Ltd.	
PLANNING & DESIGN CONSULTANTS	
200-1000 BAYVIEW AVE. SUITE 100	
SCARBOROUGH, ONTARIO M1B 2Y5	
TEL: (416) 291-1111 FAX: (416) 291-1112	
WWW.CANTAMGROUP.COM	
PROPOSED 2ND STOREY ADDITION	
AT 83 PARADISE RD.	
KAWARTHA LAKES, ON	
CANTAM GROUP LTD. (2021) 0000000000	
A9	

Proposed East and West Elevations



Kent Stainton

From: Charlotte Crockford
Sent: Friday, October 8, 2021 1:41 PM
To: Kent Stainton
Subject: FW: 20211008 D20-2021-059 - Engineering review

APPENDIX " E "

fyi

to

REPORT COA2020-076

FILE NO. D20-2021-059

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

From: Kim Rhodes <krhodes@kawarthalakes.ca>
Sent: Friday, October 8, 2021 10:50 AM
To: Mark LaHay <MLaHay@kawarthalakes.ca>
Cc: Charlotte Crockford <ccrockford@kawarthalakes.ca>; Christina Sisson <csisson@kawarthalakes.ca>; Kirk Timms <ktimms@kawarthalakes.ca>
Subject: 20211008 D20-2021-059 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-059
93 Paradise Road
Part of North Part of Lot 11, North of Portage Road
Geographic Township of Eldon

It is the understanding by Engineering that the purpose and effect is to seek relief from Section 13.2.1.3 (b) to reduce the minimum interior side yard setback from 3 metres on one side and 2.2 metres on the other side to 2.51 metres and 1.27 metres on the other side. The relief is required to facilitate the construction of a two-storey vacation 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.

Manager, 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.

Kent Stainton

From: Anne Elmhirst
Sent: Friday, October 8, 2021 1:11 AM
To: Charlotte Crockford
Subject: RE: D20-2021-059 Public Notice, 93 Paradise Road, Eldon

Hello Charlotte,

I have received and reviewed the application for minor variance to request relief to permit a reduced minimum yard setback on both sides.

A sewage system permit to install has been issued for the proposed 2 storey vacation dwelling. The sewage system will be located in the roadside yard as per the site plan submitted.

As such, the Building and Septic Division has no concerns with the proposed minor variance.

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 <ccrockford@kawarthalakes.ca>
Sent: Thursday, October 7, 2021 4:34 PM
To: Christina Sisson <csisson@kawarthalakes.ca>; 'Emmett Yeo' <emmettyeo@gmail.com>; Susanne Murchison <smurchison@kawarthalakes.ca>; Anne Elmhirst <aelmhirst@kawarthalakes.ca>; 's.filson@lsrca.on.ca' <s.filson@lsrca.on.ca>; Jenna Stephens <jstephens@kawarthaconservation.com>
Cc: Kim Rhodes <krhodes@kawarthalakes.ca>
Subject: D20-2021-059 Public Notice, 93 Paradise Road, Eldon

Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-059.

Many thanks

Charlotte Crockford
Administrative Assistant

