

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Renfer

Report Number COA2021-065

Public Meeting

Meeting Date: September 16, 2021

Time: 1:00 pm

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

Ward: 3 – Former Village of Sturgeon Point

Subject: The purpose and effect is to consider relief under Section 45(1) of the Planning Act, R.S.O., as amended, from the Village of Sturgeon Point Zoning By-law 339, as amended. The purpose and effect is to request relief from Section 5.2(c) to reduce the minimum front yard setback from 9 metres to 2.3 metres in order to permit an increase in height to the building to add a basement.

The variance is requested at 11 Second Street, former Village of Sturgeon Point (File D20-2021-056).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2021-065 Renfer, be received;

That minor variance application D20-2021-056 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 elevations in Appendix D submitted as part of Report COA2021-056, 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 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 COA2021-065. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background:	This application was deemed complete July 30, 2021.	
Proposal:	To permit a reduced front yard setback in order to allow for the raising of the dwelling by about 0.61 metres to add a basement.	
Owners:	Jo-Anne Mary Frances Renfer and Mark Stephen Renfer	
Legal Description:	11 Second Street, Lot 57, Part Lot 58, Plan 73, Part Lot 10, Concession 10, Parts 1 and 4, 57R8221, former Village of Sturgeon Point, City of Kawartha Lakes	
Official Plan:	Waterfront within the City of Kawartha Lakes Official Plan	
Zone:	Single Residential Type One (R1) Zone within the Village of Sturgeon Point Zoning By-law 339	
Site Size:	1,884 square metres (0.47 acre)	
Site Servicing:	Private individual well and septic system	
Existing Uses:	Residential	
Adjacent Uses:	North, South, East, West:	Residential

Rationale:

1) Is the variance minor in nature? Yes

The subject property is situated in the village community of Sturgeon Point. Second Street, like most of the streets within the village, is narrow. The proximity of built form along Second Street varies, and the dwelling on the subject property is among the closest buildings to the street on the west side. The built form along is primarily characterized by 1 to 2 storey dwellings built at different times.

This is an established neighbourhood with older homes and mature vegetation. Part of the neighbourhood's character is defined by the varied distances of built form from the street along with the variety of building ages.

The dwelling, constructed circa 1933 according to MPAC, forms part of the varied streetscape. Increasing the height of the dwelling by about 0.61 metres will allow for the creation of a full basement. The raising will require stairway modifications to the south and north building entry points and will add basement windows to the north, west and south walls. No changes are proposed to the south building face. The newly created wall which is adding to the building's

overall height is at ground level. The 0.61 metre increase in height is not anticipated to be perceptible nor cause and adverse massing impacts.

The variance is minor in nature.

2) Is the proposal desirable and appropriate for the use of the land? Yes

The additional height will facilitate the creation of a full basement, increasing the function of the dwelling. The increased wall height will also allow for the insertion of windows, allowing for natural light to enter the basement.

The raising of the dwelling will not result in a footprint expansion of the dwelling. As such, no yard space is impacted.

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 Single Residential Type One (R1) Zone within the Village of Sturgeon Point Zoning By-law 339. The R1 Zone permits single detached dwellings.

The intent of the R1 Zone provisions is to ensure adequate spatial separation between built form and the travelled portion of the street to ensure for the maintenance of features such as sight lines, snow storage, and surface parking. In this instance, the parking area is situated to the north of the dwelling, not in front of it. The height increase is not anticipated to alter the established circumstances surrounding sightlines and snow storage.

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. Low density residential uses, along with accessory uses are anticipated within this designation.

In consideration of the above the variance maintains 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 private individual well and 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:

Development Engineering Division (September 2, 2021): No concerns.

Building and Septic Division – Chief Building Official (September 8, 2021): No concerns. An application for a building permit has been filed for the proposed works.

Public Comments:

No comments received as of September 7, 2021.

Attachments:



Appendices A-E to
COA2021-065.pdf

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 1206

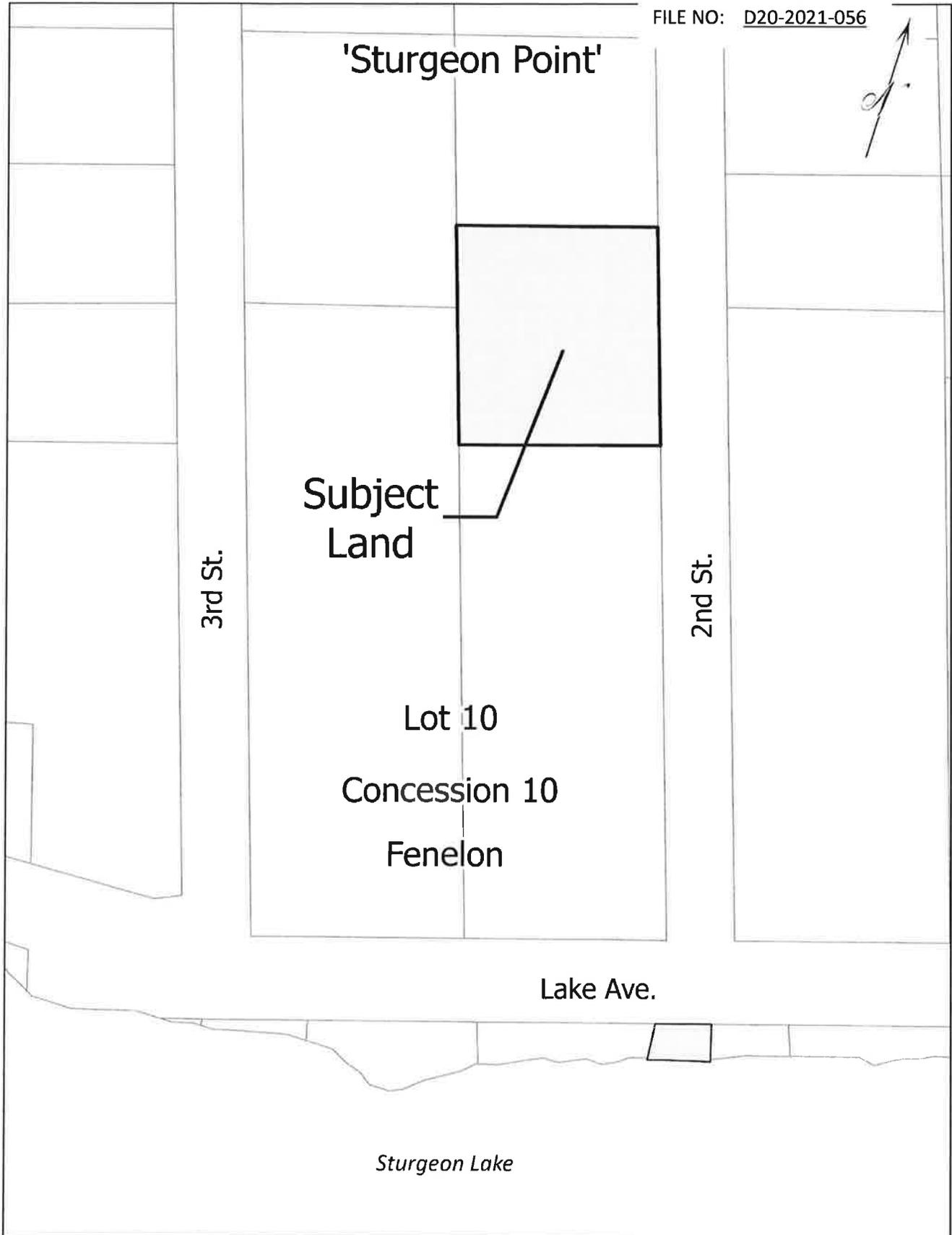
E-Mail: dharding@kawarthalakes.ca

Department Head: Richard Holy, Acting Director of Development Services

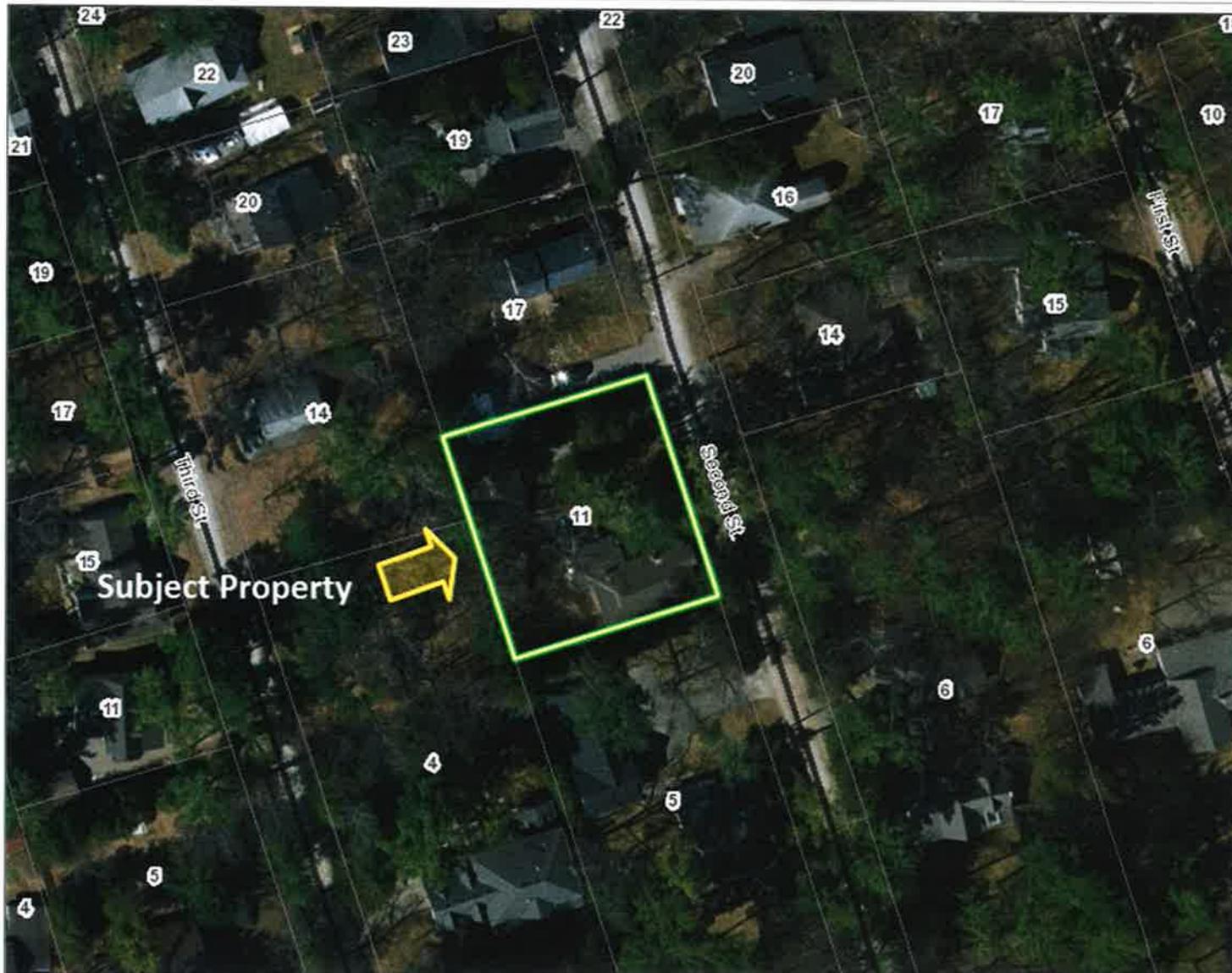
Department File: D20-2021-056

D20-2021-056

to
REPORT COA2021-065
FILE NO: D20-2021-056



11 Second Street, former Village of Sturgeon Point



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

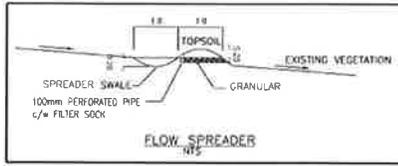
APPENDIX " B "
to
REPORT COA2021-065
FILE NO: D20-2021-056

APPENDIX " C "

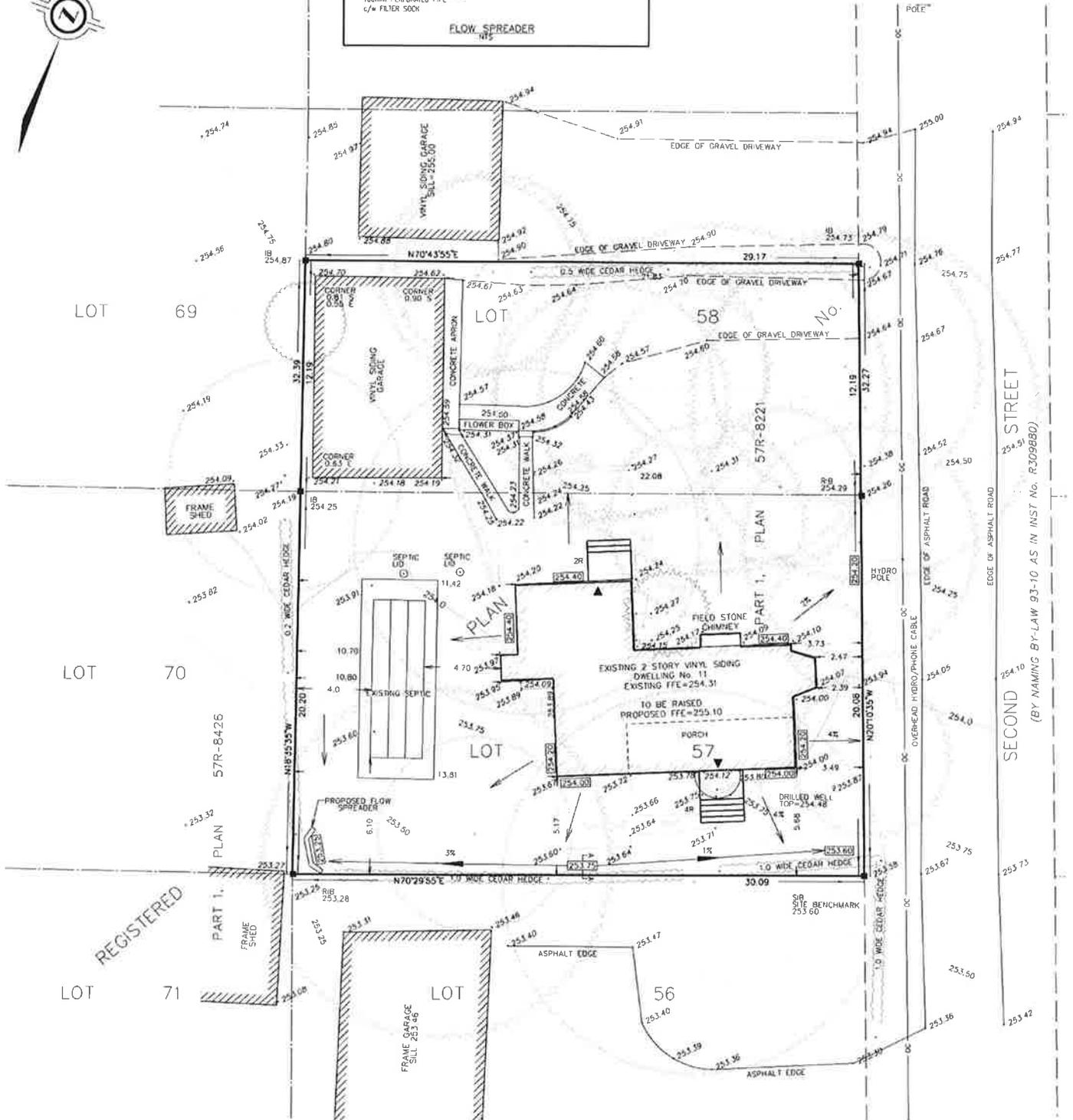
to

REPORT COA2021-065

FILE NO: D20-2021-056



255.25 DRILLED WELL TOP 255.98

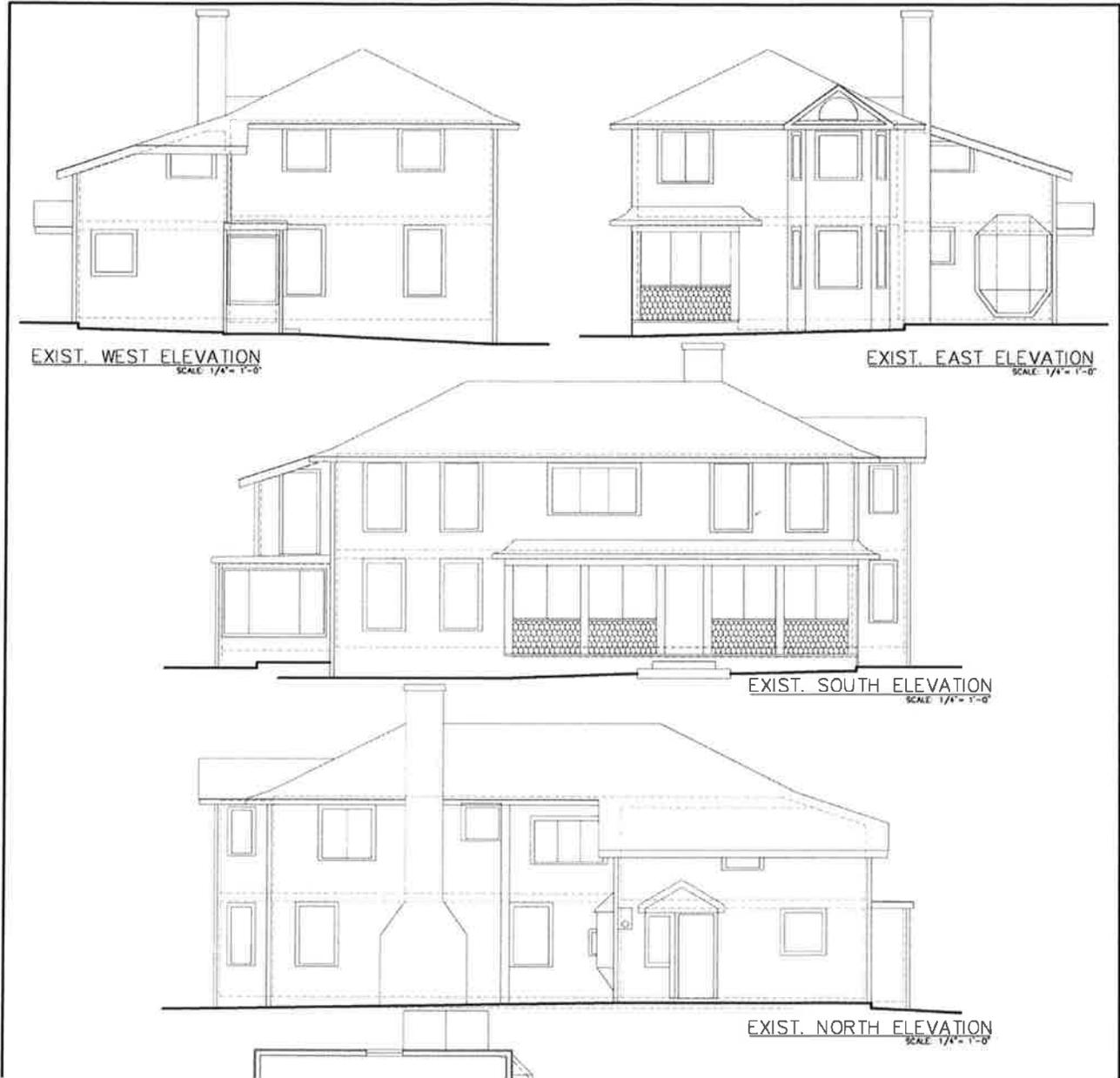


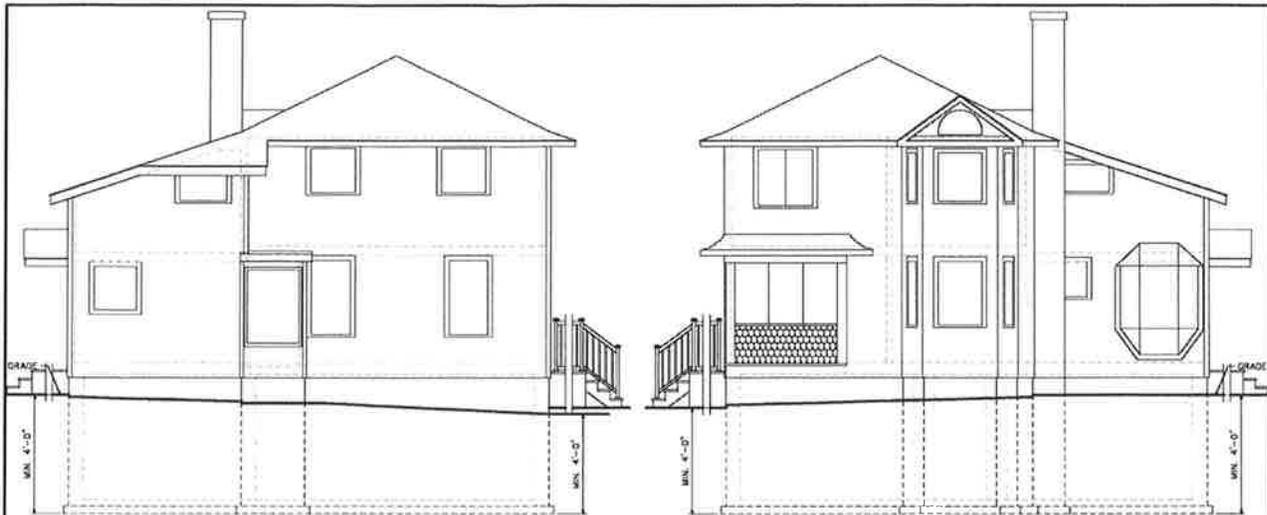
APPENDIX " D "

to

REPORT COA2021-065

FILE NO: D20-2021-056





PROP. WEST ELEVATION
SCALE: 1/4" = 1'-0"

PROP. EAST ELEVATION
SCALE: 1/4" = 1'-0"



PROP. SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



PROP. NORTH ELEVATION
SCALE: 1/4" = 1'-0"

 Southern Homes	Designed: D.J.S.	Drawing Title: ELEVATIONS	Date: JUNI, 2021
	Drawn: _____	Project No: 21-21	A2
Checked: BCN - 22216	PROPOSED RESIDENTIAL BUILDING	Drawing No: _____	
Scale: 1/4" = 1'-0"	40-ANNE & MARK RENFER 11 SECOND STREET FENELON FALLS Ont. L9S 7S1-8766		
Sturgeon Point Ontario Canada K0M-1N0 705-887-5800			

David Harding

From: Susanne Murchison
Sent: Tuesday, September 7, 2021 7:08 PM
To: Charlotte Crockford
Cc: David Harding; Kent Stainton
Subject: MV comments

APPENDIX " E "
to
REPORT COA2021-065
FILE NO. D20-2021-056

The following reflect the Building and Septic Division comments, save and except those relating to on-site sewage systems which will be provided under separate email by Part 8 Supervisor:

D20-2021-047: no concerns at this stage, further comments will be provided through the site plan approval process, building permit required for proposed hotel building, development is subject to development charges bylaw

D20-2021-050: no concerns, structure built without benefit of building permit but owner is working with staff to correct issues, building permit required for proposed dwelling, development charges apply to this development

D20-2021-051: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-052: no concerns, applications have already been filed for building permits relating to this replacement dwelling and detached garage

D20-2021-053: no concerns, applications have already been filed for building permits relating to this proposed detached garage, outstanding building permit relating to construction of a deck BPH2015-0576 requires final inspection

D20-2021-054: no concerns, building permit required for the proposed detached garage, outstanding building permit relating to construction of the single detached dwelling BPH2007-0325 requires final inspection

D20-2021-055: no concerns at this stage, further comments will be provided through the site plan approval process, building permits required for proposed self-storage buildings, development is subject to development charges bylaw, the following are some of the major building code items that may affect the placement and size of the proposed self-storage buildings: design of on-site supply of water for fire fighting, spatial separation and related construction materials, fire route design – these items will be reviewed at site plan approval stage

D20-2021-056: no concerns, application has already been filed for building permit relating to the construction of this proposed foundation

D20-2021-057: no concerns, building permit required for proposed dwelling, development charges apply to this development

Susanne Murchison, CBCO
Chief Building Official

David Harding

From: Kim Rhodes
Sent: Thursday, September 2, 2021 1:24 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms
Subject: 20210902 D20-2021-056 - Engineering review

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

Minor Variance – D20-2021-056
11 Second Street
Lot 57 and Part Lot 58, Plan 73, Part Lot 10, Concession 10, Parts 1 to 4, 57R-8221
Former Village of Sturgeon Point

It is the understanding by Engineering that the purpose and effect is to request relief from Section 5.2(c) to reduce the minimum front yard setback from 9 metres to 2.3 metres in order to permit an increase in height to the building to add a basement.

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.