

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Jennifer and Bryant Trowsse**  
Report Number COA2021-086

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**Public Meeting**

**Meeting Date:** November 25, 2021  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward: 8 – Geographic Township of Manvers**

**Subject:** The purpose and effect is to request relief from Section 5.1(c) to increase the maximum allowable height for accessory buildings or structures in a residential zone or to a residential use from 5 metres to 6.4 metres.

The variance is requested at 358 Drum Road, geographic Township of Manvers (File D20-2021-074).

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**Author: Kent Stainton, Planner II**

**Signature:** 

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**Recommendations:**

**Resolved That** Report COA2021-086 Trowsse, be received;

**That** minor variance application D20-2021-074 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 Appendix D submitted as part of Report COA2021-086, 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 COA2021-086. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Background:** The applicant initially approached the Planning Division in late September 2021 regarding the proposed detached garage. Suggestions were made based on a cursory review of the proposal. The applicant subsequently revised the proposal in mid-October 2021.

This application was deemed complete on October 15, 2021

**Proposal:** To construct a new 83.6 square metre (900 square feet) detached garage. A single detached dwelling is currently under construction. The garage is not proposed for human habitation.

**Owners:** Bryant and Jennifer Trowsse

**Applicant:** Tom DeBoer (TD Consulting Inc.)

**Legal Description:** 358 Drum Road, Part Lot 6, Concession 2, Part 1 of RP 9R2697, geographic Township of Manvers, City of Kawartha Lakes

**Official Plan:** Natural Linkage Area (Schedule 2) with Hydrologically Sensitive Area (Schedule 7) High Aquifer Vulnerability (Schedule 8) and Category 2 Landform Conservation Area (Schedule 9) within the City of Kawartha Lakes' Oak Ridges Moraine Policy Area

**Zone:** Oak Ridges Moraine Linkage Area (ORMLA) Zone with ANSI/Wetland (Schedule C), Area of High Aquifer Vulnerability (Schedule D) & Landform Conservation Area (Category 2) within the Oak Ridges Moraine Comprehensive Zoning By-law 2005 -133

**Site Size:** 3,060.88 square metres (0.75 acres)

**Site Servicing:** Private individual well and private septic system

**Existing Uses:** Rural Residential (currently under construction)

**Adjacent Uses:** North: Drum Road, Rural Residential, Agricultural  
East, West: Rural Residential, Agricultural  
South: Agricultural

**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 rural area west of Pontypool and west of Highway 35. The parcel is surrounded by agricultural land under production with infrequent rural residences along Drum Road. The property itself sits atop

rolling hills forming part of the Oak Ridges Moraine. The subject property was created through Consent in 1991 and contains a partially completed bungalow, which began construction in August 2021. The dwelling is approximately 159.2 square metres (1,714 square feet) in size.

The proposed location of the garage is set back within the lot further away from Drum Road in relation to the single detached dwelling in the southwest corner of the lot. An established hedgerow comprised of deciduous tree and shrub species runs east-west along the approximate limit of the front lot line and offers screening for the garage when viewed from Drum Road. A hedgerow also runs north-south along the eastern property providing privacy and concealing the location of the garage when traveling westbound on Drum Road.

The proposed location and height of the garage at 6.4 metres will not present any massing impacts on the adjacent agricultural properties. As a former employee of an automobile manufacturer, the applicant requires a hoist for storing and working on automobiles. There is no second storey or storage loft proposed within the garage. The garage will provide enclosed storage for the automobiles that would otherwise be stored outside and vulnerable to the elements.

The design elements of the garage include a stone skirt along the base of the garage. Security windows on the eastern and western elevations break up the face walls of the garage. The result is a building that appears more aesthetically-pleasing than a typical utilitarian accessory building.

Due to the above analysis, the variance is 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 Oak Ridges Moraine Linkage Area (ORMLA) Zone within the City of Kawartha Lakes Oak Ridges Moraine Zoning By-law 2005-133. Where a lot is created by consent, such lot shall only be used in accordance with the provisions of the Rural Residential Type One (RR1) Zone. Accessory uses are permitted.

One of the intentions of the General Provisions of the Zoning By-law is to restrict the height of accessory buildings to ensure the use is subordinate to a primary use. The requested 1.4 metre relief from the Zoning By-law would be negligible when viewing the building from Drum Road. Given the design treatments proposed for the garage and the surrounding vegetation, the garage will compliment rather than dominate the presence of the bungalow.

The property is of sufficient size to accommodate the detached garage within the space to the southwest of the dwelling and is not anticipated to adversely impact the use of the rear yard. As mentioned in Rationale 1 & 2, no massing and height incompatibilities with the primary residential use and surrounding properties are anticipated. The proposal also maintains the requisite 6 metre

setback from the interior side and rear lot lines for a building in excess of 4.3 metres.

Section 6.1 relates directly to the Area of High Aquifer Vulnerability and the types of substances stored in this area. These substances include Severely Toxic Contaminants and hazardous waste or liquid industrial wastes not stored or generated through uses permitted within a residential zone.

In accordance with Section 6.4 (Landform Conservation Area – Category 2), the net developable area of the site that is disturbed shall not exceed 50 percent of the total site area; and the net developable area of the site that has impervious surfaces shall not exceed 20 percent of the total site area. The lot coverage of the dwelling and garage combined is approximately 10 percent and the driveway is comprised of gravel; thus, being in conformity with the provision.

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**

The property is designated Natural Linkage Area within the Oak Ridges Moraine Policy Area of the City of Kawartha Lakes Official Plan. In accordance with Section 3.3, a single detached dwelling and accessory uses were permitted by the Township of Manvers Zoning By-law 87-06 on November 15, 2001.

Conformity with the High Aquifer Vulnerability (Schedule 8) and Category 2 Landform Conservation Area (Schedule 9) policies of the Oak Ridges Moraine Policy Area is addressed in Rationale 3 above.

Therefore, the variance maintains the general intent and purpose of the Official Plan.

**Other Alternatives Considered:** An initial version of the submission showed the location of the detached garage approximately 6 metres closer to the dwelling. Stone skirting was added to the base of the garage as well as additional security windows to the eastern and western face walls of the building.

**Servicing Comments:** The property is proposed to be serviced by a private septic system and a private well.

**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 (12<sup>th</sup>, 2021): No objection.

Building and Septic Division – Supervisor, Part 8 Sewage Systems (November 12, 2021): A sewage system installation report has been completed under file SS2021-0158 for this property. The installation report is consistent with site plan provided for the minor variance proposal which indicates a 43.5 metre clearance

distance between the garage and the leaching bed. The proposal for the accessory structure will not incorporate habitable space or plumbing fixtures and as such will not effect the capacity of the sewage system components.

As such, the Building and Septic Division has no concerns with the minor variance proposal as it relates to private on-site sewage disposal

**Public Comments:**

No comments as of November 17, 2021.



Appendices A-E for  
COA2021-086.pdf

- Appendix A – Location Map
- Appendix B – Aerial Photo
- Appendix C – Applicant's Sketch (Site Plan)
- Appendix D – Elevation Drawings
- 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:** D20-2021-074

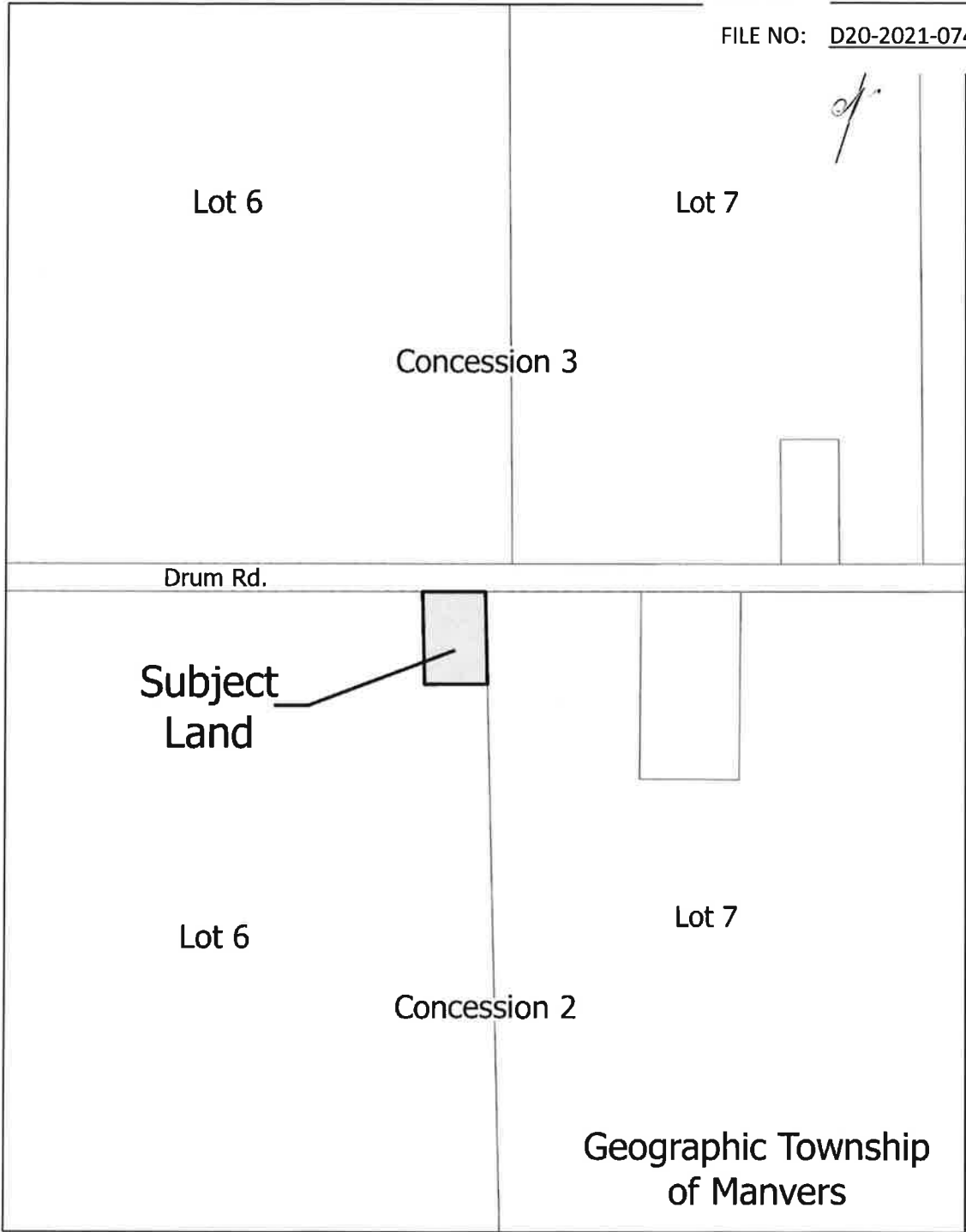
# D20-2021-074

APPENDIX " A "

to

REPORT COA2021-086

FILE NO: D20-2021-074





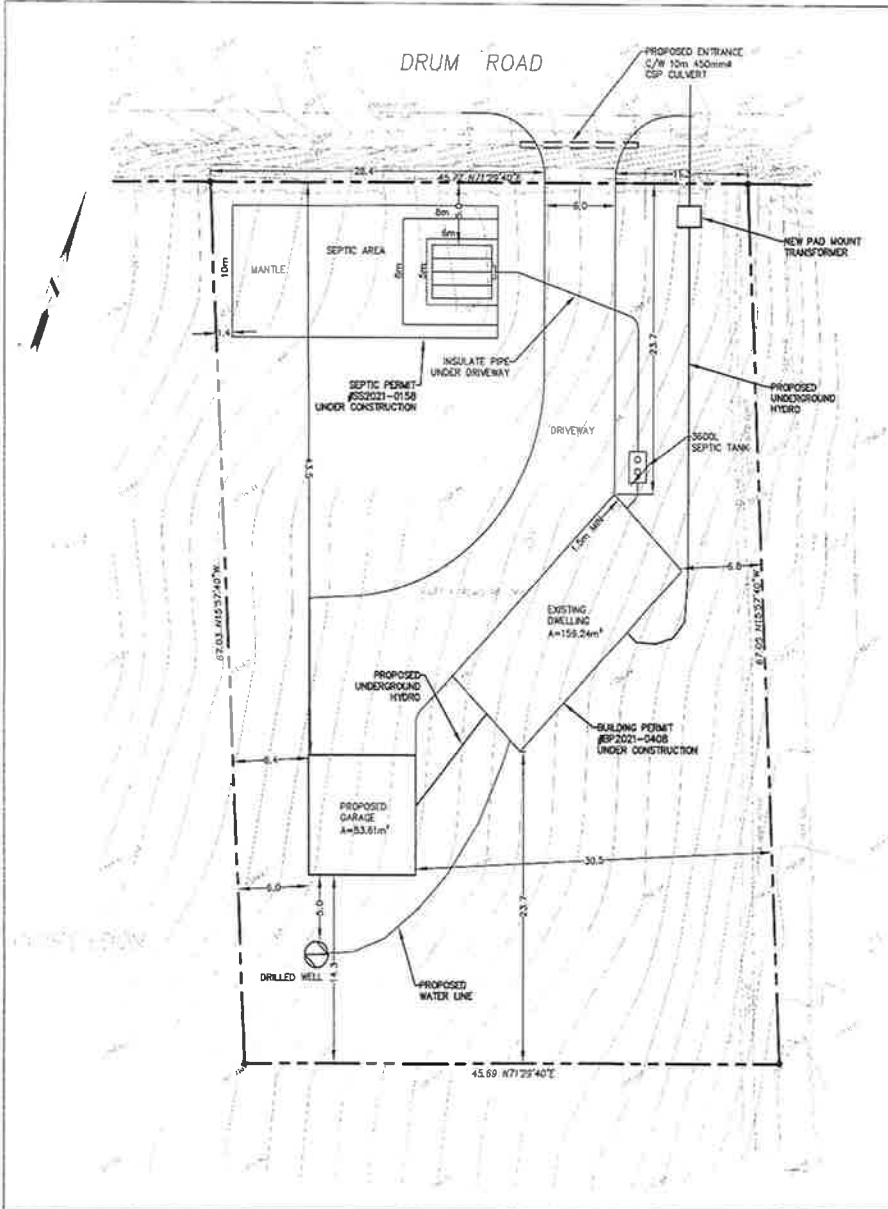
Legend

Notes

Notes

APPENDIX " B "  
to  
REPORT COA2021-086  
FILE NO: D20-2021-074





**SITE STATISTICS**  
 CURRENT ZONING ORMLA - RURAL RESIDENTIAL TYPE ONE (RR1)

ACCESSORY STRUCTURE	PERMITTED	PROPOSED
MIN. FRONT YARD	15.0m	37.5m
MIN. SIDE YARD	6.0m	6.0m / 30.1m
MIN. REAR YARD	6.0m	20.3m
MAX. LOT COVERAGE	8%	2.7%
MAX. BUILDING HEIGHT	5.9m	8.4m*
MIN. SEPARATION TO BLDG	1.3m	3.4m

\* MINOR VARIANCE REQUESTED

SEPTIC PERMIT # SS2021-0158 - CONSTRUCTED  
 BUILDING PERMIT # SP2021-0408 - UNDER CONSTRUCTION

RECEIVED  
 OCT 1 2021

DATE	
APPROVAL	
PROJECT FILE	
FORMING FILE	F
DESIGNED BY	VA
DATE	OCT 2021

APPENDIX " C "

to

REPORT COA2021-086

FILE NO: D20-2021-074



APPENDIX " D "

to  
 REPORT COA2021-086  
 FILE NO: D20-2021-074

<p><b>SOUTH ELEVATION</b> SCALE 3/8"=1'-0"</p>	<p><b>GARAGE LAYOUT</b> SCALE 3/8"=1'-0"</p>	<p><b>GARAGE FOUNDATION LAYOUT</b> SCALE 3/8"=1'-0"</p>
<p><b>WEST ELEVATION</b> SCALE 3/8"=1'-0"</p>	<p><b>EAST ELEVATION</b> SCALE 3/8"=1'-0"</p>	<p><b>NORTH ELEVATION</b> SCALE 3/8"=1'-0"</p>

**PROJECT**

OWNER: \_\_\_\_\_  
 DRAWN BY: \_\_\_\_\_  
 PROJECT NO: \_\_\_\_\_  
 SCALE: AS SHOWN  
 SHEET NO: \_\_\_\_\_

**QUALIFICATION INFORMATION**

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THE ACCURACY OF THE QUALIFICATIONS AND REQUIREMENTS LISTED BY THE CITY AND BUILDING CODE TO BE A DESIGNER.

DESIGNER'S SIGNATURE: \_\_\_\_\_  
 NAME: \_\_\_\_\_  
 LICENSE NO.: \_\_\_\_\_  
 DESIGN FIRM: \_\_\_\_\_

**GENERAL NOTES:**

DRAWINGS ARE TO BE READ, NOT SCALED. DO NOT BEGIN CONSTRUCTION UNTIL ALL PERMITS ARE OBTAINED AND MATERIALS UPON COMPLETION OF ANY STAGE OF CONSTRUCTION. THE PROJECT OR PROJECT MANAGER SHALL BE NOTIFIED TO THE PROJECT MANAGER OF ANY CHANGES TO THE DOCUMENTATION ARE FINAL UNLESS REVIEWED BY DESIGNER. IF ANY CHANGES ARE MADE TO THE DRAWINGS, THE DESIGNER SHALL BE ADVISED IN WRITING. THE DESIGNER SHALL BE RESPONSIBLE FOR THE EXCLUSIVE PROPERTY OF THE CITY OF BOWMANVILLE AND FOR THE PRODUCTION OF THE DOCUMENTS PROVIDED IS REQUIRED BY THE CITY OF BOWMANVILLE.

**HOM AND DESIGN**

**DRAFTING**

14 ASHDALE CRES  
 BOWMANVILLE, ON  
 289-355-4402  
 DRAFTING@HOMONON.COM

REGISTERED PROFESSIONAL ENGINEER  
 CIVIL ENGINEER

**Kent Stainton**

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**From:** Kim Rhodes  
**Sent:** Friday, November 12, 2021 10:05 AM  
**To:** Mark LaHay  
**Cc:** Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead  
**Subject:** 20211112 D20-2021-074 - Engineering review

**Importance:** High

APPENDIX " E "  
to

REPORT COA2021-086

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

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FILE NO. D20-2021-074

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

Minor Variance – D20-2021-074  
358 Drum Road  
Part Lot 6, Concession 2, Part 1, RP 9R2687  
Geographic Township of Manvers

It is the understanding by Engineering that the purpose and effect is to request relief from Section 5.1(c) to increase the maximum allowable height for accessory buildings (detached garage) or structures in a residential zone or to a residential use from 5 metres to 6.4 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.**  
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](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:** Anne Elmhirst  
**Sent:** Friday, November 12, 2021 11:43 AM  
**To:** Charlotte Crockford  
**Subject:** D20-2021-074 - 358 Drum Road

Hello Charlotte,

**RE:** D20-2021-074 – Minor Variance Application  
358 Drum Rd., Former Manvers Twp  
Roll No. 16510080109210

I have received and reviewed the minor variance application to request relief for the height of a constructed accessory structure (detached garage) at 358 Drum Road.

A sewage system installation report has been completed under file SS2021-0158 for this property. The installation report is consistent with site plan provided for the minor variance proposal which indicates a 43.5 metre clearance distance between the garage and the leaching bed. The proposal for the accessory structure will not incorporate habitable space or plumbing fixtures and as such will not effect the capacity of the sewage system components.

As such, the Building and Septic Division has no concerns with the minor variance proposal 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](http://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.