

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Russell**  
Report Number COA2022-007

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**Public Meeting**

**Meeting Date:** January 20, 2022  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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

**Subject:** The purpose and effect is to request relief from Section 12.2.1.3(e) to reduce the water setback from 30 metres to 24 metres in order to permit the construction of a second level to the dwelling along with a second level to the covered deck.

The variance is requested at 4 Cadillac Boulevard, geographic Township of Emily (File D20-2021-080).

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**Author:** David Harding, Planner II, RPP, MCIP

**Signature:**



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**Recommendation:**

**Resolved That** Report COA2022-007 Russell, be received;

**That** minor variance application D20-2021-080 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 COA2022-007, 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 COA2022-007. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.**

**Background:** This application was last amended November 25, 2021.

**Proposal:** To construct a second level to the existing dwelling and second level to the covered deck.

**Owner:** Ronald Russell

**Legal Description:** Block A, Plan 450 less Part 1, 57R-893, Part Lot 22, Concession 5, geographic Township of Emily

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

**Zone:** "Rural Residential Type Three (RR3) Zone" within the Township of Emily Zoning By-law 1996-30

**Site Size:** 1,941.7 square metres (20,900.2 square feet)

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

**Existing Uses:** Residential

**Adjacent Uses:**

North:	Wetland, Agricultural
West:	Lancaster Bay
South:	Boat Launch, Shoreline Residential
East:	Backlot Residential

**Rationale:**

**1) Is the variance minor in nature? Yes**

The subject property is situated at the northeastern edge of a shoreline residential neighbourhood, at the northwestern corner of the intersection of Valley Road and Cadillac Boulevard. The application proposes to add a second storey to the one storey dwelling. There is currently a covered deck to the west. The application proposes to add a second level to the covered deck so that the second level may also have sheltered outdoor amenity space facing the water.

The property is relatively flat, with a slight slope from the road down to the water. While the area and mass of the building is increasing, the development is proposed upon the existing footprint, which is located well back from all lot lines. As a result, no further encroachment upon the shoreline is proposed. As an addition to a single detached dwelling is proposed, the use of the site is not anticipated to change.

The variance is considered minor in nature.

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

The additional storey will double the living space of the dwelling, increasing its area from 108 square metres to 216 square metres. The additional space will increase its functionality. The second storey deck, which is not proposed to

have rear yard access, will provide sheltered outdoor amenity space for the rooms on the second floor.

Due to the above analysis, the variance is 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 property is zoned "Rural Residential Type Three (RR3) Zone" within the Township of Emily Zoning By-law 1996-30.

Some of the functions of the water setback are to ensure adequate spatial separation between the shoreline and built form for the establishment of vegetation and for the attenuation of stormwater runoff. The addition does not increase the proximity of the built form to the water nor does it result in an increase to lot coverage.

The zone permits single detached dwelling use and an addition to a single detached dwelling is proposed.

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 are anticipated within this designation, and an addition to a single detached dwelling is proposed.

The intent of the Official Plan, particularly policy 3.11, is that development should be located 30 metres from the shoreline where possible. When it is not possible, development shall be located no less than 15 metres from the shoreline to provide a sufficient buffer of landscaped open space between the water and built form to improve water quality and habitat.

The addition does not increase the proximity of the built form to the water nor does it result in an increase to lot coverage. As such, the landscaped open space between the existing built form and shoreline is not anticipated to be adversely impacted should the proposed development occur.

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 (January 7, 2022): No concerns.

Building and Septic Division – Part 8 Sewage System Supervisor (January 10, 2022): The existing sewage system will accommodate the proposal.

Otonabee Region Conservation Authority (January 10, 2022): No concerns. A permit from their office for the proposal was issued.

Building and Septic Division – Chief Building Official (January 10, 2022): No concerns. Completion of the pending building permit for the deck and addition is required. There is an outstanding building permit, file BP2012-1137, for the installation of solar panels on the dwelling and garage. A final inspection is required to close the file.

**Public Comments:**

No comments received as of January 11, 2022.

**Attachments:**

Appendices A-E  
COA2022-007.pdf

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

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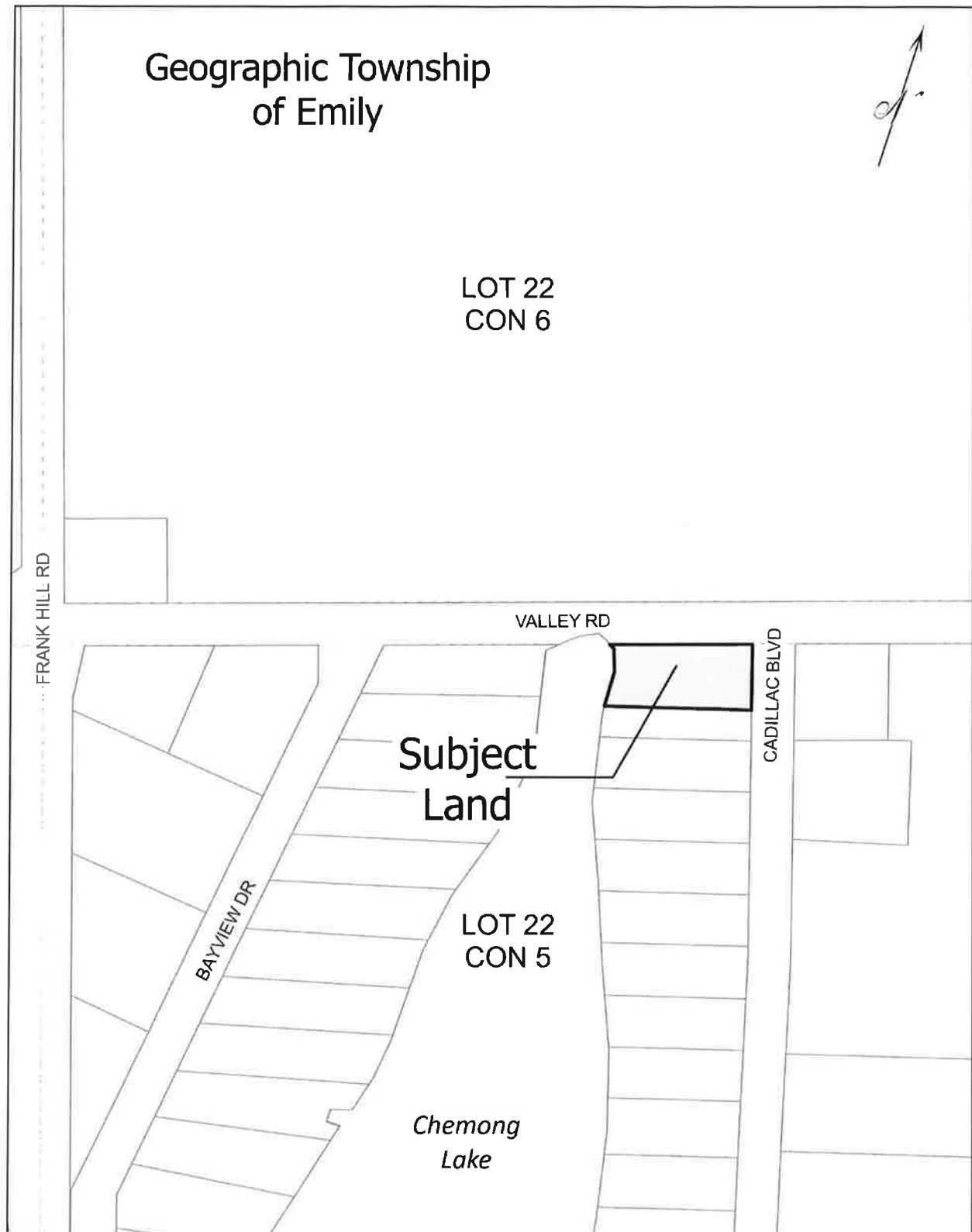
<b>Phone:</b>	705-324-9411 extension 1206
<b>E-Mail:</b>	dharding@kawarthalakes.ca
<b>Department Head:</b>	Richard Holy, Acting Director of Development Services
<b>Department File:</b>	D20-2021-080

to

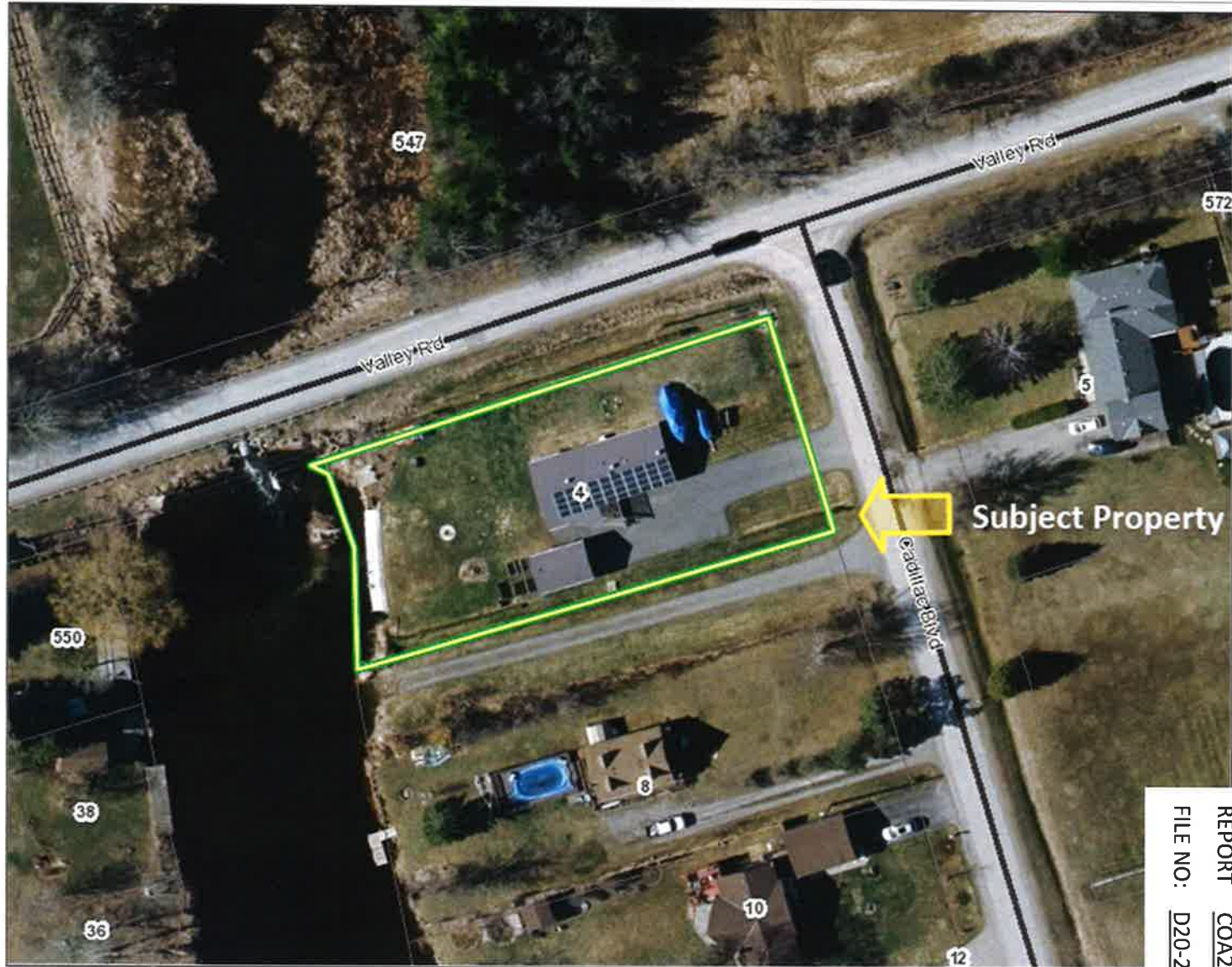
REPORT COA2022-007

FILE NO: D20-2021-080

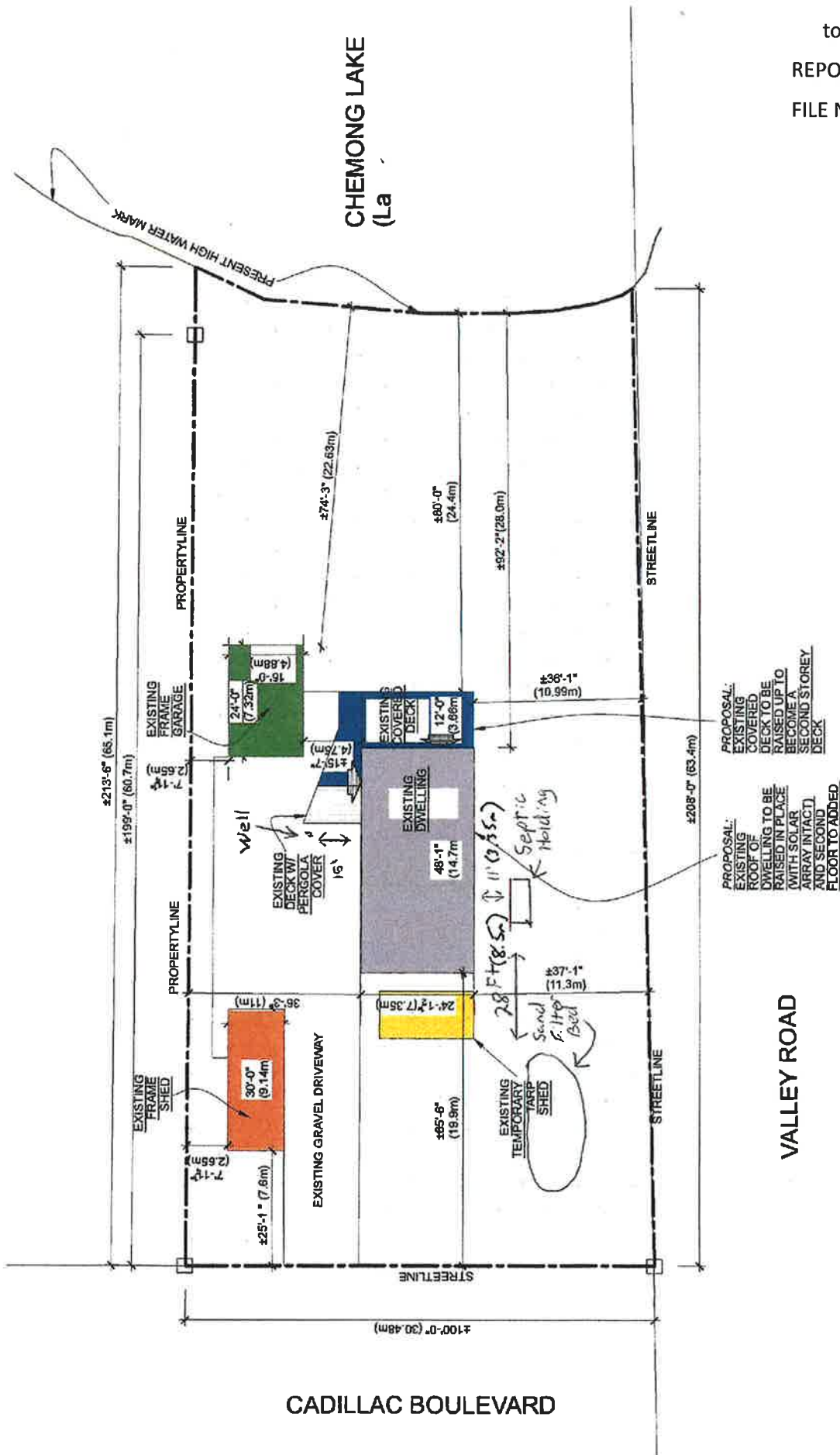
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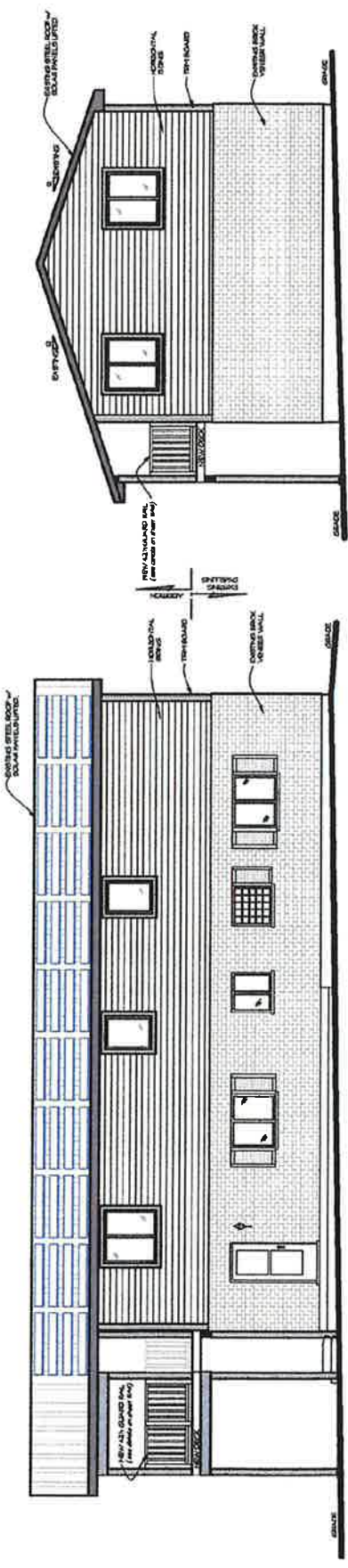


# 4 Cadillac Boulevard, geographic Twp. of Emily



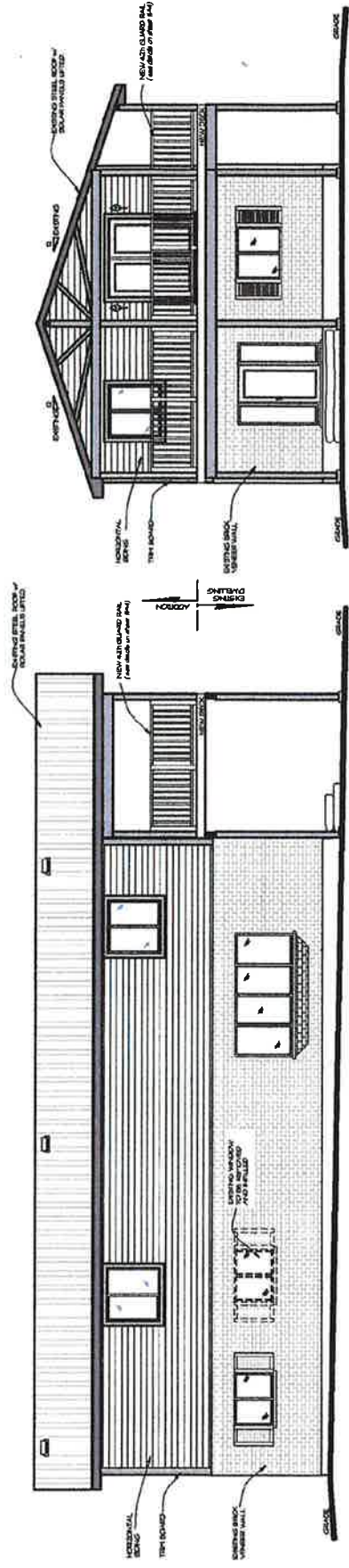






FRONT ELEVATION

RIGHT ELEVATION



REAR ELEVATION

LEFT ELEVATION

APPENDIX " D "

to

REPORT COA2022-007

FILE NO: D20-2021-080



## David Harding

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**From:** Charlotte Crockford  
**Sent:** Monday, January 10, 2022 4:28 PM  
**To:** David Harding; Kent Stainton  
**Subject:** FW: MV comments

APPENDIX " E  
to

REPORT COA2022-007

FILE NO. D20-2021-080

fyi

**Charlotte K. 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.

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](http://www.kawarthalakes.ca/covid19)

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**From:** Susanne Murchison <[smurchison@kawarthalakes.ca](mailto:smurchison@kawarthalakes.ca)>  
**Sent:** Monday, January 10, 2022 4:16 PM  
**To:** Charlotte Crockford <[ccrockford@kawarthalakes.ca](mailto:ccrockford@kawarthalakes.ca)>  
**Subject:** MV comments

The Building and Septic Division comments, save and except comments being provided by the Supervisor of Part 8 Sewage Systems, are as follows:

- |                                |   |
|--------------------------------|---|
| D20-2021-071<br>other concerns | a building permit will be required for the proposed replacement dwelling, no other concerns     |
| D20-2021-075<br>concerns       | a building permit will be required for the proposed industrial building, no other concerns      |
| D20-2021-076<br>concerns       | a building permit will be required for the proposed detached garage, no other concerns          |
| D20-2021-078<br>other concerns | a building permit will be required for the proposed addition to the dwelling, no other concerns |
| D20-2021-079<br>concerns       | a building permit will be required for the proposed detached garage, no other concerns          |

D20-2021-080 completion of the pending building permit application will be required for the proposed second storey dwelling addition and deck addition, an outstanding building permit BP2012-1137 for the installation of solar panels on the dwelling and garage requires a final inspection to close the file

D20-2021-081 a pool permit will be required for the proposed pool, no other concerns

**Susanne Murchison, CBCO**

Chief Building Official

Building & Septic Division, Development Services, City of Kawartha Lakes

705-324-9411 ext. 1200 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



## David Harding

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**From:** Kim Rhodes  
**Sent:** Friday, January 7, 2022 8:43 AM  
**To:** Mark LaHay  
**Cc:** Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead  
**Subject:** 20220107 D20-2021-080 - Engineering review

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

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

Minor Variance – D20-2021-080  
4 Cadillac Boulevard  
Block A less 57R-893, Plan 450  
Geographic Township of Emily

It is the understanding by Engineering that the purpose and effect is to request relief from Section 12.2.1.3(e) to reduce the water setback from 30 metres to 27 metres in order to permit the construction of a second level to the dwelling along with a second level to the covered deck.

*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.**



January 7, 2022

Cathie Ritchie  
City Clerk  
Committee of Adjustment  
Development Services - Planning Division  
180 Kent Street West  
Lindsay, ON  
KGV 2Y0

Dear Cathie Ritchie,

**Re: File: D20-2021-080, 4 Cadillac Blvd., Emily - Ronald Russell, Township of Emily, City of Kawartha Lakes; Roll#1651.001.007.22610; ORCA File: PPLK-300**

The Otonabee Region Conservation Authority (Otonabee Conservation/the Authority) has received the circulated Planning Act Application for the above noted property. Otonabee Conservation staff have reviewed the information in accordance with our mandate and policies and offer the following comments.

The purpose of the application is to reduce the water yard setback from 30 metres to 27.31 metres to permit the construction of a second storey on an existing dwelling.

\*

Otonabee Conservation's Interest in this application is four-fold:

- 1. Otonabee Conservation has reviewed this application through our delegated authority from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS).*

A review of the Otonabee Conservation floodplain mapping indicates the flooding hazard is present within a small portion of the property near the shoreline. **As such, it is the**

**opinion of Otonabee Conservation that the application is consistent with PPS section 3.1 (related to natural hazards).**

2. *The Authority has reviewed the application as a service provider to the City of Kawartha Lakes, in that we provide technical advice on natural heritage matters through a Memorandum of Understanding.*

A review of available mapping indicates the proposed development is within 120 metres from a key hydrological feature. As the application is for a vertical expansion of the existing house and will not increase the amount of impervious area on the property, **it is the opinion of Otonabee Conservation that the application is consistent with PPS sections 2.1 (related to natural heritage) and 2.2 (related to water) and GPPGH 4.2.4.3 and 4.2.3.1e)**

3. *Otonabee Conservation has reviewed the application through a regulatory lens. Under Ontario Regulation 167/06, this Authority's 'Development, Interference with Wetlands and Alterations to Shorelines and Watercourses' regulation under Section 28 of the Conservation Authorities Act, any development, interference with or alteration within a flooding hazard, erosion hazard, watercourse, wetland and their adjacent lands/areas of interference requires a permit from the Authority. When an application is circulated under the Planning Act will also require an Otonabee Conservation permit, it is the practice of the Authority to establish the policy requirements of both processes during the planning stage.*

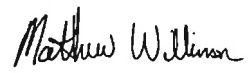
The proposed development is subject to Ontario Regulation 167/06, Otonabee Conservation's "development, interference with wetlands and alterations to shorelines and watercourses" regulation. **Permits from is agency were granted May 25<sup>th</sup> 2021 in support of this application.**

4. *Otonabee Conservation has reviewed the application in terms of the Revised Trent Source Water Protection Plan (SPP), prepared under the Clean Water Act. The SPP, intended to protect Ontario's drinking water at its source, came into effect on January 1, 2015 and contains policies to protect sources of municipal drinking water supplies from existing and future land use activities.*

The application was also reviewed in consideration of the SPP. It was determined that the subject property is not located within an area that is subject to the policies contained in the SPP.

If you have any questions, please do not hesitate to call.

Yours truly,

A handwritten signature in black ink that reads "Matthew Wilkinson". The signature is written in a cursive style with a large, stylized 'M' and 'W'.

Matthew Wilkinson  
Planner



## David Harding

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**From:** Anne Elmhirst  
**Sent:** Monday, January 10, 2022 1:12 PM  
**To:** Charlotte Crockford  
**Subject:** RE: Notice of Public Hearing for Minor Variance D20-2021-080, 4 Cadillac Blvd

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Charlotte,

I have received and reviewed the Minor Variance request D20-2021-080 for 4 Cadillac Blvd to facilitate the construction of a 2<sup>nd</sup> storey on the existing single detached dwelling.

A sewage system review was conducted for the proposal of the 2<sup>nd</sup> storey addition. The existing sewage system, serving the property, will accommodate the proposal.

As such, the Building and Septic Division has no concerns with the 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](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.

**From:** Charlotte Crockford <[ccrockford@kawarthalakes.ca](mailto:ccrockford@kawarthalakes.ca)>  
**Sent:** Thursday, January 6, 2022 3:41 PM  
**To:** Christina Sisson <[csisson@kawarthalakes.ca](mailto:csisson@kawarthalakes.ca)>; 'alanna.boulton@canada.ca' <[alanna.boulton@canada.ca](mailto:alanna.boulton@canada.ca)>; Tracy Richardson <[trichardson@kawarthalakes.ca](mailto:trichardson@kawarthalakes.ca)>; Susanne Murchison <[smurchison@kawarthalakes.ca](mailto:smurchison@kawarthalakes.ca)>; Anne Elmhirst <[aelmhirst@kawarthalakes.ca](mailto:aelmhirst@kawarthalakes.ca)>  
**Cc:** Kim Rhodes <[krhodes@kawarthalakes.ca](mailto:krhodes@kawarthalakes.ca)>  
**Subject:** Notice of Public Hearing for Minor Variance D20-2021-080, 4 Cadillac Blvd

Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-080 to be heard at the January 20, 2022 C of A meeting.