

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Schaafsma
Report Number COA2022-006

Public Meeting

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

Ward: 8 – Geographic Township of Manvers

Subject: The purpose and effect is to request relief from the following provisions in order to construct a detached garage:

1. Section 5.1(b)(i) to permit an accessory building (garage) setback of 1.2 metres to a dwelling whereas 1.3 metres is required,
2. Section 5.1(b)(iii) to reduce the rear lot line setback from 6 metres to 1.5 metres to permit a garage with a footprint greater than 60 square metres.
3. Section 5.1(b)(iii) to reduce flankage lot line setback from 15 metres to 8.1 metres to permit a garage with a footprint greater than 60 square metres.
4. 5.1(b)(vi) to reduce the rear lot line setback from 6 metres to 1.5 metres to permit a garage with a height greater than 4.3 metres.
5. Section 13.2(c) to reduce the front yard setback from 15 metres to 8.1 metres in order to reduce the distance the garage must be from Corbett Drive

The variances are requested at 69 Pinewood Crescent, geographic Township of Manvers (File D20-2021-079).

Author: David Harding, Planner II, RPP, MCIP

Signature: 

Recommendation:

Resolved That Report COA2022-006 Schaafsma, be received;

That minor variance application D20-2021-079 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 COA2022-006, 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 COA2022-006. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background:	This application was last amended December 14, 2021.
Proposal:	To permit the construction of a detached garage. The garage will be approximately 89 square metres.
Owners:	Jeffrey and Christine Schaafsma
Legal Description:	69 Pinewood Crescent, Lot 37, Plan M-715, geographic Township of Manvers
Official Plan:	"Rural Settlement" within the Oak Ridges Moraine Policy Area
Zone:	"Rural Residential Type One (RR1) Zone" within the Oak Ridges Moraine Zoning By-law 2005-133
Site Size:	1,582 square metres (0.39 acre)
Site Servicing:	Municipal water and private individual septic system
Existing Uses:	Residential
Adjacent Uses:	Residential

Rationale: The property is located at the northeast corner of the intersection of Corbett Drive and Pinewood Crescent. By definition, the front lot line of a corner lot is the shorter of the two intersecting lot lines abutting the street. In this case, the south lot line is defined as the front lot line, the west lot line is the flankage lot line, the north lot line is the rear lot line and the east lot line is the side lot line. However, as is discussed below the yards function differently from the definitions.

1) Are the variances minor in nature? Yes

The subject property is located within a residential subdivision in the northern portion of the community of Pontypool. The lot is a corner lot, as it abuts Pinewood Crescent to the south and Corbett Drove to the west. Corbett Drive runs at an angle, causing the lot to be pie-shaped with a narrow south lot line

and long north lot line. The dwelling, set back from Pinewood Crescent, faces and is parallel to Corbett Drive. Driveway access is also obtained off of Corbett Drive.

As the dwelling faces onto and property access is obtained from Corbett Drive, the west yard functions as the front yard rather than the south yard. The north yard functions as a side yard with high visibility from Corbett Drive. The east yard functions as the rear yard: the dwelling's secondary yard access is in the east wall and the outdoor amenity space is contained there.

As can be seen in Appendix D, a garage door and pedestrian door are proposed on the west wall facing Corbett Drive. Two different wall heights and therefore roof levels are also proposed for the west wall. This variation in height and door size assists in adding a more residential rather than utilitarian feel to the west garage wall and adds visual interest. The stepped design of the garage causes it to be deeper than it is wide, minimizing the length of built form presented to Corbett Drive. The building is not anticipated to be visible from Pinewood Crescent as there are wood privacy screens and a screened porch within the east yard.

The dwelling's two door attached garage is located on the north side and faces Corbett Drive. The detached garage is proposed to the immediate north of and in-line with the existing dwelling and attached garage. The proposed location groups the storage activities together, allows for the utilization of the existing driveway, and also respects the proximity of existing built form to Corbett Drive.

The variances are minor in nature.

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

The north yard functions as a wide, pie-shaped, side yard. It is currently a gravelled area containing vehicles, trailers, and a shed. The garage proposes a stepped design to maximize the use of the pie-shaped yard space.

The detached garage will provide enclosed storage for the various items currently kept outside. The central and tallest space is proposed to contain the vehicles and trailers. The shed is proposed to be removed. Secondly, its built form will provide screening and thus additional privacy for yard amenity space to the east of the dwelling. Third, the detached garage is anticipated to reduce any adverse impacts the existing outdoor storage use may have on the abutting property to the north, 7 Hooper Drive, and the properties on Corbett Drive directly across from the subject property (179, 183, and 187) by placing the storage within a building.

Placement of the garage within the north yard also preserves the east yard for recreational and amenity purposes.

Due to the above analysis, the variances are 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 property is zoned “Rural Residential Type One (RR1) Zone” within the Oak Ridges Moraine Zoning By-law 2005-133.

One of the functions of an accessory building setback is to ensure adequate separation between larger accessory buildings and lot lines to maintain the building’s ancillary relationship to the primary use (residence) on the property. The proposed garage location, being in-line with the existing dwelling, ensures that the garage remains visually secondary to the residential use. Additionally, the garage proposes a height of approximately 4.3 metres. The height is within the 5 metre maximum permitted for accessory buildings, and matches the height of the dwelling for symmetry. At 8.1 metres, sufficient space remains between the garage and west lot line to fully contain a vehicle parked perpendicular to Corbett Drive on private property.

Another function is to ensure adequate space around the building in order to carry out maintenance. Sufficient space remains around the garage to carry out maintenance upon it, carry out maintenance on the nearby attached garage, and to facilitate access between the west and east yards.

An additional function of the yard setback of larger accessory buildings is to ensure no adverse massing or use impacts occur to abutting property. The rear yard of 7 Hooper Drive faces what functions as a side wall of the dwelling on the subject property. The garage proposes a stepped, hip roof design along with a slight gable on the west side. The west side is where the garage door will face and no openings are proposed on the north side. The absence of openings along the north wall and the stepped roof design are not anticipated to generate any adverse massing or use impacts. The garage is anticipated to provide additional privacy to the rear yard of 7 Hooper Drive by acting as a partial screen between that rear yard and Corbett Drive.

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 “Rural Settlement” within the City of Kawartha Lakes Oak Ridges Moraine Policy Area of the City of Kawartha Lakes Official Plan. This designation permits residential uses and associated accessory structures. The proposed addition enhances the residential function of the property.

In consideration of the above, the variance maintains the general intent and purpose of the Official Plan.

Other Alternatives Considered:

The east yard was eliminated as a potential site as that is where the rear yard amenity space is located, and the south yard was similarly eliminated as the sewage system is located there.

Servicing Comments:

The property is serviced by municipal water and a private individual 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 – Chief Building Official (January 10, 2022): No concerns. A building permit is required for the proposed addition.

Ministry of Transportation (January 10, 2022): The property is outside of its permit control area.

Building and Septic Division – Supervisor of Part 8 Sewage Systems (January 10, 2022): No concerns. The garage location does not encroach on the sewage system nor does the garage include any habitable space as part of the proposal.

Public Comments:

No comments received as of January 11, 2022.

Attachments:

Appendices A-E
COA2022-006.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

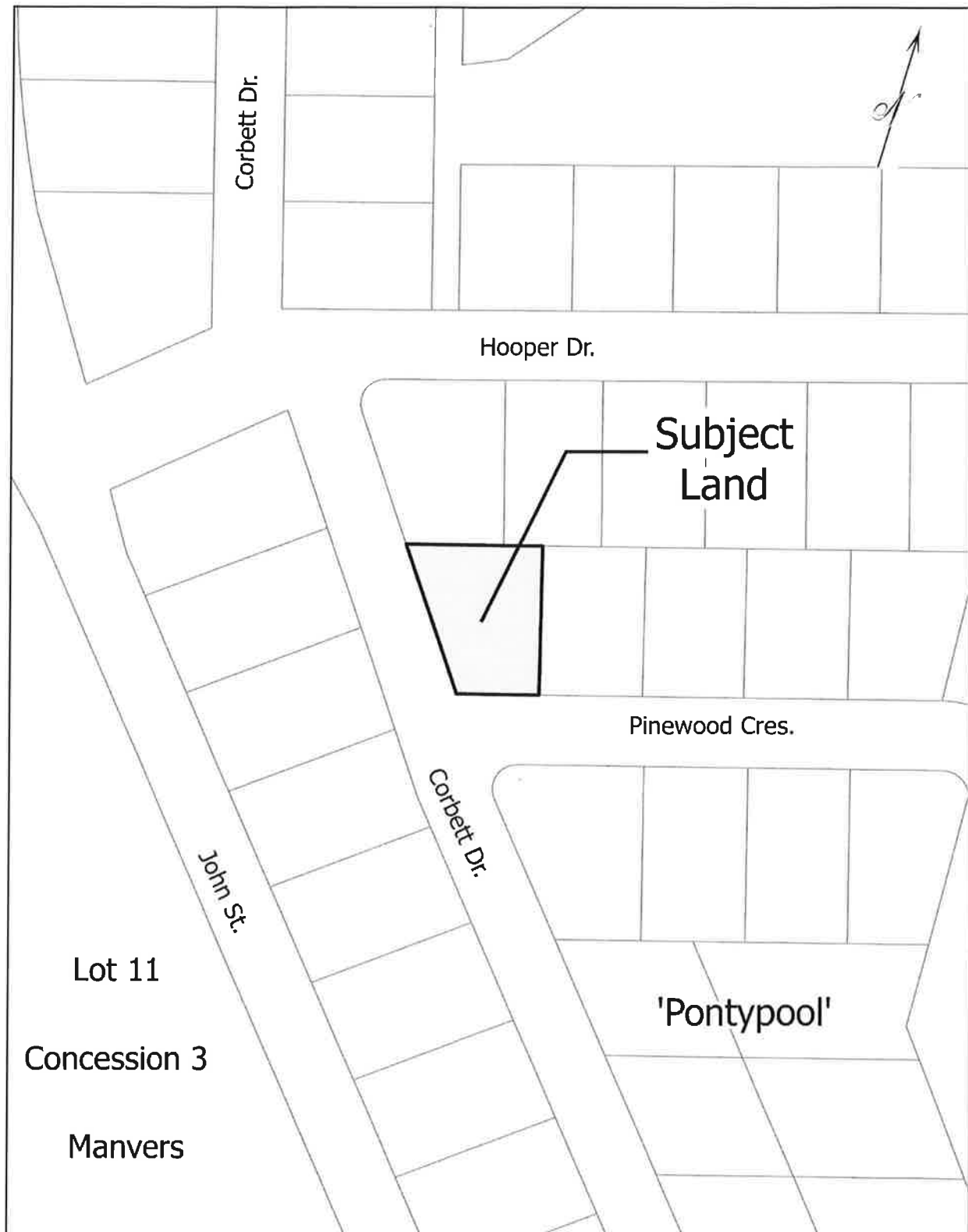
Department File: D20-2021-079

to

REPORT COA2022-006

FILE NO: D20-2021-079

D20-2021-079



69 Pinewood Crescent, Geographic Twp. of Manvers



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. It may not reflect current data, layers and text that appear on this map may or may not be current, or otherwise.

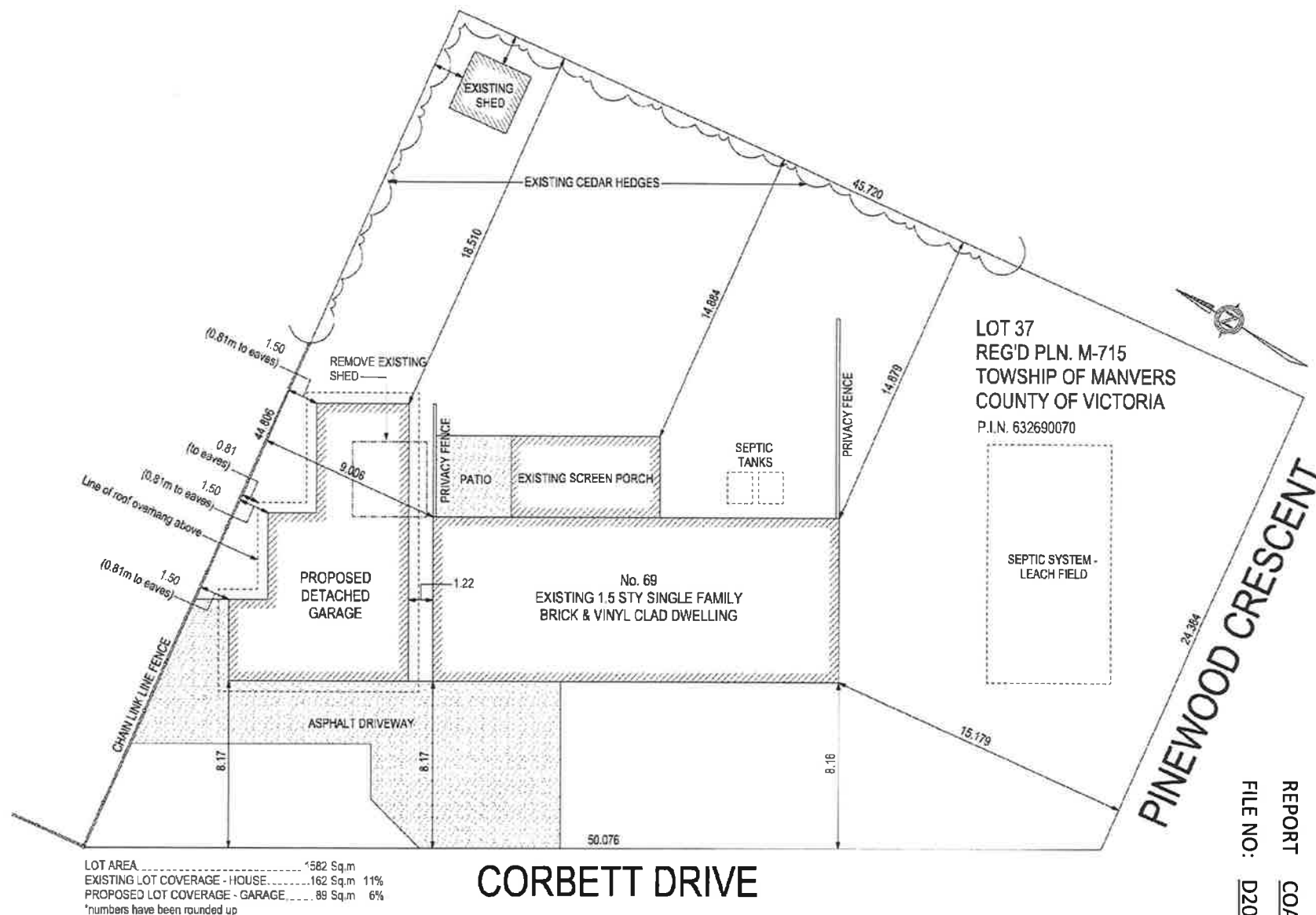
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REPORT COA2022-006
FILE NO: D20-2021-079

APPENDIX " B " to

to

REPORT COA2022-006
 FILE NO: D20-2021-079

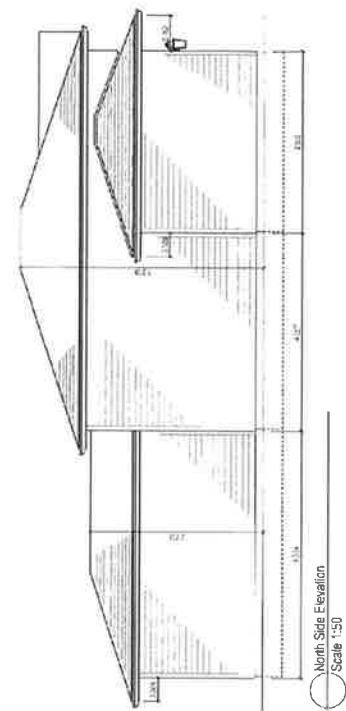
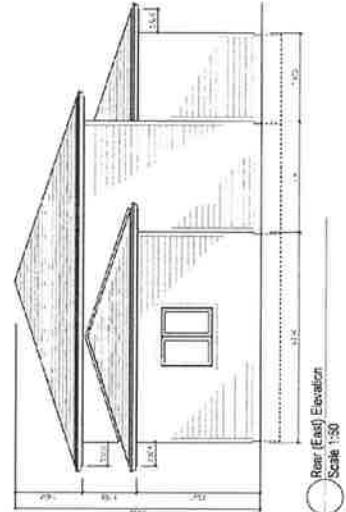
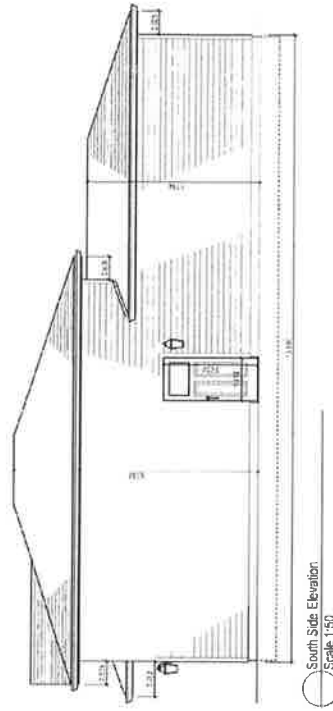
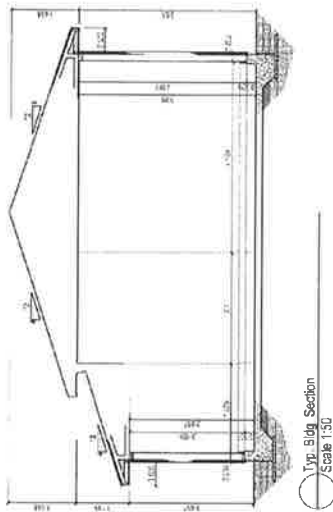
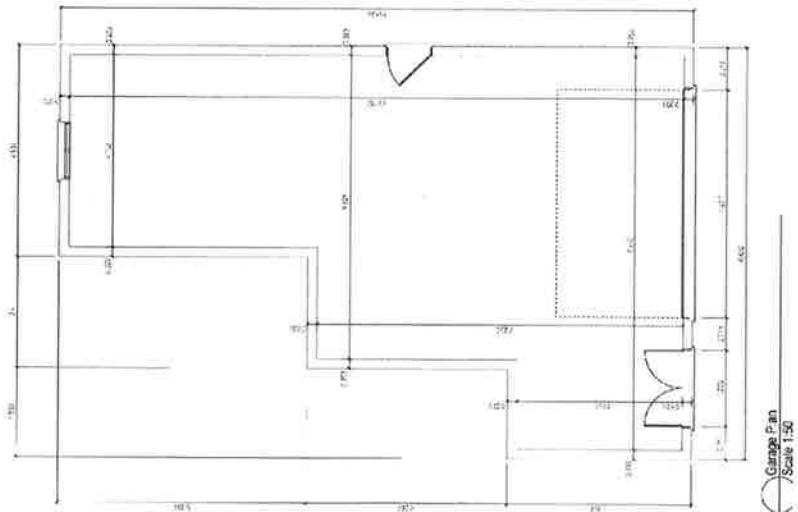
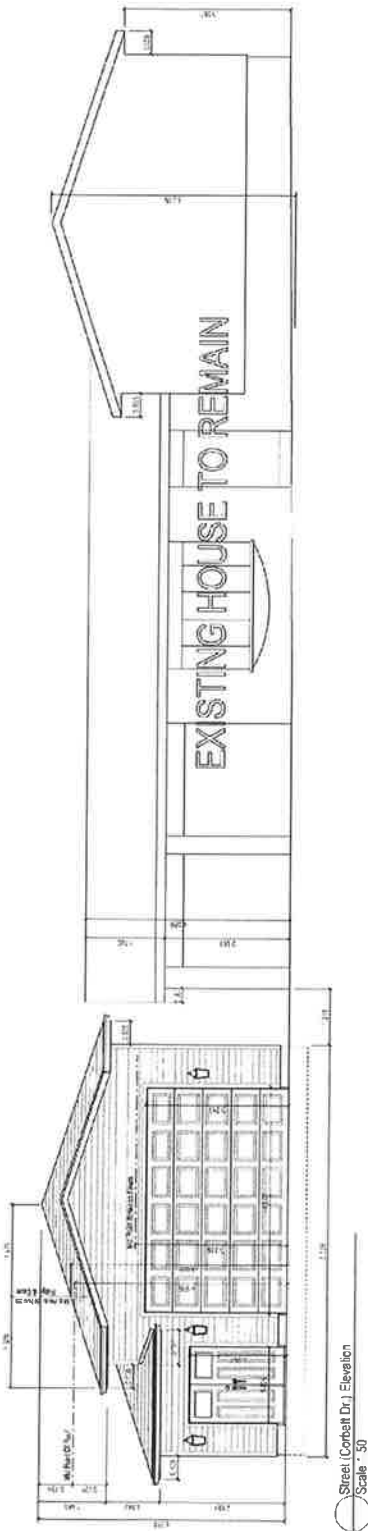


APPENDIX " D "

to

REPORT COA2022-006

FILE NO: D20-2021-079



David Harding

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

APPENDIX " E "
to
REPORT COA2022-006
FILE NO. D20-2021-079

fyi

Charlotte K. 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: Susanne Murchison <smurchison@kawarthalakes.ca>
Sent: Monday, January 10, 2022 4:16 PM
To: Charlotte Crockford <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
other concerns | a building permit will be required for the proposed replacement dwelling, no other concerns |
| D20-2021-075
concerns | a building permit will be required for the proposed industrial building, no other concerns |
| D20-2021-076
concerns | a building permit will be required for the proposed detached garage, no other concerns |
| D20-2021-078
other concerns | a building permit will be required for the proposed addition to the dwelling, no other concerns |
| D20-2021-079
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



Charlotte Crockford

From: Anne Elmhirst
Sent: Monday, January 10, 2022 3:12 PM
To: Charlotte Crockford
Subject: RE: Notice of Public Hearing for Minor Variance D20-2021-079, 69 Pinewood Crescent

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Charlotte,

I have received and reviewed the Minor Variance D20-2021-079 for 69 Pinewood Crescent and completed a site visit. The proposal has been submitted to request relief for property setbacks for the construction of a detached garage.

A sewage system use permit has been located for this property as file MA-41-78. The use permit indicates the sewage system is located in the south side yard of the dwelling. The proposed structure will be located in the north side yard of the dwelling. This location will not encroach on the existing sewage system. The detached garage does not include any habitable space as part of 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



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, January 6, 2022 10:56 AM

To: Christina Sisson <csisson@kawarthalakes.ca>; Amber Hayter <achayter@kawarthalakes.ca>; Tracy Richardson <trichardson@kawarthalakes.ca>; Susanne Murchison <smurchison@kawarthalakes.ca>; Anne Elmhirst <aelmhirst@kawarthalakes.ca>

Cc: Kim Rhodes <krhodes@kawarthalakes.ca>

Subject: Notice of Public Hearing for Minor Variance D20-2021-079, 69 Pinewood Crescent

Good morning

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-079 to be heard at the January 20, 2022 C of A meeting.

Please respond with comments by Monday January 10, 2022 to allow Planners to include in their reports.

Many thanks

Charlotte K. Crockford

Administrative Assistant

Planning Department, City of Kawartha Lakes

705-324-9411 ext. 1231 www.kawarthalakes.ca



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Charlotte Crockford

From: Miller, Amanda (MTO) <Amanda.Miller3@ontario.ca>
Sent: Monday, January 10, 2022 4:05 PM
To: Charlotte Crockford
Cc: Sharma, Prabin (MTO)
Subject: FW: Notice of Public Hearing for Minor Variance D20-2021-079, 69 Pinewood Crescent
Attachments: 20220106 D20-22 January 2022 Minor Variance Ad.pdf; 20220106 D20-2021-079 Notice of Public Hearing.pdf

Good Afternoon Charlotte,

Thank you for circulating the City of Kawartha Lakes Committee of Adjustment Minor Variance Applications to MTO for review. Please accept this as a formal response from the Ministry of Transportation. MTO has reviewed the application in accordance with the Public Transportation and Highway Improvement Act (PTHIA) and Highway Access Management Guideline and offers following comments:

The ministry has reviewed the applications for 527 Cottage Road, 24 Royal Estate Drive, 69 Pinewood Crescent, 4 Cadillac Blvd, 22 Forest Road and has determined that the subject lands are not within our permit control area, therefore, MTO has no comments to offer.

The ministry has reviewed the applications for 6 John St and has determined that the subject lands are within our permit control area however, we cannot provide comments due to the site plan being illegible in the application. MTO will need to provide full comments once a legible site plan is received.

Thank you for the opportunity to comment.

Kind Regards,

Amanda Miller
Planning Intern
Corridor Management Section | East Operations
Ministry of Transportation
1355 John Counter Blvd
Kingston, ON K7K 0E5
Amanda.Miller3@ontario.ca

From: Charlotte Crockford <ccrockford@kawarthalakes.ca>
Sent: January 6, 2022 11:00 AM
To: Cathie Ritchie <critchie@kawarthalakes.ca>; Sharma, Prabin (MTO) <Prabin.Sharma@ontario.ca>; LeAnn Donnelly <LDonnelly@kawarthalakes.ca>; Craig Shanks <cshanks@kawarthalakes.ca>
Cc: Kathy Lewis <klewis@kawarthalakes.ca>
Subject: FW: Notice of Public Hearing for Minor Variance D20-2021-079, 69 Pinewood Crescent

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.
Typo in content of email, should read D20-2021-079 not 078.

Charlotte K. Crockford
Administrative Assistant
Planning Department, City of Kawartha Lakes
705-324-9411 ext. 1231 www.kawarthalakes.ca



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From: Charlotte Crockford
Sent: Thursday, January 6, 2022 10:58 AM
To: Cathie Ritchie <critchier@kawarthalakes.ca>; LeAnn Donnelly <LDonnelly@kawarthalakes.ca>; Craig Shanks <cshanks@kawarthalakes.ca>; 'Prabin.Sharma@ontario.ca' <Prabin.Sharma@ontario.ca>
Cc: Kathy Lewis <klewis@kawarthalakes.ca>
Subject: Notice of Public Hearing for Minor Variance D20-2021-079, 69 Pinewood Crescent

Good morning

Please find attached the Notice of Public Hearing for Minor Variance D20-2021-078 to be heard at the January 20, 2022 C of A meeting.

Please respond with comments by Monday January 10, 2022 to allow Planners to include in their reports.

Many thanks

Charlotte K. Crockford
Administrative Assistant
Planning Department, City of Kawartha Lakes
705-324-9411 ext. 1231 www.kawarthalakes.ca



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David Harding

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:

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



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.

David Harding

From: Kim Rhodes
Sent: Thursday, January 6, 2022 1:02 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead
Subject: 20220106 D20-2021-079 - Engineering review

Follow Up Flag: Follow up
Flag Status: Flagged

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-079
69 Pinewood Crescent
Lot 37, Plan M715, Part Lot 11, Concession 3
Geographic Township of Manvers

It is the understanding by Engineering that the purpose and effect is to request relief from the following provisions in order to construct a detached garage:

1. Section 5.1(b)(i) to permit an accessory building (garage) setback of 1.2 metres to a dwelling whereas 1.3 metres is required,
2. Section 5.1(b)(iii) to reduce the rear lot line setback from 6 metres to 1.5 metres to permit a garage with a footprint greater than 60 square metres.
3. Section 5.1(b)(iii) to reduce flankage lot line setback from 15 metres to 8.1 metres to permit a garage with a footprint greater than 60 square metres.
4. 5.1(b)(vi) to reduce the rear lot line setback from 6 metres to 1.5 metres to permit a garage with a height greater than 4.3 metres.
5. Section 13.2(c) to reduce the front yard setback from 15 metres to 8.1 metres in order to reduce the distance the garage must be from Corbett Drive.

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