

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Pudlis and Green**  
Report Number COA2022-005

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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 Manvers**

**Subject:** The purpose and effect is to request relief from Section 13.4.4(d) to reduce the minimum side yard from 7.6 metres to 3.5 metres to permit an addition to the dwelling.

The variance is requested at 24 Royal Estate Drive, geographic Township of Manvers (File D20-2021-078).

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

**Signature:**



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**Recommendation:**

**Resolved That** Report COA2022-005 Pudlis and Green, be received;

**That** minor variance application D20-2021-078 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 COA2022-005, 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 COA2022-005. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.**

<b>Background:</b>	The application was deemed complete December 15, 2021.
<b>Proposal:</b>	To construct an approximately 5.5 metre x 14.3 metre (78.65 square metre) addition to the south of the dwelling. The addition proposes to add an additional 1.5 bay to the existing two bay garage and walk in closet for the master bedroom.
<b>Owners:</b>	Aaron Pudlis and Cheryl Green
<b>Applicant:</b>	Aaron Pudlis
<b>Legal Description:</b>	Lot 54, Plan M-731, geographic Township of Manvers
<b>Official Plan:</b>	"Rural Settlement" within the Oak Ridges Moraine Policy Area of the City of Kawartha Lakes Official Plan
<b>Zone:</b>	"Rural Residential Type One Special Five (RR1-S5) Zone" within the Oak Ridges Moraine Zoning By-law 2005-133
<b>Site Size:</b>	3,288.8 square metres (0.82 acre)
<b>Site Servicing:</b>	Private individual well and sewage system
<b>Existing Uses:</b>	Residential
<b>Adjacent Uses:</b>	Residential

## **Rationale:**

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

The subject property is located within a residential subdivision in the southern portion of the community of Pontypool. The subdivision is of an estate residential nature as it is characterized by square-shaped lots where there is a great degree of spatial separation between the single detached dwellings. The dwellings are buffered from one another by trees and patches of forest. Also, the road contains no sidewalks or curbs.

The topography of the subject property slopes down to the west, away from the road. From the road, the dwelling appears to be a single storey. However, the difference in topography allowed for a walkout basement design. On the main floor of the dwelling, the addition will allow for the enlargement of the attached garage and for the creation of a walk-in closet. The lower level is proposed to be additional storage.

The addition is proposed to be slightly offset behind the front wall of the dwelling. The existing dwelling is set back approximately 18.3 metres from the road. The addition is not anticipated to cause adverse massing impacts from the road due to its placement in relation to the existing dwelling and the spatial separation between the dwelling and road.

The area to the immediate south of the proposed addition is primarily manicured lawn interspersed with trees. The thicker tree cover occurs to the east and west of this area. The pocket of trees to the east is proposed to be largely maintained, though some trees closest to the east face of the addition may need to be removed to facilitate access to the enlarged garage. Few trees are proposed to be removed directly between the subject property and the lot to the south, 26 Royal Estate Drive, as the majority of the trees are either in close proximity to the lot line or fully contained on number 26. The dwelling on number 26 is positioned further away from the mutual lot line, maintaining a greater degree of spatial separation between the dwellings and allowing for the establishment of more trees on its property. As such, there are also no impacts to privacy anticipated between the subject property and number 26.

The expansion is not anticipated to impact the character of the neighbourhood as little to no impact is proposed to the existing vegetative buffer between the subject property and the lot to the south, 26 Royal Estate Drive, nor will sufficient vegetation be removed between the addition and the road to affect the ability of those trees to provide a sufficient vegetative buffer between the built form and road.

The variance is minor in nature.

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

The addition will provide additional garage space, storage space, and closet space. The expansion to the south is the most logical location for the addition given the location of the master bedroom and the location of the existing attached garage. Expansion of the existing garage ensures minimal expansion to the existing driveway and thus impacts to property landscaping.

The proposal 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 One Special Five (RR1-S5) Zone" within the Oak Ridges Moraine Zoning By-law 2005-133. As noted in test 1, the intent of the by-law is to establish an estate residential character to the neighbourhood through larger lot sizes and greater yard setbacks. These greater setbacks also allow for the maintenance and establishment of additional vegetation to buffer the dwellings from one another.

The by-law established a maximum lot coverage of 25%. This requirement further indicates that the intent of the by-law is to create a neighbourhood where it is the landscape rather than the built form that is to be most prominent. The dwelling will remain well under the maximum coverage, proposing about 8.8%. This coverage in conjunction with the minimal impacts to the existing vegetative buffers ensures character is maintained.

Part of the intent of a side yard setback is to provide sufficient space for building maintenance and to facilitate access between the front and rear yards. The dwelling is positioned closer to the south lot line. As such, there remains a

very generous north side yard to provide access from the road to the sewage system in the rear. The proposed 3.5 metre setback is sufficient to carry out maintenance on the south wall and continue to provide access for smaller items between the front and rear yards. The reduced side yard remains sufficiently sized to accommodate vegetative buffers.

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 "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:**

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 – 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 expansion of total living space will not result in a change to the total daily sewage system flow.

**Public Comments:**

No comments received as of January 11, 2022.

**Attachments:**



Appendices A-E to  
COA2022-005.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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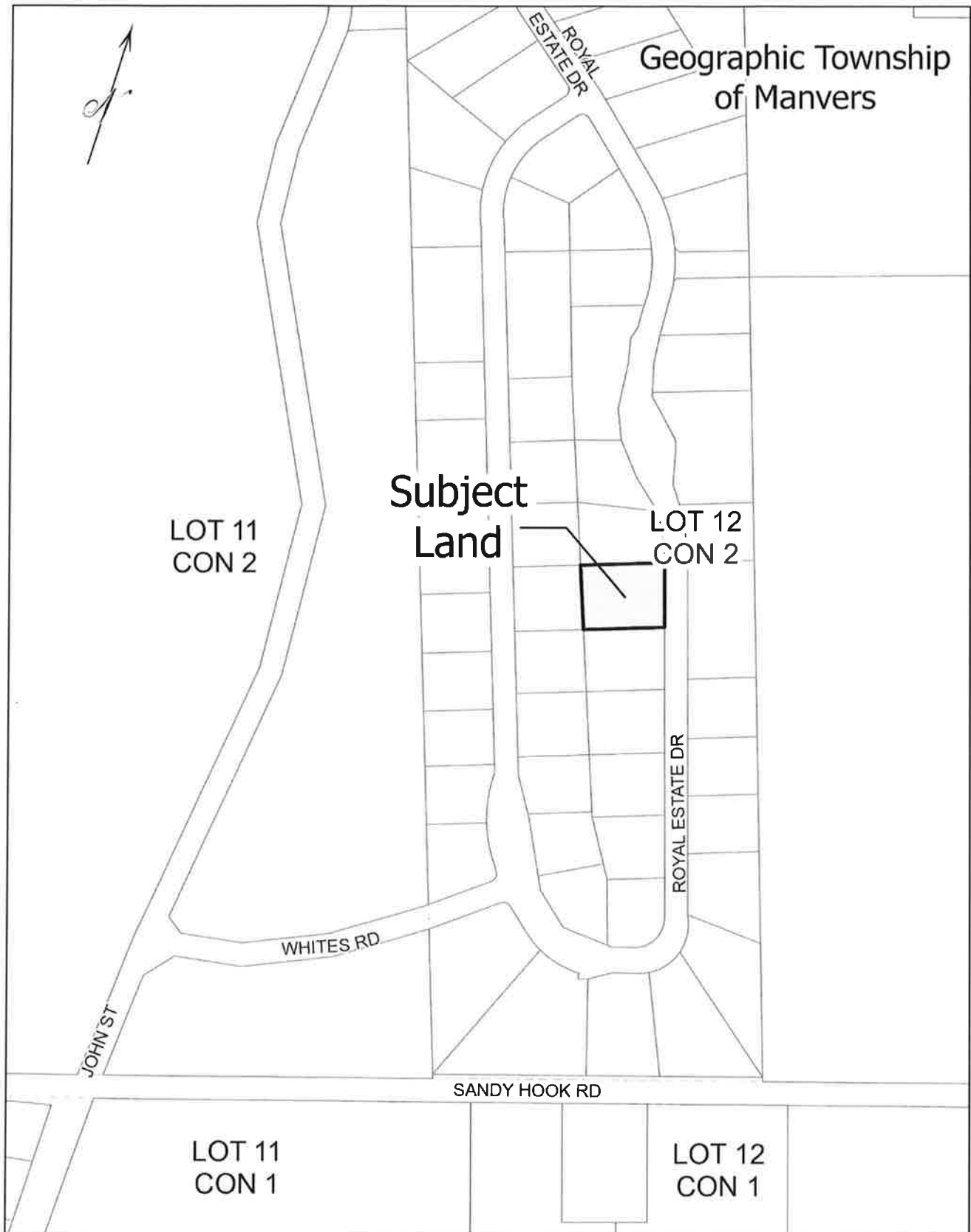
**Phone:** 705-324-9411 extension 1206  
**E-Mail:** [dharding@kawarthalakes.ca](mailto:dharding@kawarthalakes.ca)  
**Department Head:** Richard Holy, Acting-Director of Development Services  
**Department File:** D20-2021-078

to

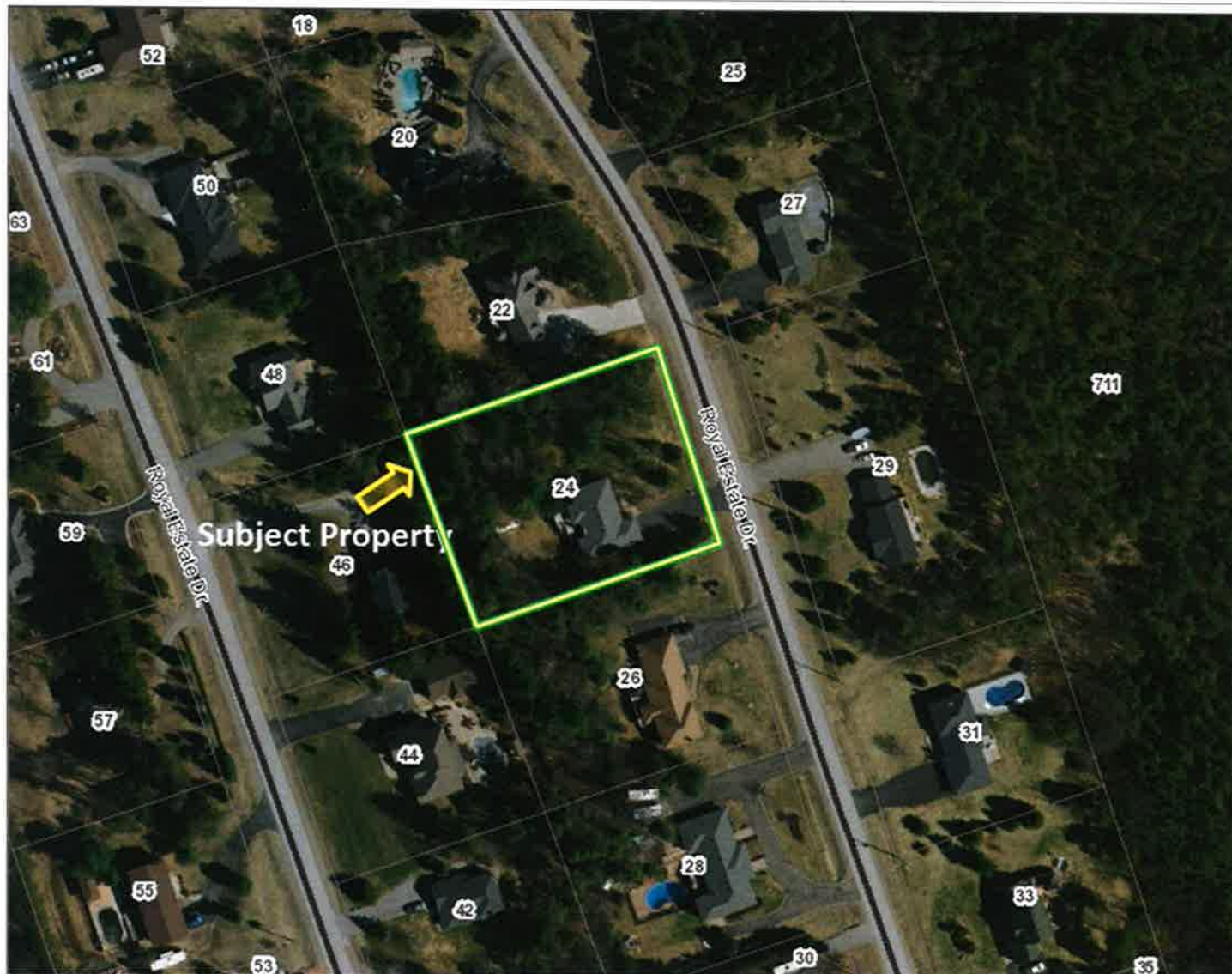
REPORT COA2022-005

FILE NO: D20-2021-078

D20-2021-078



# 24 Royal Estate Drive, Geographic Twp. of Manvers



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.

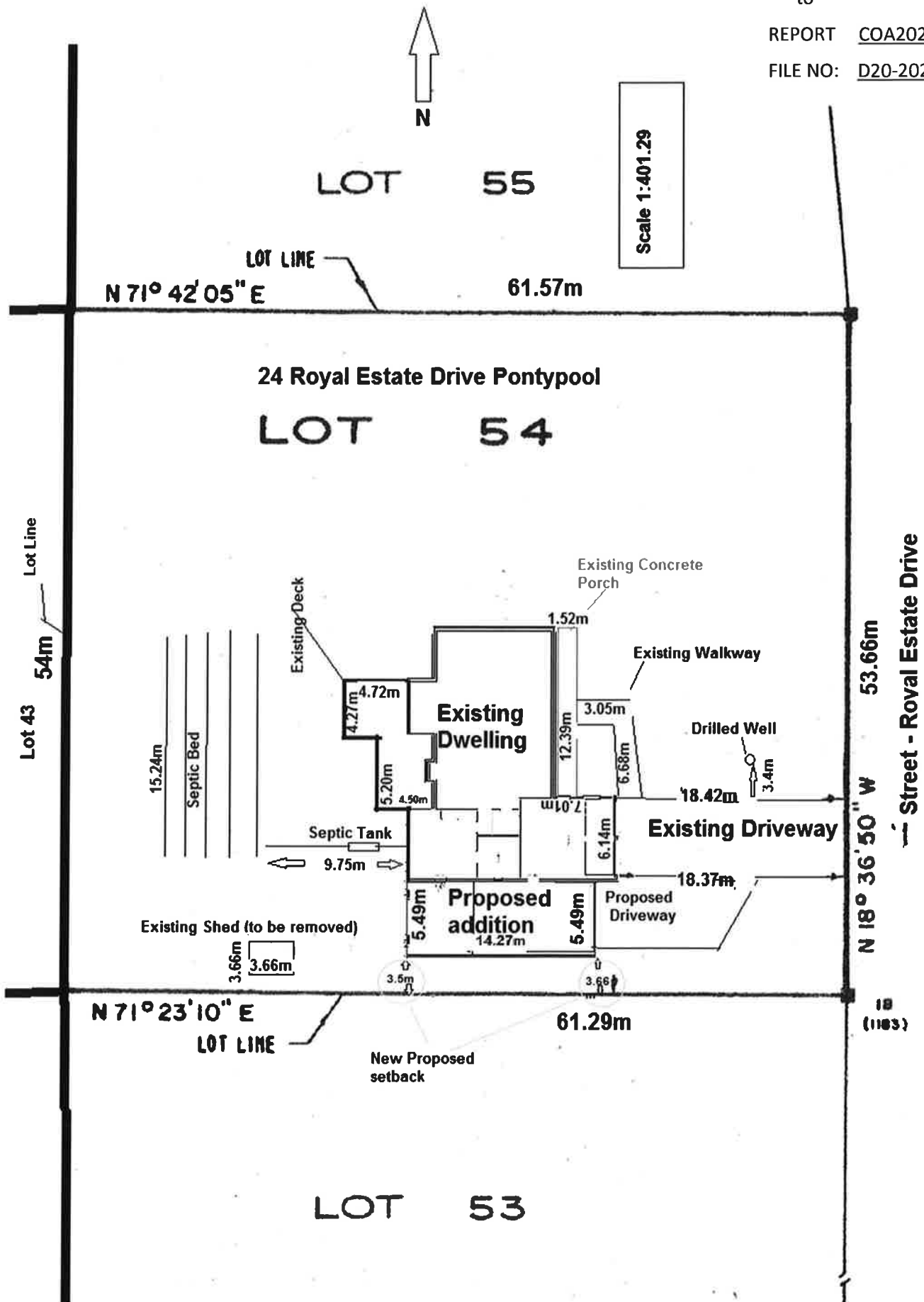
THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

APPENDIX " B "  
to  
REPORT COA2022-005  
FILE NO: D20-2021-078

to

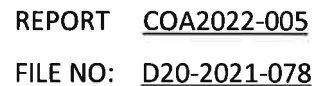
REPORT COA2022-005

FILE NO: D20-2021-078





APPENDIX “ D ”  
to  
REPORT COA2022-005  
FILE NO: D20-2021-078



## 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 COA2022-005

FILE NO. D20-2021-078

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)

**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:** Charlotte Crockford  
**Sent:** Monday, January 10, 2022 4:08 PM  
**To:** David Harding  
**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

fyi

**Charlotte K. Crockford**  
Administrative Assistant  
Planning Department, City of Kawartha Lakes  
705-324-9411 ext. 1231 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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

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](mailto:Amanda.Miller3@ontario.ca)

**From:** Charlotte Crockford <[ccrockford@kawarthalakes.ca](mailto:ccrockford@kawarthalakes.ca)>  
**Sent:** January 6, 2022 11:00 AM  
**To:** Cathie Ritchie <[critchie@kawarthalakes.ca](mailto:critchie@kawarthalakes.ca)>; Sharma, Prabin (MTO) <[Prabin.Sharma@ontario.ca](mailto:Prabin.Sharma@ontario.ca)>; LeAnn Donnelly <[LDonnelly@kawarthalakes.ca](mailto:LDonnelly@kawarthalakes.ca)>; Craig Shanks <[cshanks@kawarthalakes.ca](mailto:cshanks@kawarthalakes.ca)>  
**Cc:** Kathy Lewis <[klewis@kawarthalakes.ca](mailto: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](http://www.kawarthalakes.ca)



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**From:** Charlotte Crockford  
**Sent:** Thursday, January 6, 2022 10:58 AM  
**To:** Cathie Ritchie <[critchie@kawarthalakes.ca](mailto:critchie@kawarthalakes.ca)>; LeAnn Donnelly <[LDonnelly@kawarthalakes.ca](mailto:LDonnelly@kawarthalakes.ca)>; Craig Shanks <[cshanks@kawarthalakes.ca](mailto:cshanks@kawarthalakes.ca)>; 'Prabin.Sharma@ontario.ca' <[Prabin.Sharma@ontario.ca](mailto:Prabin.Sharma@ontario.ca)>  
**Cc:** Kathy Lewis <[klewis@kawarthalakes.ca](mailto: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](http://www.kawarthalakes.ca)



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## David Harding

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**From:** Kim Rhodes  
**Sent:** Thursday, January 6, 2022 1:00 PM  
**To:** Mark LaHay  
**Cc:** Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead  
**Subject:** 20220106 D20-2021-078 - Engineering review

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

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

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

Minor Variance – D20-2021-078  
24 Royal Estate Drive  
Lot 24, Plan M-731  
Geographic Township of Manvers

It is the understanding by Engineering that the purpose and effect is to request relief from Section 13.4.4(d) to reduce the minimum side yard from 7.6 metres to 3.5 metres to permit an addition to the 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](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.**

## Charlotte Crockford

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**From:** Anne Elmhirst  
**Sent:** Monday, January 10, 2022 4:17 PM  
**To:** Charlotte Crockford  
**Subject:** RE: Notice of Public Hearing for Minor Variance D20-2021-078, 24 Royal Estate Drive

Hello Charlotte,

I have received and reviewed the Minor Variance D20-2021-078 for 24 Royal Estate Drive. The application submitted is to request relief to a side yard setback for the construction of an extension onto the dwelling and garage.

A sewage system use permit has been located for this property under file MA-78-89. The proposed construction will maintain the existing clearance distances to the installed sewage disposal system. The extension will include a walk-in closet attached to the master bedroom. The expansion of total living space will not result in a change to the total daily sewage flow.

As such, the Building and Septic Division have 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)



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**From:** Charlotte Crockford <[ccrockford@kawarthalakes.ca](mailto:ccrockford@kawarthalakes.ca)>  
**Sent:** Thursday, January 6, 2022 10:28 AM  
**To:** Christina Sisson <[csisson@kawarthalakes.ca](mailto:csisson@kawarthalakes.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 D20-2021-078, 24 Royal Estate Drive

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

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