

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – 707811 Ontario Inc.
Report Number COA2022-015

Public Meeting

Meeting Date: February 17, 2022
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 3 – Geographic Township of Fenelon

Subject: The purpose and effect is to request relief from Section 15.2.1.3 (d) to reduce the minimum rear yard setback from 7.5 metres to 3 metres in order to permit the construction of a 57.67 square metre detached garage with storage loft.

The variance is requested at 24 Flint Street, geographic Township of Fenelon (File D20-2022-009).

Author: Kent Stainton, Planner II

Signature: 

Recommendations:

Resolved That Report COA2022-015, 707811 Ontario Inc., be received;

That minor variance application D20-2022-009 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 sketches in Appendices C - D submitted as part of Report COA2022-015, 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 COA2022-015. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The City originally received an application for minor variance on November 26, 2021. The application was deemed incomplete at that time and returned to the owner.

Subsequently, a resubmission was made to the Planning Division. Through review of the Zoning By-law, it was determined that since Flint Street is a private road and the property cannot obtain direct access onto an improved public road, the property is technically considered an 'Island Lot'. In the case of an island lot, the "shore lot line" shall be deemed to be the "front lot line", making the yard to the east of the cottage the 'rear yard'. The application is therefore seeking relief from the minimum rear yard requirement.

The application was deemed complete on January 27, 2022.

Proposal: To construct a new 57.67 square metre (620.75 square feet) detached garage with storage loft. The garage is not intended for human habitation.

Owner: 707811 Ontario Inc.

Legal Description: 24 Flint Street, Part Lot 14, Concession 10, geographic Township of Fenelon, Ward 3, City of Kawartha Lakes

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

Zone: Limited Service Residential Exception One (LSR-1) Zone within the Township of Fenelon Falls Zoning By-law 12-95

Site Size: 2,269.2 square metres (0.56 Acres)

Site Servicing: Private individual well and septic system

Existing Uses: Seasonal Recreation Dwelling

Adjacent Uses:

North, South:	Seasonal Recreation Dwellings
East:	Flint Street, Woodlands
West:	Sturgeon Lake

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 on a private, dead-end, road along the eastern shoreline of Sturgeon lake, between Sturgeon Point and Fenelon Falls. This specific neighbourhood consists primarily of vacation dwellings both to the north along Langton Lane and south along Stewart's Road. The cottages are modest, in relation to other intensified sections of Sturgeon Lake, with some evidence of

infilling or expansion. The Lots remain secluded and surrounded by substantial vegetative buffers with dense woodland existing to the east of Flint Street.

The subject lands contain a cottage and a boathouse that were constructed in 1965 (according to MPAC) as well as a cabin, which was constructed in 1989. The land is fairly flat on the parcel with the exception of the raised septic bed, which is located to the east of the dwelling. It appears the majority of the grounds are occupied by manicured lawn.

The northern lot boundary is composed of mature cedars and as well as coniferous trees that provide a substantial screening when viewing the lot from the north and south. The doors of the proposed garage face northward and parallel to Flint Street. A row of trees is also located along the approximate location of the rear lot line, which further assists in detracting from any physical imposition presented by the location of the garage.

The design of the proposed garage is based on a gabled roof with two dormers. A small window breaks up the face of the garage with two garage doors below on the northern wall. The east and west walls each have a smaller dormer with two windows to break up the roofline when seen from Flint Street. The southern wall contains a stairway to access the loft storage.

The abutting property to the south identified as 30 Flint Street also has a detached garage located close to the rear lot line. In fact, the location appears much closer than the subject proposal. Through locating the garage as proposed, the overall character of the neighbourhood is maintained.

Due to the above analysis, the variances are 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 lands are zoned Limited Service Residential Exception One (LSR-1) within the Township of Fenelon Zoning By-law 12-95. The LSR-1 Zone restricts the use of the property to that of vacation dwellings only.

The intent of the rear yard setback is to provide sufficient rear yard amenity space, address massing impacts from abutting lots, and reduce land use and privacy conflicts between abutting properties. The rear yard functions as a front yard for the purposes of servicing and providing on-site parking as an intermediate between Flint Street and the cottage. As Flint Street is a private cul-de sac with only local traffic, incompatibilities with vehicular traffic are not expected. The previously mentioned vegetative buffering on both the northern and south lot lines mitigate any potential privacy impacts resulting from the construction of the garage. On-site parking can also be accommodated. The proposed garage complies with all other development standards of the of the Zoning By-law.

The location of the septic system to the west of the proposed location of the garage combined with the need to maintain accessibility to the rear yard from the northern interior side yard, relegates the location of the garage further

towards Flint Street. The Development Engineering Division has no concerns with the proposal in regard to drainage impacts on adjacent properties.

The cabin is permitted as an accessory use to the seasonal dwelling within the rear yard of the subject lands.

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 Waterfront within the City of Kawartha Lakes Official Plan. Low density residential uses, along with accessory uses are anticipated within this designation.

The proposed garage will be at least 30 metres away from the shoreline, satisfying Policy 3.11, which directs development away from the shoreline wherever possible and establishes a minimum water setback of 15 metres.

In consideration of the above the variances maintain the general intent and purpose of the Official Plan.

Other Alternatives Considered:

There were no other alternatives considered.

Servicing Comments:

The property is serviced by a private individual water supply (well) and private individual septic 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 (February 4, 2022): No objection.

Building and Septic Division – Chief Building Official (CBO) (February 3, 2022): No concerns; completion of building permit application BP2021-1114 is required for the proposed detached garage.

Public Comments:

No comments have been received as of February 9, 2022.

Attachments:



Appendices A-E for
COA2022-015.pdf

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Site Plan

Appendix D – Elevations

Appendix E – Department and Agency Comments

Phone: 705-324-9411 extension 1367

E-Mail: kstainton@kawarthalakes.ca

Department Head: Richard Holy, Director of Development Services

Department File: D20-2022-009

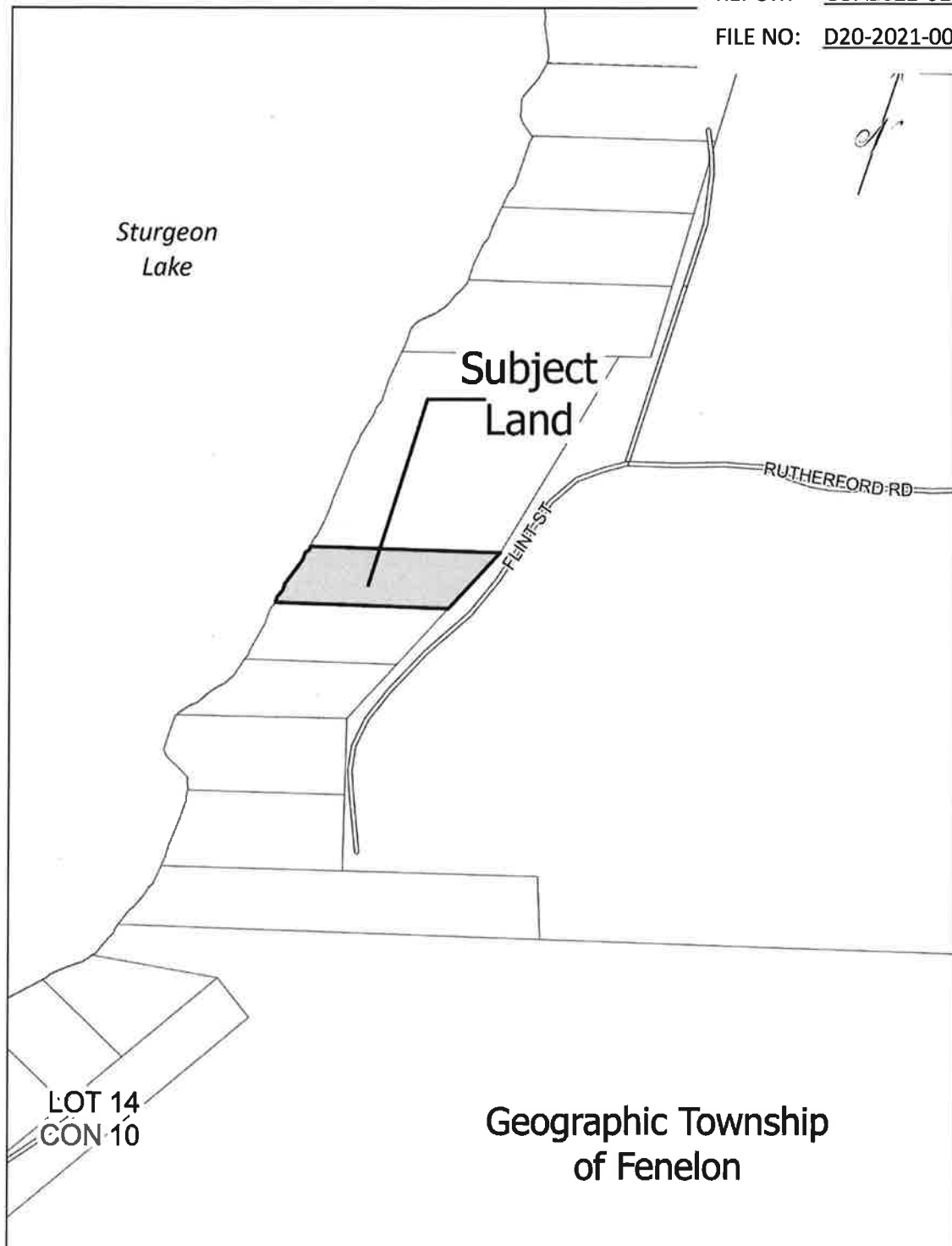
D20-2022-009

APPENDIX " A "

to

REPORT COA2022-015

FILE NO: D20-2021-009



24 Flint Street, Geographic Township of Fenelon



0.22 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

Legend

☐ Property Roll Number

Notes

Notes

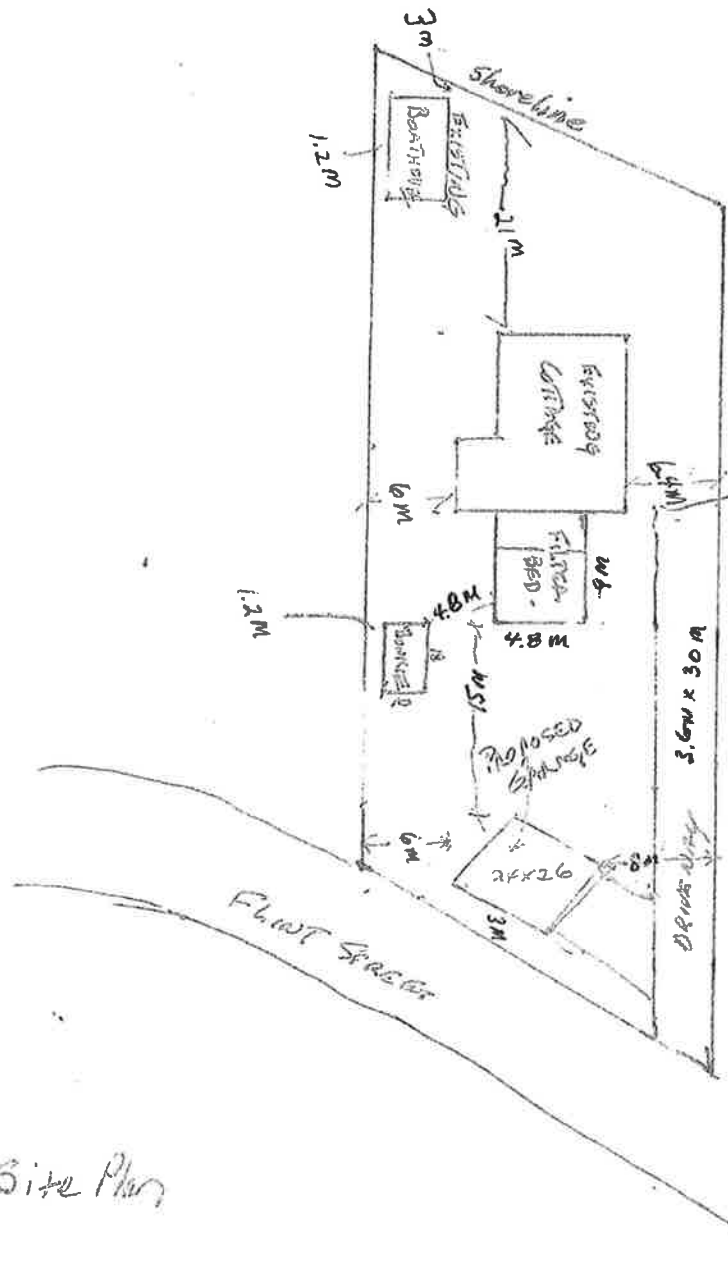
APPENDIX " B "
to
REPORT COA2022-015
FILE NO: D20-2021-009

APPENDIX " C "

to

REPORT COA2022-015

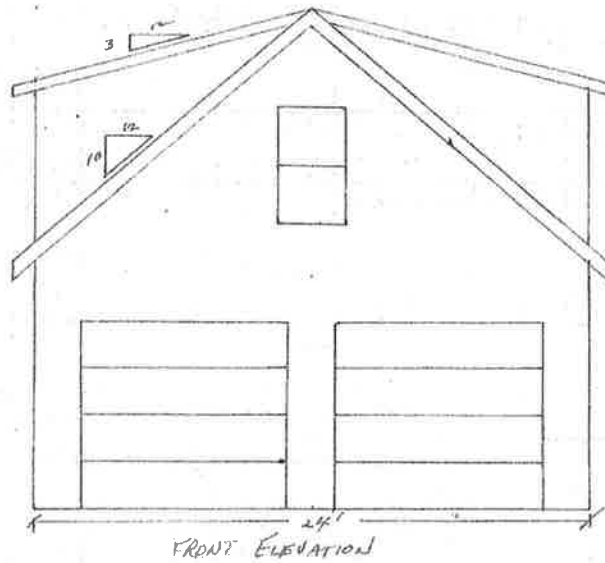
FILE NO: D20-2021-009



Site Plan

10781 Centennial Ave. Channahon, IL 61018
24 Flint Street, Easton, IL 61120

North Elevation



APPENDIX " D "

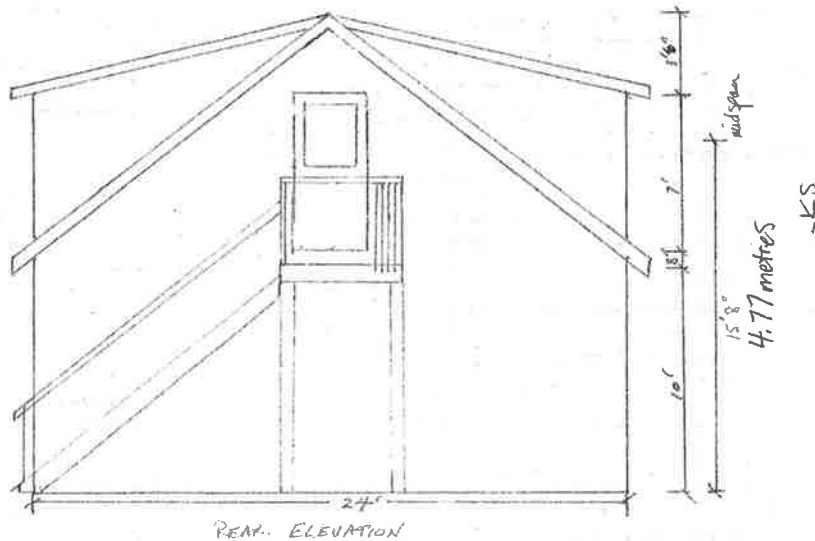
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REPORT COA2022-015

FILE NO: D20-2021-009

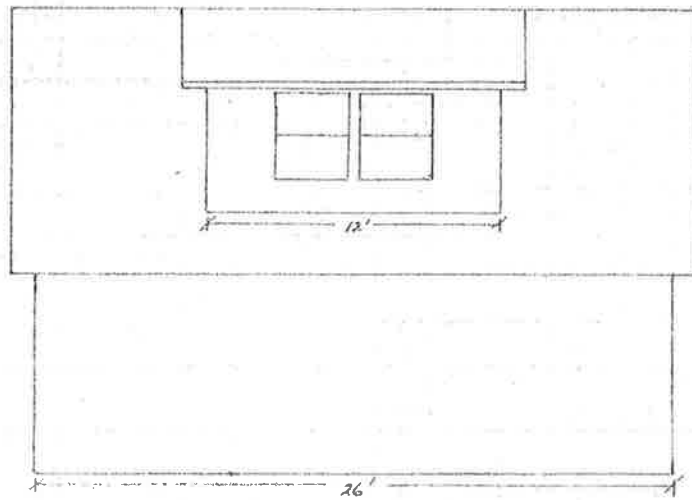
107811 Ontario Inc. c/o Laura Lanco
24 Flint Street, Fenton Falls

South Elevation



107811 Ontario Inc. c/o Laura Lanco
24 Flint Street, Fenton Falls

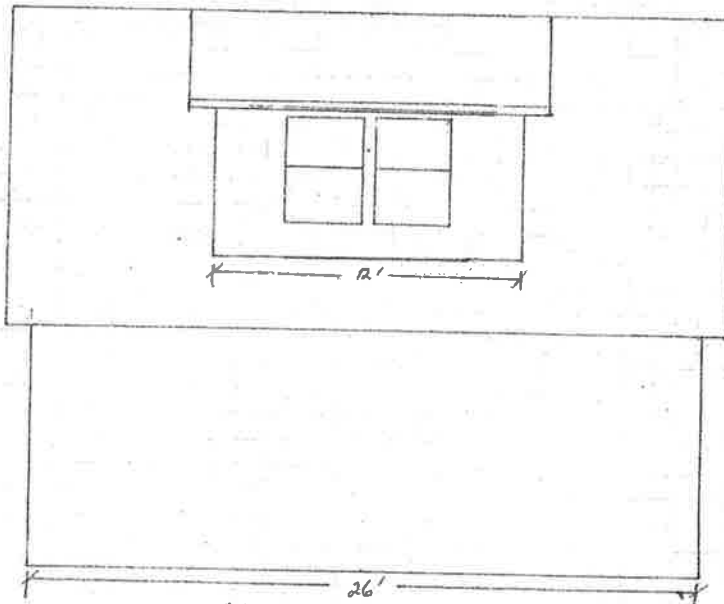
West Elevation



WEST ELEVATION

707811 Ontario Inc. c/o Laura L. Leno
84 Flint Street, Fenelon Falls

East Elevation



EAST ELEVATION

707811 Ontario Inc. c/o Laura L. Leno
84 Flint Street, Fenelon Falls

Kent Stainton

From: Kim Rhodes
Sent: Friday, February 4, 2022 11:30 AM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead
Subject: 20220204 D20-2022-009 - Engineering review APPENDIX " E

Please see the message below from Christina Sisson:

to
REPORT COA 2022-015

FILE NO. D20-2022-009

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

Minor Variance – D20-2022-009
24 Flint Street
Part Lot 14, Concession 10
Geographic Township of Fenelon, Ward 3, now in the City of Kawartha Lakes

It is the understanding by Engineering that the purpose and effect is to request relief from Section 15.2.1.3 (d) to reduce the minimum rear yard setback from 7.5 metres to 3 metres to permit the construction of a detached garage.

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.

Kent Stainton

From: Susanne Murchison
Sent: Thursday, February 3, 2022 5:13 PM
To: Charlotte Crockford
Cc: Mathew McKinnon
Subject: CofA comments

Follow Up Flag: Follow up
Flag Status: Flagged

The Building and Septic Division has the following comments, to be read in conjunction with comments provided by the Supervisor of Part 8 Sewage Systems:

- D20-2022-001 no concerns, a building permit is required for the proposed 2 storey addition
- D20-2022-003 no concerns, a building permit is required for the proposed addition to the commercial building (last known uses office/bakery/apartment)
- D20-2022-005 no concerns, a building permit is required for the proposed single detached dwelling
- D20-2022-006 no concerns, a building permit is required for the proposed single detached dwelling
- D20-2022-008 no concerns, completion of building permit application BP2021-1403 is required for the proposed detached garage
- D20-2022-009 no concerns, completion of building permit application BP2021-1114 is required for the proposed detached garage

Susanne Murchison, CBCO
Chief Building Official
City of Kawartha Lakes - Building and Septic Division
180 Kent Street West, Lindsay ON K9V 2Y6
(705)-324-9411 ext. 1200
www.kawarthalakes.ca



Please note: The Building and Septic Division offices at 180 Kent St W remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.