

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Cripps and Chan
Report Number COA2022-019

Public Meeting

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

Ward: 1 – Geographic Township of Bexley

Subject: The purpose and effect is to request relief from the following provisions in order to permit the following buildings:

Boat house

1. Section 3.1.3.1 to increase the maximum accessory building lot coverage from 8% to 10%,

Cabin

2. Section 3.1.3.3 to increase the number of accessory buildings from 3 to 4,
3. Section 3.1.2.1 to permit an accessory building (cabin) within the front yard; and
4. Section 13.2.1.3(a) to reduce the minimum front yard from 7.5 metres to 1.9 metres.

The variances are requested at 76 West Bay Road, geographic Township of Bexley (File D20-2022-012).

Author: David Harding, Planner II, RPP, MCIP

Signature: 

Recommendation:

Resolved That Report COA2022-019 Cripps and Chan, be received;

That minor variance application D20-2022-012 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 COA2022-019, 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 COA2022-019. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The applicant approached the City to replace the current boat house with a larger boat house. Through further review during the pre-screening process, staff determined that the cabin also required relief.

This application was deemed complete February 8, 2022.

Proposal: To recognize an accessory building (cabin) and permit the construction of a new and enlarged boat house. The cabin is not proposed to contain washroom or kitchen facilities.

Owners: Grant Cripps and Judy Chan

Legal Description: 76 West Bay Road, Lot 5, Plan 364, geographic Township of Bexley

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

Zone: Limited Service Residential (LSR) Zone within the Township of Bexley Zoning By-law 93-09

Site Size: 1,627 square metres (0.4 acre)

Site Servicing: Private individual well and septic system

Existing Uses: Shoreline Residential

Adjacent Uses: North: Creek, Shoreline Residential
South: Shoreline Residential
East: Balsam Lake
West: Rural

Rationale:

1) Are the variances minor in nature? Yes

The subject property is located in a shoreline residential neighbourhood on the west shore of Balsam Lake.

The cabin is proposed within the front yard, which is heavily screened by cedar trees. The front yard is used as a utility space rather than an amenity space.

Two of the four accessory buildings, being the cabin and shed, are very modest in mass. As a result, it is not anticipated that the increase in number of accessory buildings or the modest increase to coverage will affect the overall mass of accessory buildings on the lot.

The variances are minor in nature.

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

Replacing the current boat house with a larger one will provide additional boat storage and shoreline storage opportunities.

The cabin will also provide additional bedroom and amenity space.

The accessory buildings are kept to the north and south sides of the lot. As such their placement is not impacting the ability to use the centre of the property for recreational amenity space.

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 Limited Service Residential (LSR) within the Township of Bexley 93-09.

An intent of the minimum front yard is to ensure sufficient space remains for road operations, such as snow storage. There is a line of trees along the front lot line. As a result, there is no impact to road operations.

Amongst other things, the General Provisions govern the size and placement of accessory buildings. An intent of regulating the number of accessory buildings is to ensure the primary rather than the accessory building on the lot remains the visually prominent building and use. The primacy of the dwelling is maintained as all accessory buildings are located close to the side lot lines. The increase to lot coverage is not anticipated to be perceptible as the accessory building lot coverage is distributed over 4 buildings, two of which at under 15 square metres each, are relatively modest.

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, such as single detached dwellings, along with accessory uses are anticipated within this designation. Accessory buildings on a lot containing a single detached dwelling is proposed.

In consideration of the above the variances maintain 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 will be 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 (March 4, 2022): No concerns.

Building and Septic Division – Plans Examiner (March 4, 2022): Completion of issued permits BP2021-1621 and BP2017-0353 required. Permits required for boathouse and cabin. No other concerns.

Building and Septic Division – Part 8 Sewage Systems Supervisor (March 7, 2022): Sewage System permit SS2021-0446 has been issued for this property. No concerns.

Public Comments:

No comments received as of March 8, 2022.

Attachments:

Appendices A-E to
COA2022-019

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Elevations

Appendix E – Department and Agency Comments

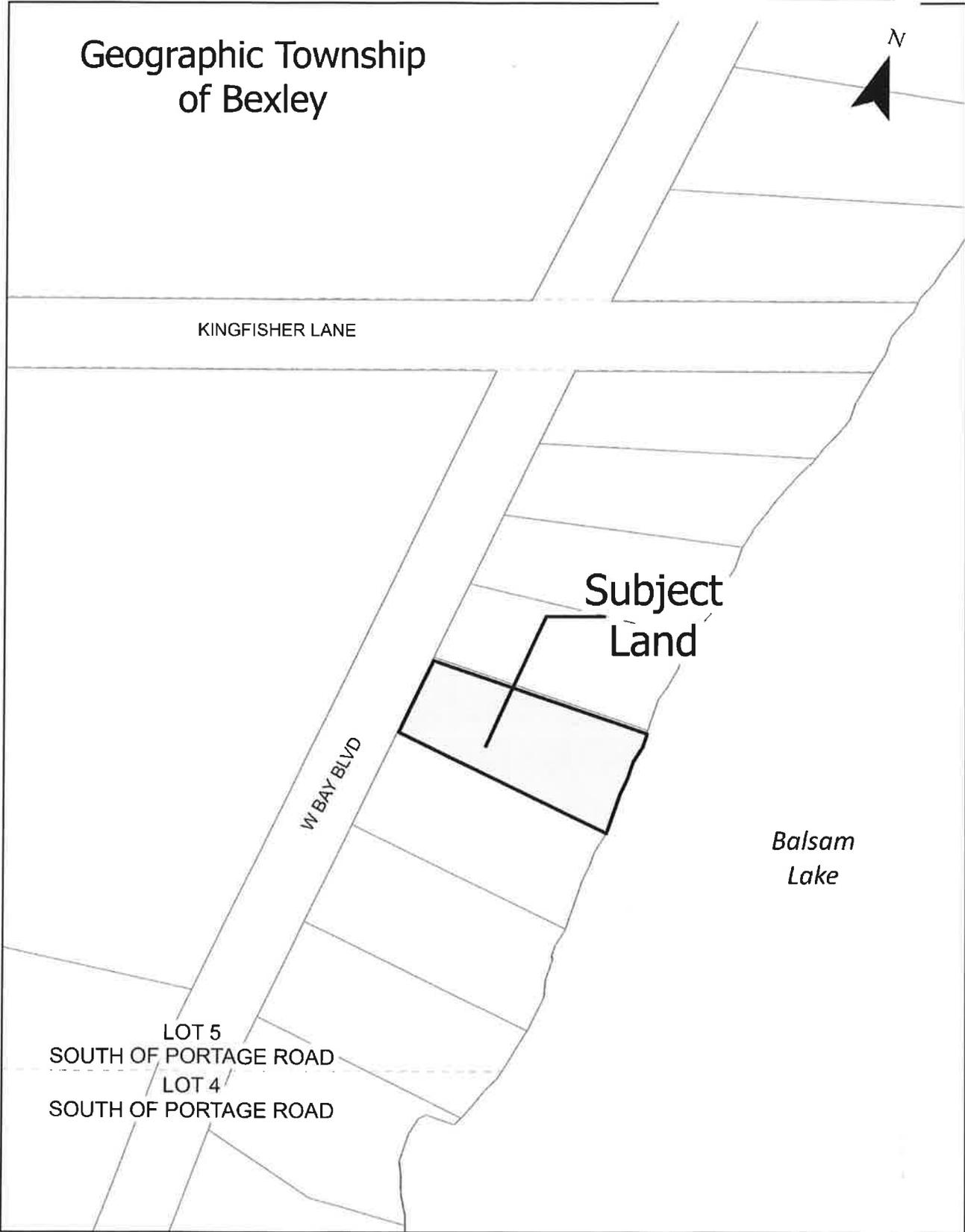
Phone: 705-324-9411 extension 1206
E-Mail: dharding@kawarthalakes.ca
Department Head: Richard Holy, Director of Development Services
Department File: D20-2022-012

to

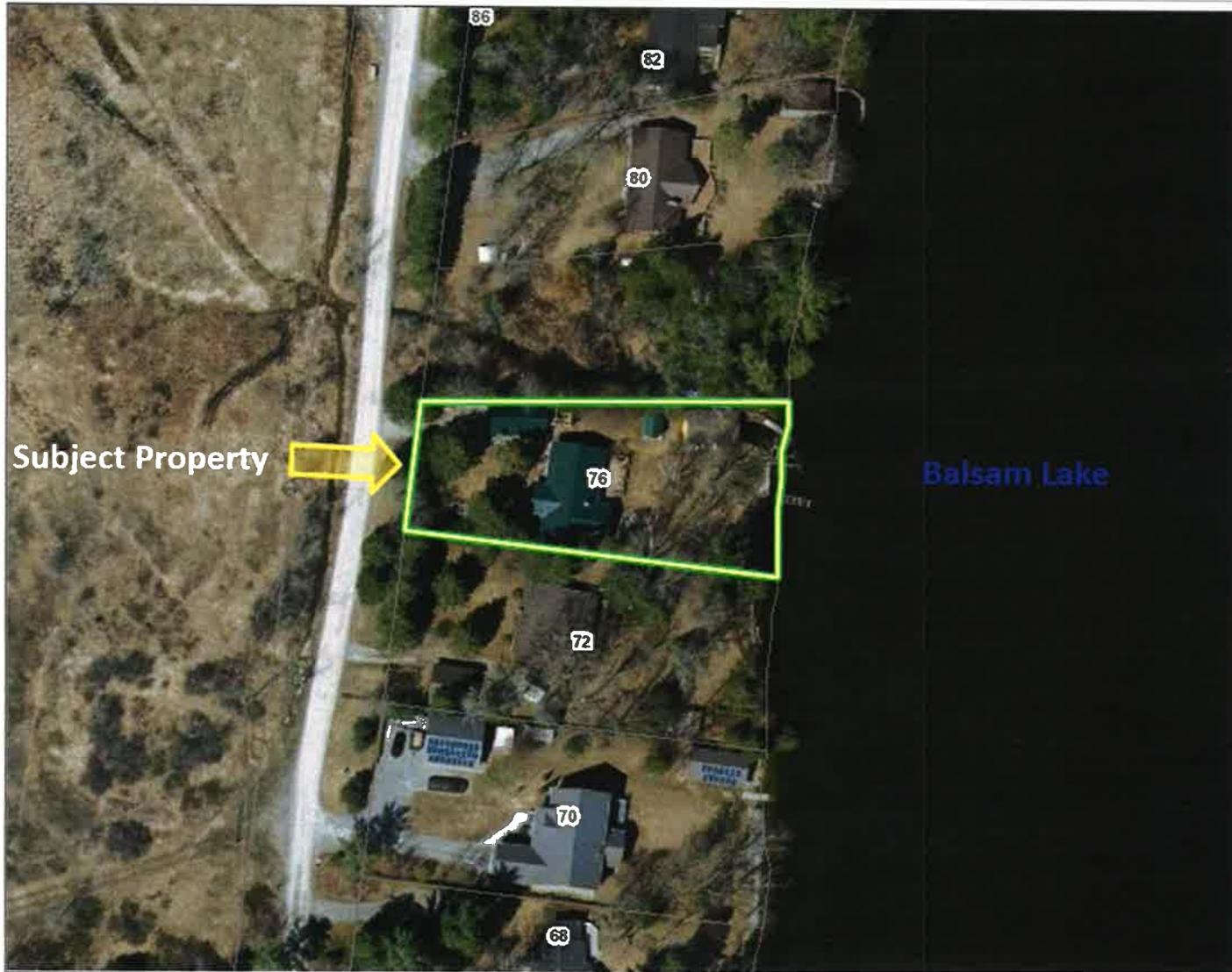
D20-2022-012

REPORT COA2022-019

FILE NO: D20-2022-012



76 West Bay Boulevard, geographic Twp. of Bexley



0.07 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 COA2022-019
FILE NO: D20-2022-012

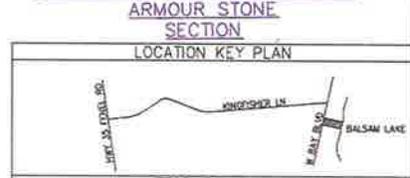
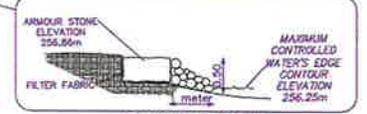
SURVEYOR'S REAL PROPERTY REPORT
 PART 1 - PLAN OF SURVEY OF
 LOT 5
 REGISTERED PLAN No. 364
 GEOGRAPHIC TOWNSHIP OF BEXLEY
 NOW IN THE
 CITY OF KAWARTHA LAKES

© J.D. BARNES LIMITED
 2020

SCALE 1 : 200

METRIC DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Round class river rock or riprap 10-65 cm (4-18 inches) in diameter - Larger size rock/boulders are permitted if needed but should be surrounded by the smaller size rock
 Slope (in steep rock) must be installed along the top of the armour stone at a minimum 2:1 (horizontal:vertical) slope ratio, with a preferred 3:1 (horizontal:vertical) slope ratio wherever feasible



INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP): UTM ZONE 17, NAD83 (CSRS) (2010.0)
 COORDINATES DERIVED FROM REAL TIME NETWORK GPS OBSERVATIONS

| POINT ID | EASTING | NORTHING |
|----------|------------|--------------|
| ORP (A) | 667 148.08 | 4 936 680.87 |
| ORP (B) | 667 155.92 | 4 936 733.85 |

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

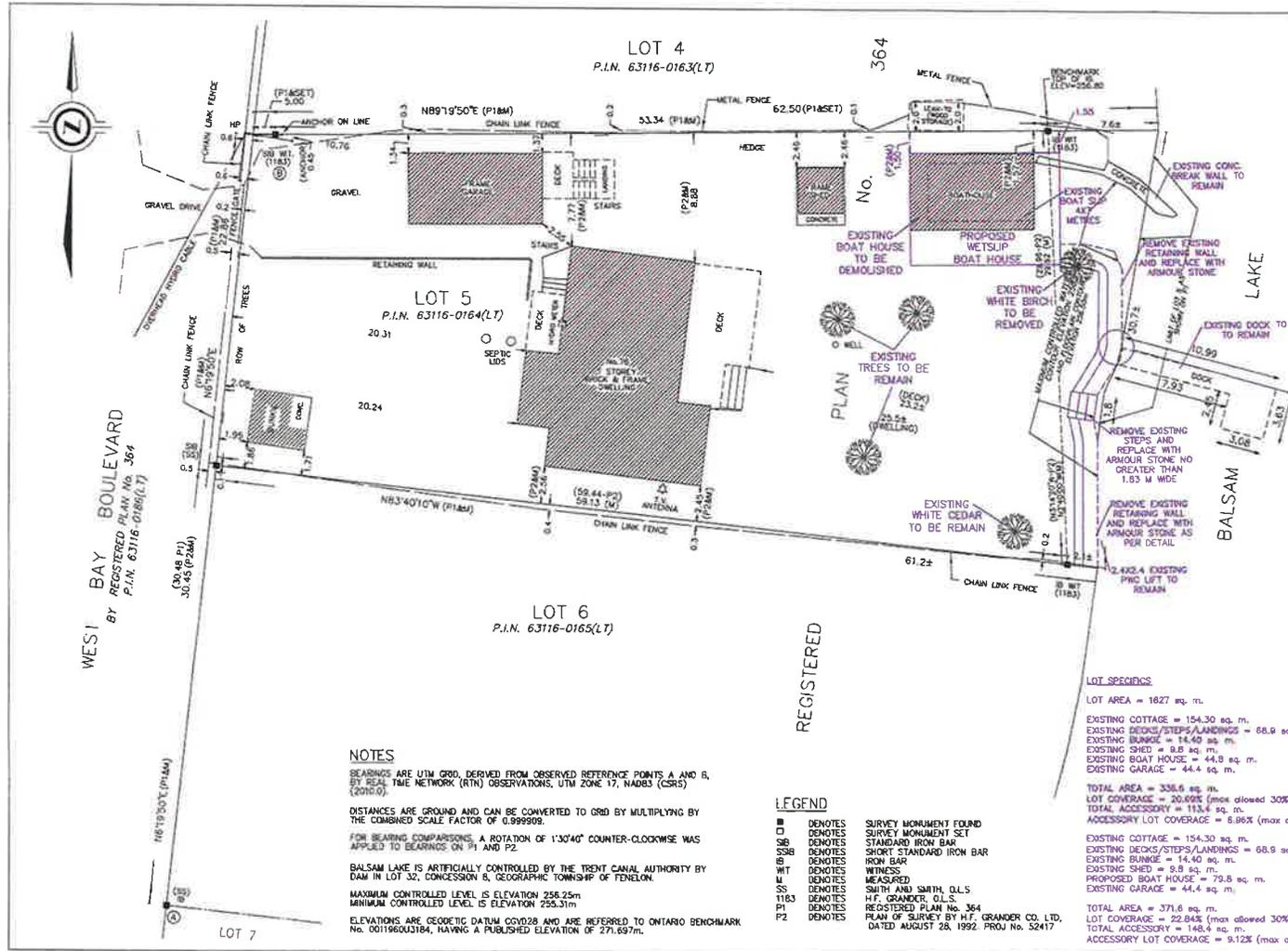


APPENDIX " C "

to

REPORT COA2022-019

FILE NO: D20-2022-012



NOTES

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999909.

FOR BEARING COMPARISONS, A ROTATION OF 1°30'40" COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON P1 AND P2.

BALSAM LAKE IS ARTIFICIALLY CONTROLLED BY THE TRENT CANAL AUTHORITY BY DAM IN LOT 32, CONCESSION 8, GEOGRAPHIC TOWNSHIP OF TENELOW.

MAXIMUM CONTROLLED LEVEL IS ELEVATION 256.25m
 MINIMUM CONTROLLED LEVEL IS ELEVATION 255.31m

ELEVATIONS ARE GEODETIC DATUM CVD028 AND ARE REFERRED TO ONTARIO BENCHMARK No. 0011960J184, HAVING A PUBLISHED ELEVATION OF 271.697m.

LEGEND

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- DENOTES STANDARD IRON BAR
- DENOTES SHORT STANDARD IRON BAR
- DENOTES IRON BAR
- DENOTES WITNESS
- DENOTES MEASURED
- SS DENOTES SMITH AND SMITH, O.L.S.
- 1183 DENOTES H.F. GRANDER, O.L.S.
- P1 DENOTES REGISTERED PLAN No. 364
- P2 DENOTES PLAN OF SURVEY BY H.F. GRANDER CO. LTD, DATED AUGUST 28, 1992, PROJ No. 52417

LOT SPECIFICS

LOT AREA = 1627 sq. m.

EXISTING COTTAGE = 154.30 sq. m.
 EXISTING DECKS/STEPS/LANDINGS = 68.9 sq. m.
 EXISTING BUNGE = 14.40 sq. m.
 EXISTING SHED = 9.8 sq. m.
 EXISTING BOAT HOUSE = 44.9 sq. m.
 EXISTING GARAGE = 44.4 sq. m.

TOTAL AREA = 336.6 sq. m.
 LOT COVERAGE = 20.65% (max allowed 30%)
 TOTAL ACCESSORY = 113.4 sq. m.
 ACCESSORY LOT COVERAGE = 8.86% (max allowed = 8%)

EXISTING COTTAGE = 154.30 sq. m.
 EXISTING DECKS/STEPS/LANDINGS = 68.9 sq. m.
 EXISTING BUNGE = 14.40 sq. m.
 EXISTING SHED = 9.8 sq. m.
 PROPOSED BOAT HOUSE = 79.8 sq. m.
 EXISTING GARAGE = 44.4 sq. m.

TOTAL AREA = 371.6 sq. m.
 LOT COVERAGE = 22.84% (max allowed 30%)
 TOTAL ACCESSORY = 148.9 sq. m.
 ACCESSORY LOT COVERAGE = 9.12% (max allowed = 8%)

WEST BAY BOULEVARD
 BY REGISTERED PLAN No. 364
 P.I.N. 63116-0186(LT)

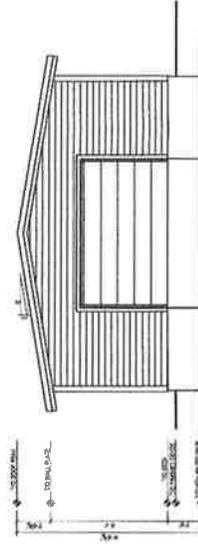
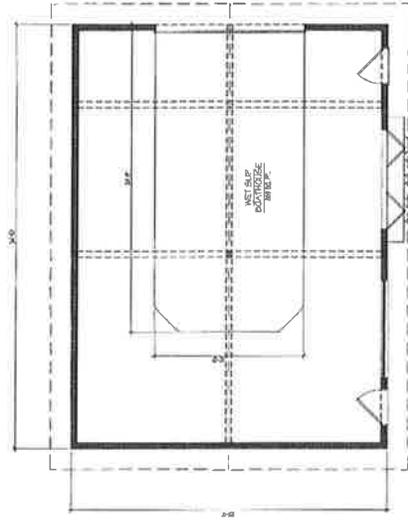
REGISTERED

APPENDIX " D "

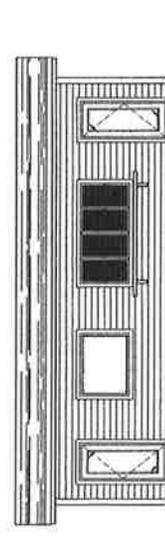
to

REPORT COA2022-019

FILE NO: D20-2022-012



EAST ELEVATION



SOUTH ELEVATION

Charlotte Crockford

From: Mark LaHay
Sent: Friday, March 4, 2022 11:23 AM
To: David Harding; Kent Stainton
Cc: Charlotte Crockford
Subject: FW: 20220304 D20-2022-018 - Engineering Review

APPENDIX E
to
REPORT COA2022-019
FILE NO. D20-2022-012

Follow Up Flag: Follow up
Flag Status: Flagged

FYI - file

From: Lisa Peimann <lpeimann@kawarthalakes.ca>
Sent: Friday, March 4, 2022 11:21 AM
To: Mark LaHay <MLaHay@kawarthalakes.ca>
Cc: Christina Sisson <csisson@kawarthalakes.ca>; Kirk Timms <ktimms@kawarthalakes.ca>; Daniel Woodhead <dwoodhead@kawarthalakes.ca>
Subject: 20220304 D20-2022-018 - Engineering Review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2022-018
1420 Highway 7A
Part Lot 23, Concession 7
Geographic Township of Manvers, Ward 8, now in the City of Kawartha Lakes

It is the understanding by Engineering that the purpose and effect is to request relief from Section 4.2(c) to reduce the minimum front yard from 15 metres to 13.5 metres in order 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

Charlotte Crockford

From: Mathew McKinnon
Sent: Friday, March 4, 2022 10:24 AM
To: Charlotte Crockford
Subject: Notice of Public Hearing for Minor Variances

The following comments are provided from the Building & Septic Division, save and except those comments provided separately by the Supervisor of Part 8 Sewage Systems:

D20-2021-077 – Spatial could be a potential issue, development charges applicable, permit required, no other concerns

D20-2022-010 – outstanding building permit BP2017-1278, no other concerns

D20-2022-011 – outstanding building permit BPH2003-1508, permit required for pool house, no other concerns

✍ D20-2022-012 – completion of issued permits BP2021-1621 & BP2017-0353 required, permits required for boathouse & cabin, no other concerns

D20-2022-016 – outstanding building permit BPH2013-0357, development charges applicable, permit required, no other concerns

D20-2022-017 – building permit required, completion of permit application BP2021-1620 for SDD required prior to issuance of garage permit, no other concerns

D20-2022-018 – no concerns

Mathew McKinnon

Plans Examiner

Development Services, City of Kawartha Lakes

Tel: (705) 324-9411 ext. 1273 www.kawarthalakes.ca



Please note: The Building Department 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.

David Harding

From: Anne Elmhirst
Sent: Monday, March 7, 2022 1:55 PM
To: Charlotte Crockford
Subject: RE: Notice of Public Hearing for Minor Variance D20-2022-012, 76 West Bay Road, Bexley

Hello Charlotte,

I have received and reviewed the minor variance proposal for 76 West Bay Blvd to request relief to increase lot coverage and number of accessory structures permitted on the property.

A Sewage System Permit to Install has been issued under file SS2021-0446 for this property to replace the existing sewage system with a Class 5 Holding Tank system. The holding tank will accommodate the existing residential dwelling and the cabin uses while maintaining the required clearance distances to all structures.

As such, the Building and Septic Division has no concerns with the proposed 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, March 3, 2022 2:44 PM
To: 'Erin McGregor' <emcgregor@kawarthaconservation.com>; Christina Sisson <csisson@kawarthalakes.ca>; 'alanna.boulton@canada.ca' <alanna.boulton@canada.ca>; Emmett Yeo <eyeo@kawarthalakes.ca>; Susanne Murchison <smurchison@kawarthalakes.ca>; Mathew McKinnon <mmckinnon@kawarthalakes.ca>; Anne Elmhirst <aelmhirst@kawarthalakes.ca>
Cc: Kim Rhodes <krhodes@kawarthalakes.ca>
Subject: Notice of Public Hearing for Minor Variance D20-2022-012, 76 West Bay Road, Bexley

Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2022-012 to be heard at March 17, 2022 C of A meeting.