

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Travis Bedwell
Report Number COA2022-031

Public Meeting

Meeting Date: May 19, 2022
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

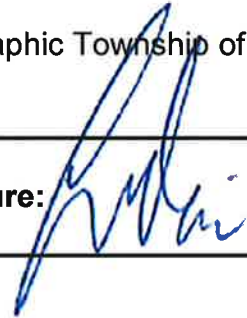
Ward: 3 – Geographic Township of Fenelon

Subject: The purpose and effect is to provide relief from Sections 3.1.3.1 and 3.1.5.3 to 1) increase the maximum lot coverage from 225 square metres to 316 square meters; and to, 2) recognize the upper level of an existing +/- 1,176.76 square metre boathouse.

The variance is requested at **32 Nook Street**, geographic Township of Fenelon (File D20-2022-024).

Author: Leah Barrie, RPP, Manager of Planning

Signature:



Recommendations:

Resolved That Report COA2022-031 Bedwell, be received;

That minor variance application D20-2022-024 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the boathouse related to this approval shall be recognized generally in accordance with the sketch in Appendix C submitted as part of Report COA2022-031, 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 four (4) 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 COA2022-031. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background:	The property has been redeveloped through a series of building permits spanning 2017-2019 to demolish and rebuild the cottage; to build a new garage/workshop; and, to demolish and rebuild the boathouse. A zoning deficiency was identified for the boathouse at the framing inspection stage, and needs to be addressed prior to closing the building permit.
Proposal:	To recognize the square footage and upper level of the existing boathouse
Owner:	Travis Bedwell
Applicant:	Susanne Murchison, CBO, City of Kawartha Lakes
Legal Description:	Part Lot 30, Concession 11, being Part 3 on RP 57R3510, geographic Township of Fenelon, City of Kawartha Lakes
Official Plan:	Waterfront within the City of Kawartha Lakes Official Plan
Zone:	Limited Service Residential (LSR) Zone within the Township of Fenelon Zoning By-law 12-95
Site Size:	0.587 ha (1.45 ac)
Site Servicing:	Private individual well and septic system
Existing Uses:	Residential
Adjacent Uses:	Shoreline residential and rural

Rationale:

1) Are the variances minor in nature? Yes

When evaluating the possible impacts of the variances, an assessment of environmental features, municipal functions and neighbouring properties is warranted.

The site contains lands regulated by Kawartha Conservation. Any development, grading, structures, etc. within Kawartha Conservation's regulated area will require a permit pursuant to Ontario Regulation 182/06. Accordingly KRCA issued permit 2019-288 to demolish and replace the boathouse. The site is also in proximity to provincially significant woodlands; the boathouse replaces the previous structure in a disturbed area of the property, with no impacts on the natural heritage feature.

Nook Street is a private right of way; as such, there are no impacts on the function of any municipal rights of way as a result of the proposed development.

The impacts to adjoining properties are negligible given the distance to the nearest shoreline neighbour and the low building profile of the boathouse design. The acreage, shape and configuration of the lot containing its existing buildings and

structures can withstand the size of the boathouse without being overbuilt. The design of the boathouse complements the dwelling, while existing vegetation screens it from the lake.

As such, the variances are minor in nature.

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

Replacing the boathouse provides an opportunity for additional boat storage while the upper level is intended for storage related to boating, including items such as life jackets, noodles, skis, water shoes, bathing suits, etc.

The covered deck and balcony identified on the upper level floorplan can be indicative of space used for purposes other than storage. Given the location of the boathouse in the floodplain with private road access to the lot, using the upper level of the boathouse for human habitation would be inappropriate, and would contravene the Official Plan policies and the Zoning By-law provisions for additional residential units (ARUs). The building plans contain no plumbing features associated with sanitary or kitchen facilities, and the owners have expressed their intention to use the space strictly for storage.

As such, the proposal is 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 lot is zoned Limited Service Residential (LSR) Zone which permits the existing dwelling and its accessory buildings and structures, including the boathouse use.

Regulating accessory square footage is one way the By-law prioritizes the prominence of the primary residential use. The increased square footage reflects the collective total of all accessory structures, including the detached garage / workshop and boathouse. Notwithstanding the increased square footage, the collective coverage at 6.76% falls under the maximum of 8% permitted in the Zoning By-law. The increased accessory square footage is distributed across multiple structures, and is not perceptible overall. The upper level does not exceed the maximum permitted height of 4.5 m.

As such, the variances maintain the 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 that permits seasonal and limited permanent residential development in proximity to lakes and rivers, with a goal to recognize and protect the established low density residential character. In order to uphold character through density and massing policies, new development shall maintain a low profile and blend with natural surroundings.

As such, the variances maintain the 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 septic system.

Consultations:

Notice of this application was circulated in accordance with the requirements of the Planning Act. Comments have been received from the following parties.

Agency Comments:

DS-Building and Septic Division, Plans Examiner: Completion of building permit BP2019-0901, no other concerns.

DS-Building and Septic Division, Supervisor – Part 8 Sewage Systems: The boathouse does not contain any habitable space or plumbing fixtures. The evaluation indicates that there is available clearance distances for the sewage system with the boathouse in its current location and there are no increases in the sanitary waste from the boathouse. As such, the Building and Septic Division has no issue with the minor variance proposal as it relates to private on-site sewage disposal.

EA-Development Engineering Division, Manager: From an engineering perspective, we have no objection to the proposed Minor Variance.

Public Comments:

No comments received as of the writing of the staff report.

Attachments:

Appendices
A-E_Nook St_Bedwe

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

Phone:	705-324-9411 extension 1240
E-Mail:	lbarrie@kawarthlakes.ca
Department Head:	Richard Holy, Director of Development Services
Department File:	D20-2022-024

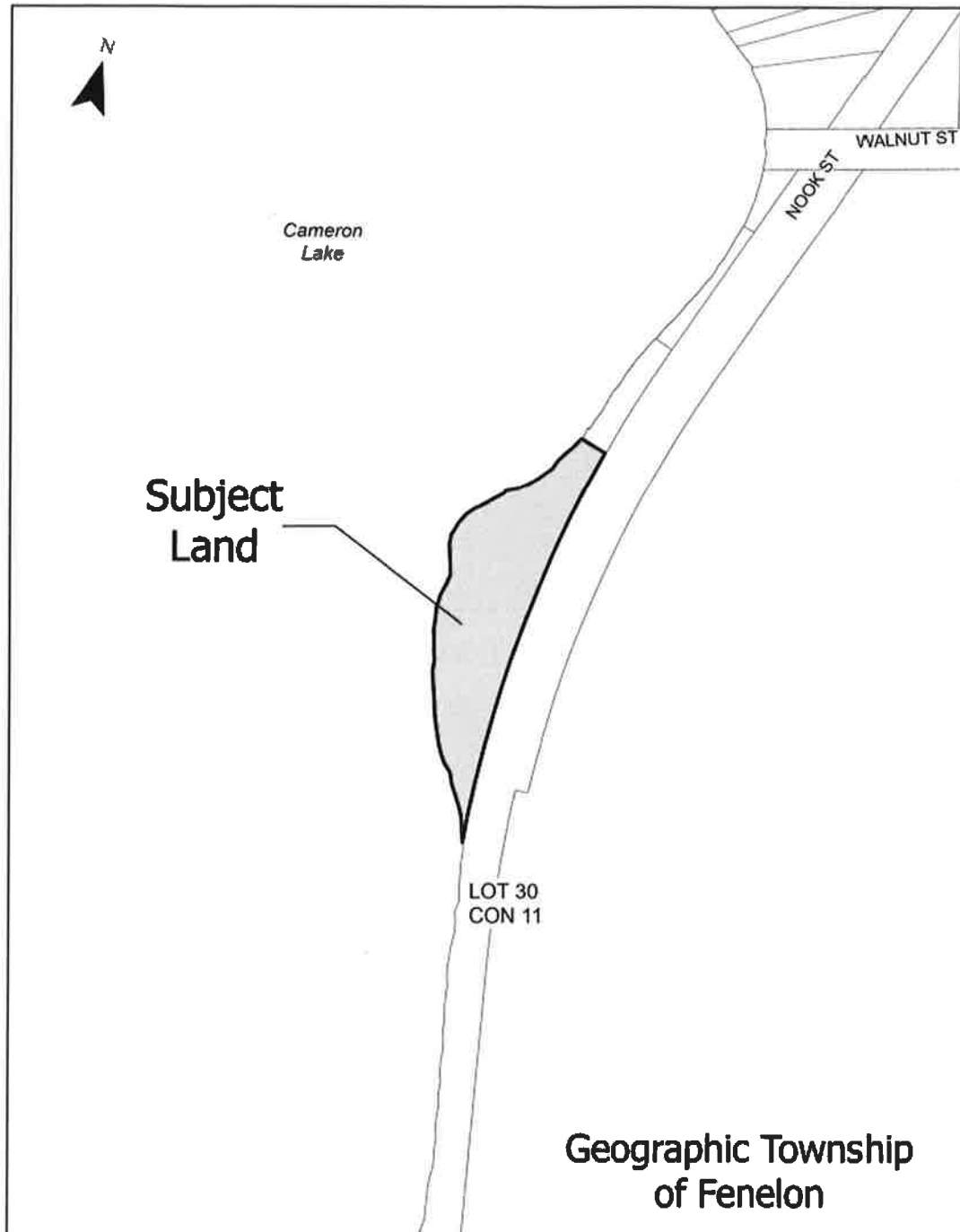
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REPORT COA2022-031

FILE NO: D20-2022-024

LOCATION MAP

D20-2022-024



to

REPORT COA2022-031

FILE NO: D20-2022-024

AERIAL PHOTO

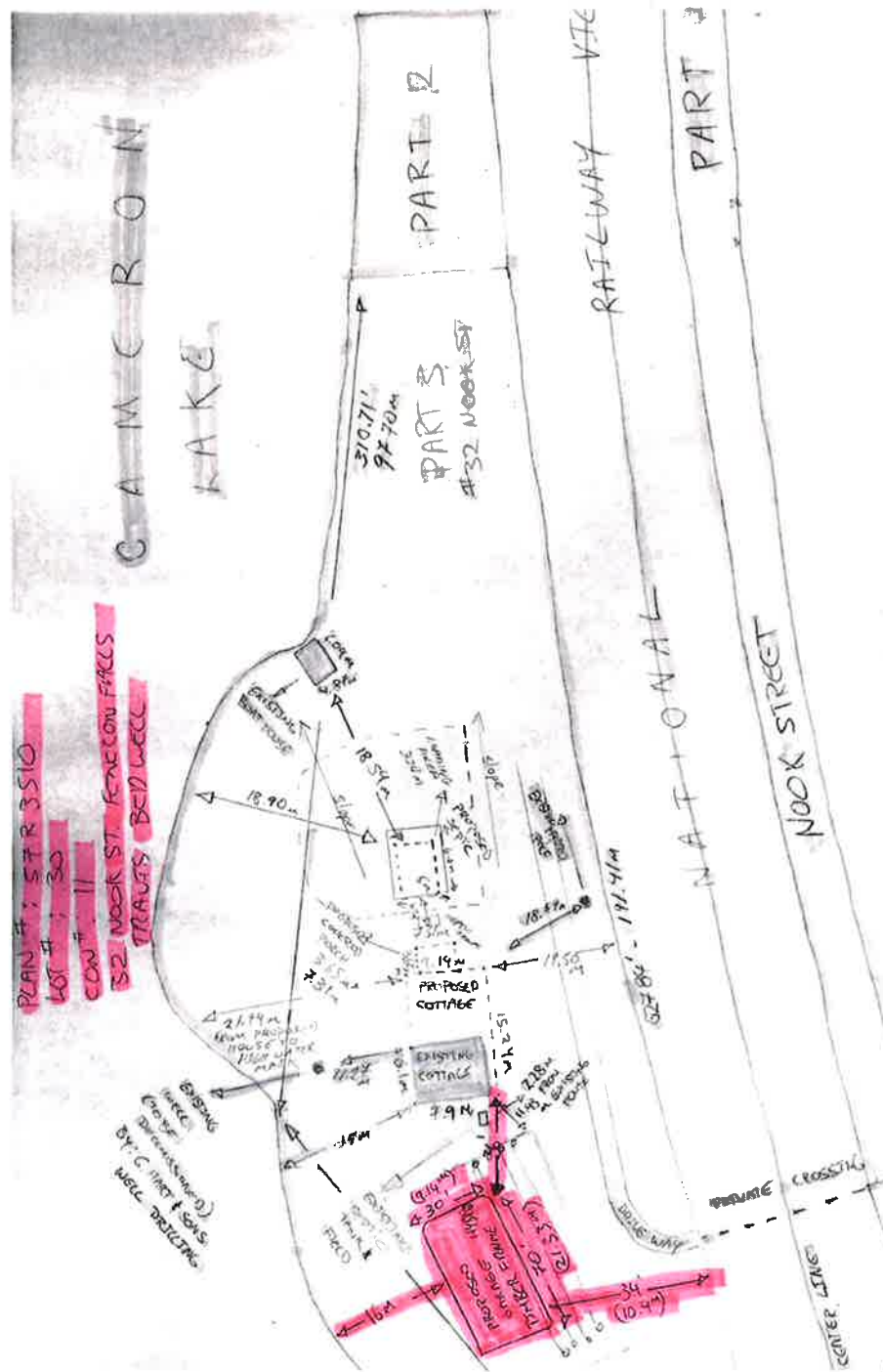


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REPORT COA2022-031

FILE NO: D20-2022-024

APPLICANT'S SKETCH



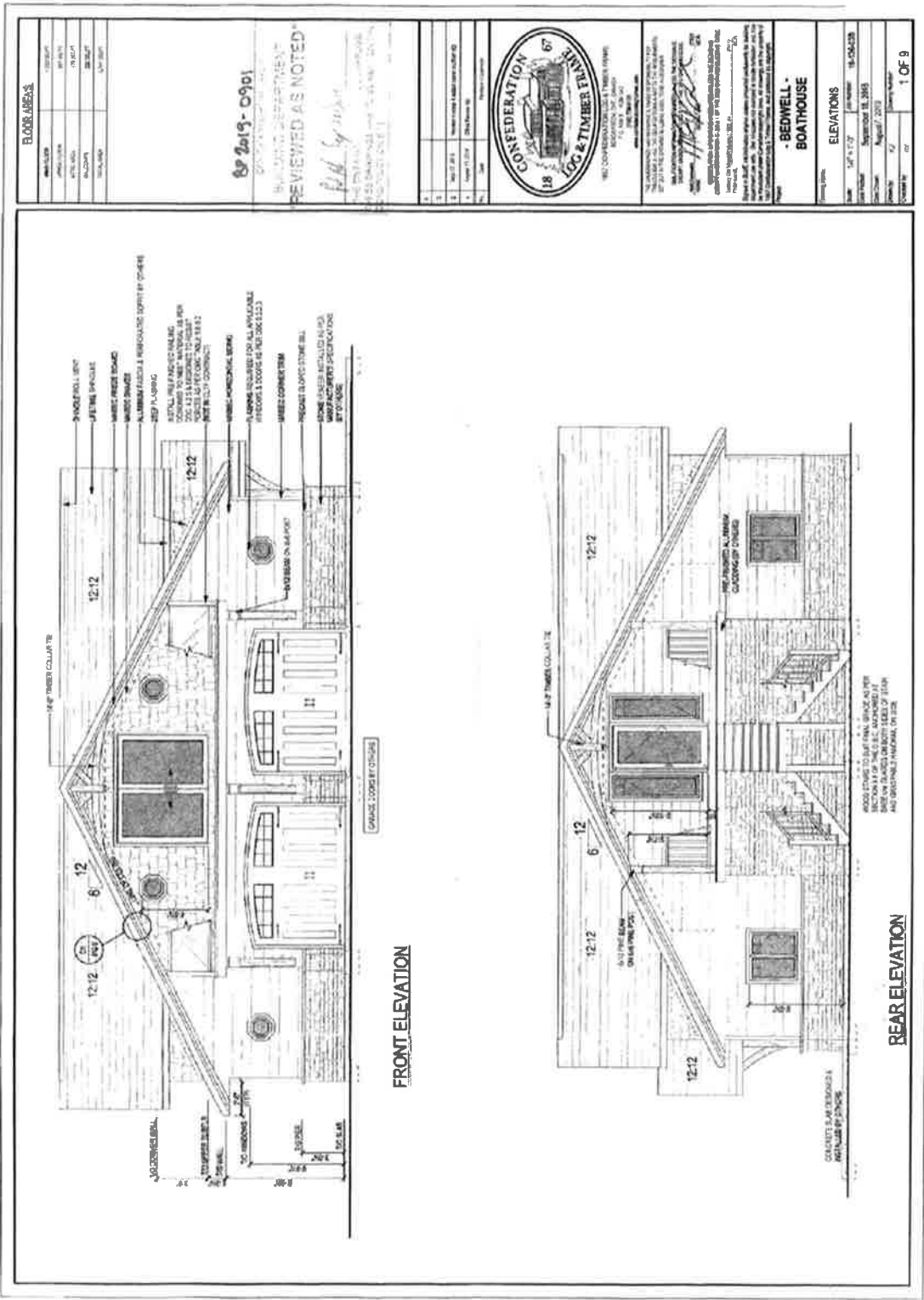
ELEVATIONS AND PHOTOS

APPENDIX " D "

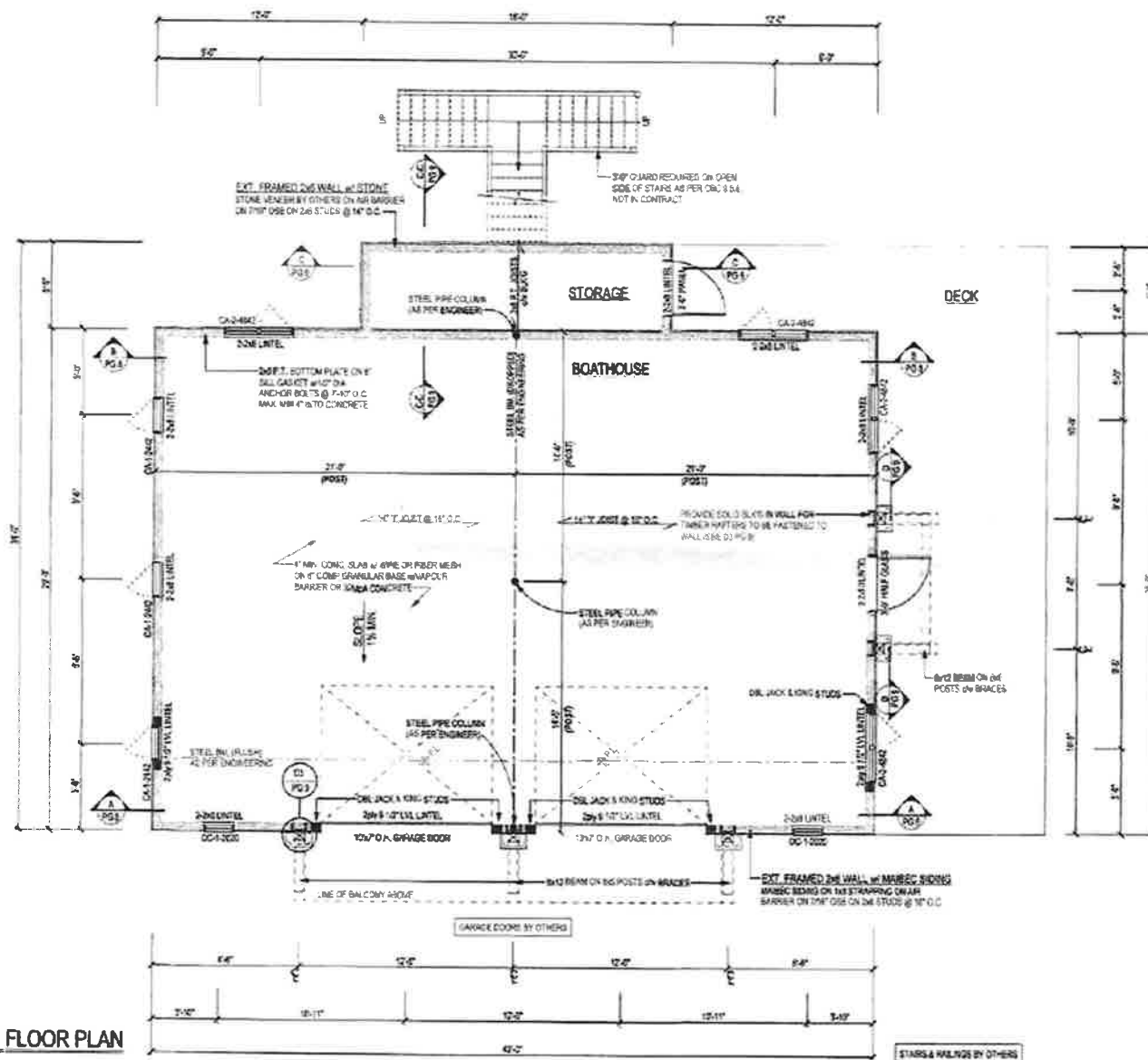
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FILE NO: D20-2022-024



MAIN FLOOR PLAN



NOTES

1. ALL DIMENSIONS TO BE COMPIRED BY OWNER AND CONTRACTOR TO BE COMPIRED BY CONSTRUCTION.
2. ALL DIMENSIONS TO BE COMPIRED BY OWNER AND CONTRACTOR TO BE COMPIRED BY CONSTRUCTION.
3. DIMENSIONS TO BE COMPIRED BY OWNER AND CONTRACTOR TO BE COMPIRED BY CONSTRUCTION.

GENERAL SYMBOLS

2x6 LVL LATEL
 2x4 LVL LATEL
 2x2 LVL LATEL

WALL LEGEND

TYPICAL ON EXTERIOR WALL
 BASED ON 2x6 LVL LATEL ON
 AIR BARRIER ON 7/8\"/>

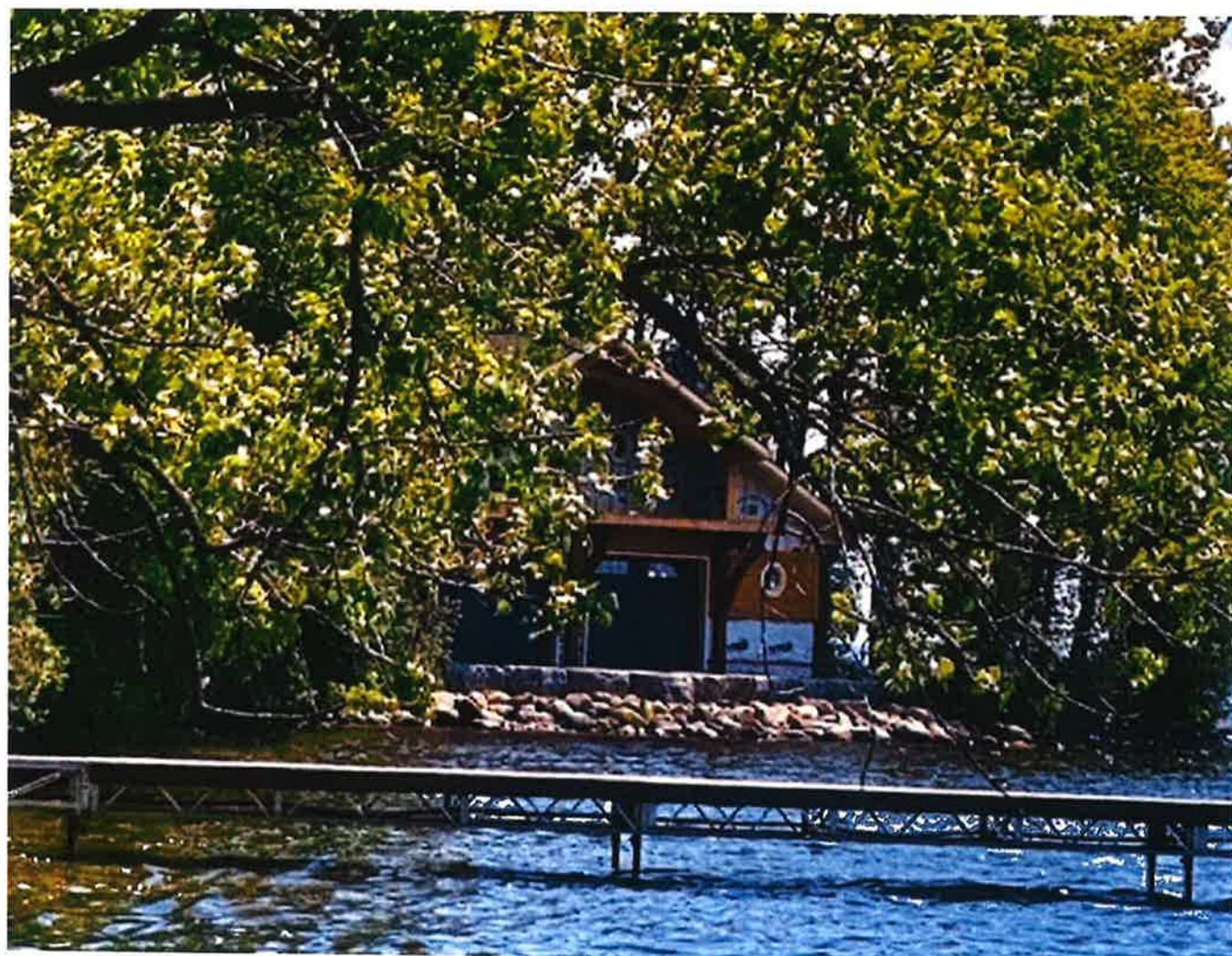
No.	Notes	Quantity	Comments
1			
2			
3			
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- BEDWELL - BOATHOUSE

MAIN FLOOR PLAN			
Scale	1/8" = 1'-0"	Sheet Number	18-136-008
Drawn By	September 18, 2019	Check By	August 7, 2019
Drawn By	1/2"	Check By	1/2"
Drawn By	1/2"	Check By	1/2"



to

REPORT COA2022-031FILE NO: D20-2022-024**COMMENTS****From:** Mathew McKinnon <mmckinnon@kawarthalakes.ca>**Sent:** Monday, May 9, 2022 9:04 AM**To:** Charlotte Crockford <ccrockford@kawarthalakes.ca>**Cc:** Susanne Murchison <smurchison@kawarthalakes.ca>**Subject:** RE: Notice of Public Hearing for Minor Variances May 2022

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:

D20-2022-024 – completion of building permit BP2019-0901, no other concerns

Mathew McKinnon

Plans Examiner

Development Services, City of Kawartha Lakes

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

From: Anne Elmhirst <aelmhirst@kawarthalakes.ca>**Sent:** Thursday, May 5, 2022 5:14 PM**To:** Charlotte Crockford <ccrockford@kawarthalakes.ca>**Subject:** D20-2022-024 - 32 Nook St

Hello Charlotte,

RE: Minor Variance Application D20-2022-024

32 Nook St., Former Fenelon Township

Conc. 11, Pt Lot 30, Plan 57R3510, Part 3,

Roll No. 165121006024500

I have received and reviewed the minor variance proposal to request relief permit an increased lot coverage of accessory buildings.

A site visit was conducted to locate the boathouse and review the clearance distances to the existing sewage system. The boathouse does not contain any habitable space or plumbing fixtures. The evaluation indicates that there is available clearance distances for the sewage system with the boathouse in its current location and there are no increases in the sanitary waste from the boathouse.

As such, the Building and Septic Division has no issue 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

From: Lisa Peimann <lpeimann@kawarthalakes.ca>

Sent: Thursday, May 5, 2022 8:14 AM

To: Mark LaHay <MLaHay@kawarthalakes.ca>

Cc: Charlotte Crockford <ccrockford@kawarthalakes.ca>

Subject: 20220504 D20-2022-024 - Engineering Review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2022-024

32 Nook Street

Part Lot 30, Concession 11, being Part 3 on RP 57R3510

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 provide relief from Section 3.1.3.1 and 3.1.5.3 to 1) increase the maximum lot coverage from 225 square metres to 316 square metres; and to, 2) recognize the upper level of an existing +/- 1,16.76 square metre boat house.

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