

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Angela Dinham**  
Report Number COA2022-032

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**Public Meeting**

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

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**Ward: 4 – Geographic Township of Mariposa**

**Subject:** The purpose and effect is to provide relief from Section 3.23 vi) that requires a minimum lot area of 4,000 square metres for an Additional Residential Unit (ARU) on private services, in order to permit a new ARU on the existing lot area +/- 2,031.2 square metres on partial services.

The variance is requested at **23 Sparrow Court**, geographic Township of Mariposa (File D20-2022-025).

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**Author:** Leah Barrie, RPP, Manager of Planning

**Signature:**



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**Recommendations:**

**Resolved That** Report COA2022-032 Dinham, be received;

**That** minor variance application D20-2022-025 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 submitted as part of Report COA2022-032 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 COA2022-032. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.**

**Background:**

Proposal: To permit an ARU on an undersized lot

Owner: Angela Dinham

Applicant: TD Consulting Inc. (Tom deBoer)

Legal Description: Lot 11 on Plan 572, geographic Township of Mariposa, City of Kawartha Lakes

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

Zone: Rural Residential Type Two Exception One (RR2-1) Zone within the Township of Mariposa Zoning By-law 94-07

Site Size: 2,031.2 sq m (0.5 ac)

Site Servicing: Municipal water and private individual septic system

Existing Uses: Residential

Adjacent Uses: Residential

**Rationale:**

**1) Are the variances minor in nature? Yes**

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

The subject property is located within Kawartha Conservation's watershed jurisdiction, and they are of the opinion that the proposed development should not cause interference or significant impact to the ecological or hydrological functions of the Natural Heritage features, or increased risk to persons or property due to Natural Hazards on the property or surrounding areas.

The property is located within the Wellhead Protection Area D for the Pleasant Point municipal groundwater supply system. The Trent Conservation Coalition Source Protection Plan identifies policies that address significant drinking water threats and the areas to which the policies apply. A notice under the Clean Water Act (2006) is not required, but given the proximity of the property to the Pleasant Point groundwater supply system, KRCA encourages best management practices for any activities undertaken to help ensure the protection of the water supply.

There are no anticipated impacts on the function of the municipal right of way with respect to access or drainage.

The proposed addition is to the rear of the dwelling, behind the existing garage and set well back from the nearest residential dwelling. A dense vegetative buffer along the east property line screens the addition from the adjacent community use. Given the compatibility of surrounding land uses, there are no anticipated impacts on neighbouring properties.

As such, the variance is minor in nature.

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

The application will facilitate development of a new housing option, and provide the homeowners' aging mother with the opportunity to age-in-place relatively independently with the support of family when needed. The proposed addition is well-sited and complements the existing dwelling.

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 Rural Residential Type Two Exception One (RR2-1) Zone, which permits the existing single detached dwelling and an ARU as-of-right provided the zoning provisions are upheld. The zone exception permits a minimum lot area of 1850 sq m and a minimum lot frontage of 18 m, and applies to the primary residential use only.

The increased minimum lot area for an ARU has been established to support an additional dwelling on private services (individual well and septic), while ensuring the necessary separation distances between services and structures, and providing adequate open space for drainage and amenity area. Lot areas under this threshold require a review to determine whether the lot has the carrying capacity to handle the nitrate loading on-site given site-specific conditions.

The availability of partial services (municipal water and individual septic) provides an opportunity to consider a reduced lot area that doesn't warrant the same spatial separation requirements as with private services. Additionally, an alternative sewage system has been proposed to accommodate the ARU. The proposal upholds all remaining zone provisions.

As such, the variance maintains the intent and purpose of the Zoning By-law.

**4) Do the variances maintain the intent and purpose of the Official Plan? Yes**

The lot 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. The ARU policies have introduced housing options to gently increase the existing density of residential neighbourhoods, and contribute to complete communities. The proposed addition upholds the residential character of the area.

As such, the variance maintains 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 municipal water and a 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 the following parties.

**Agency Comments:**

DS-Building and Septic Division, Plans Examiner: Registration of ARU required, building and septic permits required.

DS-Building and Septic Division, Supervisor – Part 8 Sewage Systems: Based on the proposal, it would seem reasonable that the property can accommodate the ARU and associated sewage system. A Sewage System Permit to Install will be required from the Building and Septic Division for the on-site sewage system. As such, the Building and Septic Division has no concerns with the proposed minor variance 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.

Kawartha Conservation, Floodplain GIS/Mapping Technician: No concerns with the approval of the Minor Variance Application.

**Public Comments:**

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

**Attachments:**



Appendices  
A-E\_Sparrow Ct\_Din

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Elevations and Photos

Appendix E – Department and Agency Comments

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**Phone:** 705-324-9411 extension 1240

**E-Mail:** lbarrie@kawarthalakes.ca

**Department Head:** Richard Holy, Director of Development Services

**Department File:** D20-2022-025

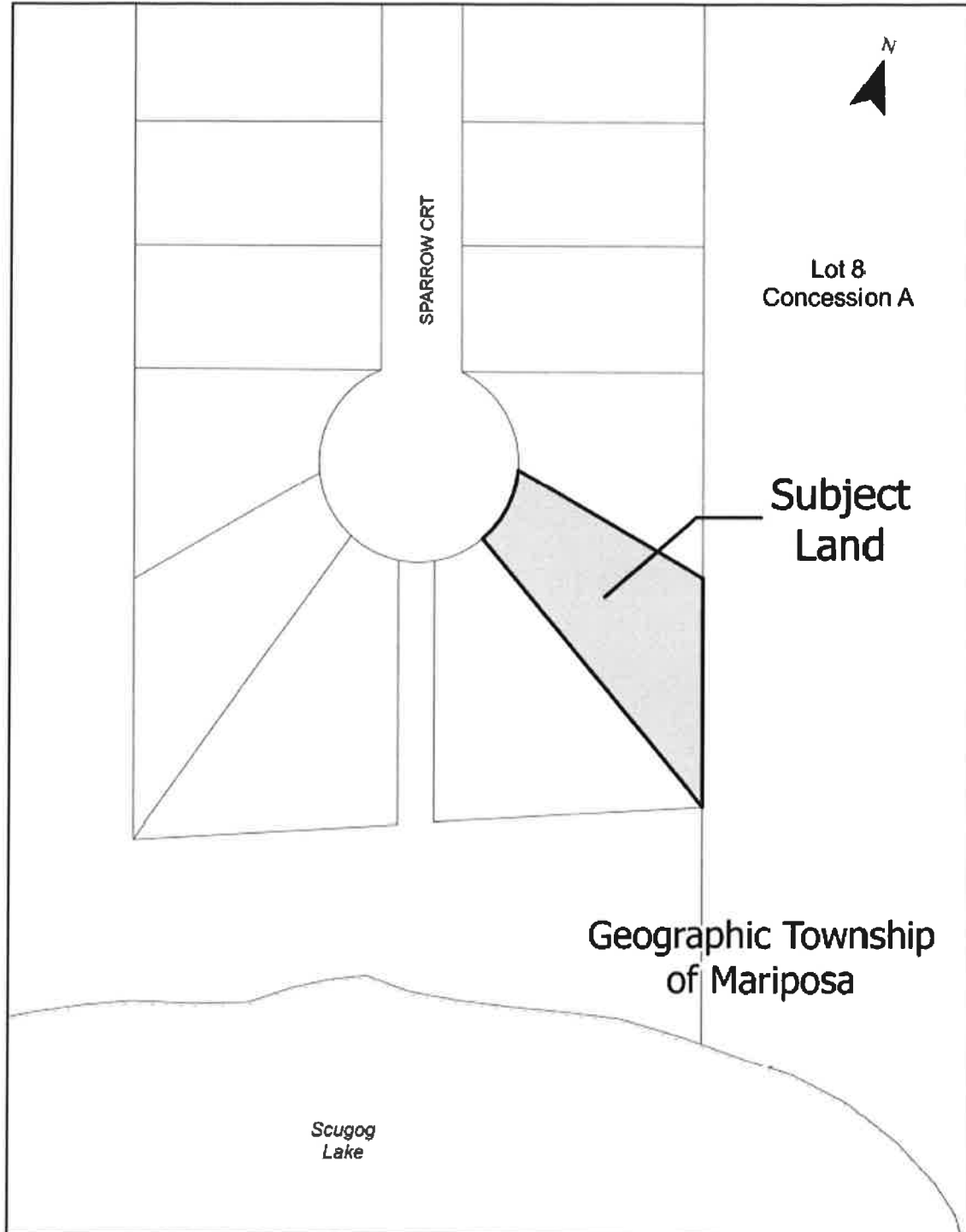
to

REPORT COA2022-032

FILE NO: D20-2022-025

**LOCATION MAP**

**D20-2022-025**



to

REPORT COA2022-032

FILE NO: D20-2022-025

**AERIAL PHOTO**

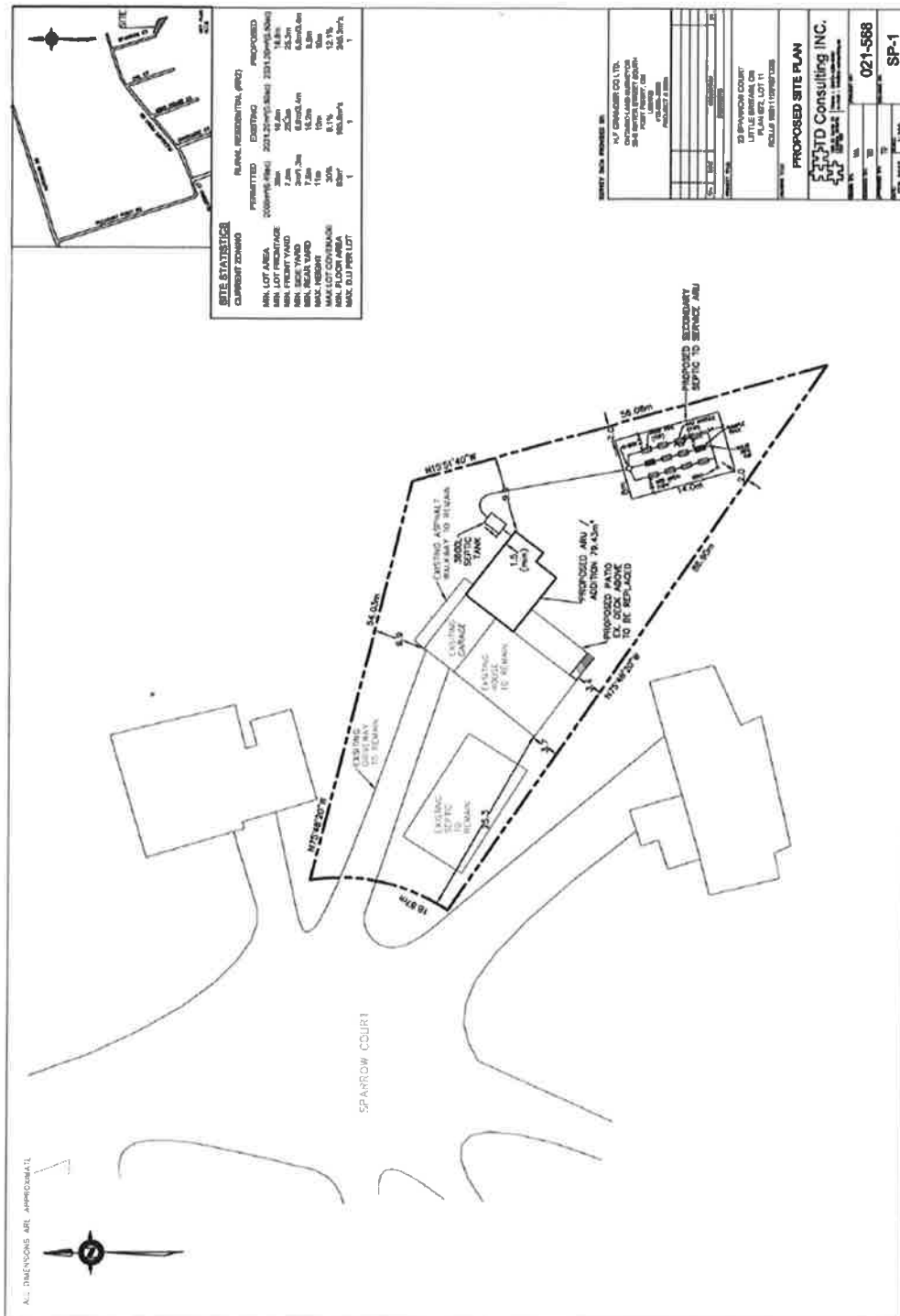


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### APPLICANT'S SKETCH

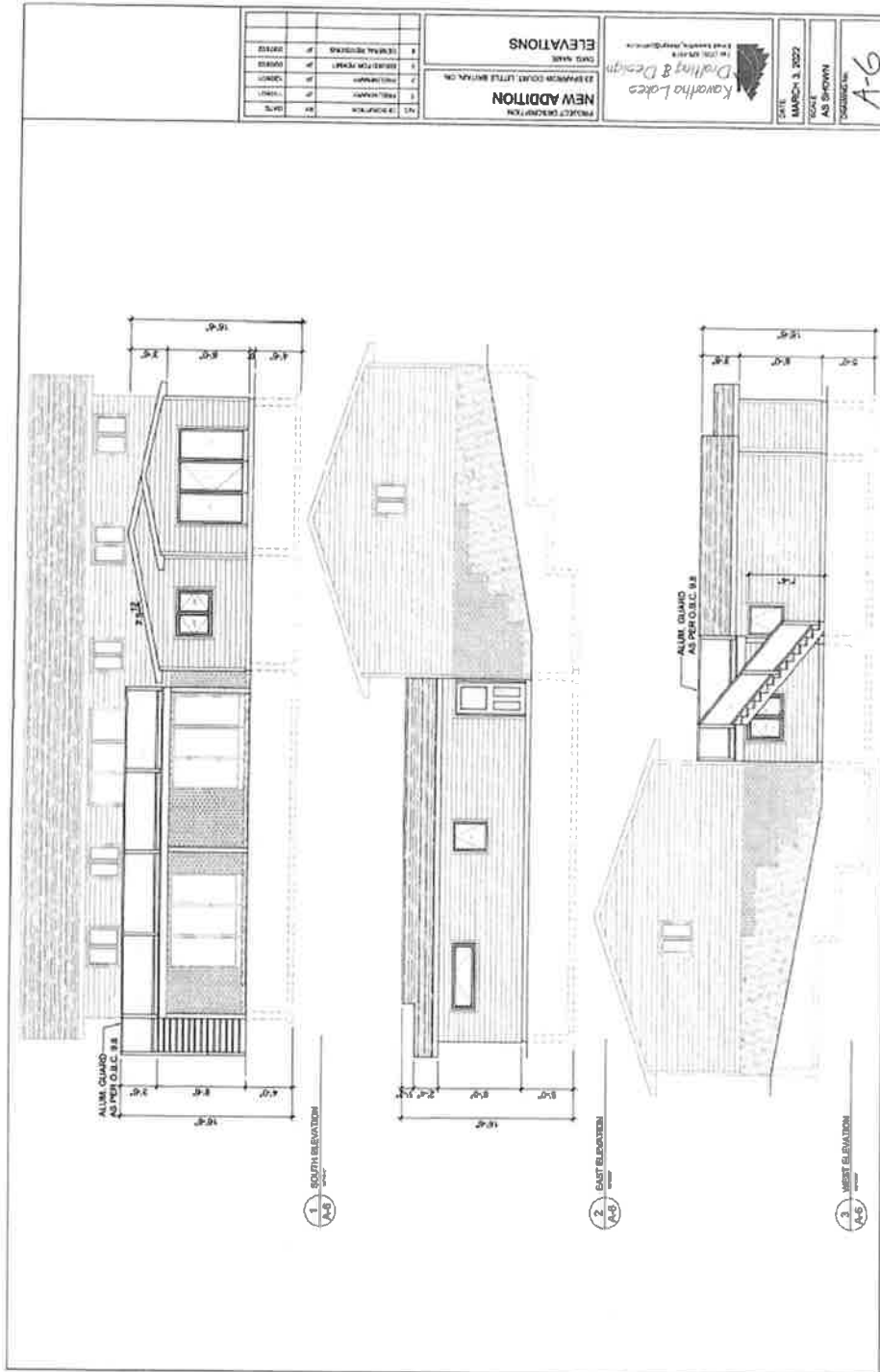


to

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# ELEVATIONS AND PHOTOS







to

REPORT COA2022-032FILE NO: D20-2022-025**COMMENTS****From:** Mathew McKinnon <[mmckinnon@kawarthalakes.ca](mailto:mmckinnon@kawarthalakes.ca)>**Sent:** Monday, May 9, 2022 9:04 AM**To:** Charlotte Crockford <[ccrockford@kawarthalakes.ca](mailto:ccrockford@kawarthalakes.ca)>**Cc:** Susanne Murchison <[smurchison@kawarthalakes.ca](mailto: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:

D20-2022-025 – registration of ARU required, building and septic permits required

**Mathew McKinnon**

Plans Examiner

Development Services, City of Kawartha Lakes

Tel: (705) 324-9411 ext. 1273 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)

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**From:** Anne Elmhirst <[aelmhirst@kawarthalakes.ca](mailto:aelmhirst@kawarthalakes.ca)>**Sent:** Tuesday, May 10, 2022 8:20 AM**To:** Leah Barrie <[lbarrie@kawarthalakes.ca](mailto:lbarrie@kawarthalakes.ca)>**Subject:** D20-2022-025 - 23 Sparrow Crt

Hello Leah,

RE: Minor Variance Application D20-2022-025

23 Sparrow Court, Former Mariposa Twp

Plan 572, Lot 11

Roll No. 165111001071336

I have received and reviewed the proposal to request relief to construct an attached accessory residential dwelling unit at the above-noted property.

An evaluation was conducted of the site to determine the ability for private sewage disposal system servicing. A proposed alternative system has been represented on the site plan to acknowledge a location and size. Based on the proposal, it would seem reasonable that the property can accommodate the ARU and associated sewage system. A Sewage System Permit to Install will be required from the Building and Septic Division for the on-site sewage system.

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](http://www.kawarthalakes.ca)

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**From:** Lisa Peimann <lpeimann@kawarthalakes.ca>

**Sent:** Thursday, May 5, 2022 8:12 AM

**To:** Mark LaHay <MLaHay@kawarthalakes.ca>

**Cc:** Charlotte Crockford <ccrockford@kawarthalakes.ca>

**Subject:** 20220504 D20-2022-025 - Engineering Review

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

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

Minor Variance – D20-2022-025

23 Sparrow Court

Lot 11 on Plan 572

Geographic Township of Mariposa, Ward 4, now in the City of Kawartha Lakes

It is the understanding by Engineering that the purpose and effect is to provide relief from Section 3.23 vi) that requires a minimum lot area of 4,000 square metres for an Additional Residential Unit (ARU) on private services (i.e. well and septic systems), in order to permit a new ARU on the existing lot area +/- 2,031.2 square metres on partial services (i.e. municipal water and septic systems).

*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)



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May 02, 2022

KRCA File NO: PPLK-10796

Via Email: [ccrockford@kawarthalakes.ca](mailto:ccrockford@kawarthalakes.ca)

Charlotte Crockford  
Administrative Assistant  
Planning Department  
City of Kawartha Lakes  
26 Francis St  
Lindsay, ON, K9V 5R8

**Regarding: Minor Variance Application**  
**D20-2022-025**  
**23 Sparrow Court, Mariposa - Little Britain, City of Kawartha Lakes**  
**Angela Dinham**

Dear Ms. Crockford,

Kawartha Conservation has completed review of the above noted Minor Variance Application, submitted by Angela Dinham. Kawartha Conservation has provided comments as per our MOU with the City of Kawartha Lakes to review the application with respect to Natural Heritage, Watershed Management, and Natural Hazards.

Our comments are as follows:

**Application Purpose:**

It is Kawartha Conservation's understanding that the purpose and effect of Minor Variance Application D20-2022-025 is to seek relief from the following provisions in order to facilitate the construction of an additional residential unit (ARU) on an undersized lot with partial services (Water Only).

- Section 2020-160 - section 16;00 Township of Mariposa By-law 94-47 3.23 vi

**KAWARTHA CONSERVATION**  
277 Kenrei Road, Lindsay, ON K9V 4R1  
705.328.2271 Fax 705.328.2286  
[KawarthaConservation.com](http://KawarthaConservation.com)

**Our Watershed Partners:**

City of Kawartha Lakes • Region of Durham • Township of Scugog • Municipality of Clarington • Township of Brock • Municipality of Trent Lakes • Township of Cavan Monaghan



**Site Characteristics:**

**Ontario Regulation 182/06:**

The subject property does not contain lands regulated by Kawartha Conservation. Any development, grading, structures, etc. within Kawartha Conservation's regulated area will not require a permit pursuant to Ontario Regulation 182/06.

**Applicable Kawartha Conservation Regulation and Policies**

The subject property is located within Kawartha Conservation's watershed/jurisdiction. It was reviewed in accordance with the Memorandum of Understanding (MOU) between the City of Kawartha Lakes and Kawartha Conservation regarding Natural Heritage and Natural Hazards. A permit will not be required from our office.

Based on the application as proposed Kawartha Conservation considered natural heritage, natural hazards and water quality and quantity protection policies. It is the opinion of the Kawartha Conservation that the proposed development is located within an area that should not cause interference or significant impact to the ecological or hydrological functions of the Natural Heritage features, or increased risk to persons or property due to Natural Hazards, on the property or surrounding areas. Therefore, Kawartha Conservation has no objections to the approval of this application at this time.

**Recommendation:**

Kawartha Conservation has no concerns with the approval of the Minor Variance Application D20-2022-025.

This evaluation is based on our consideration for natural heritage, watershed management, and natural hazards. I trust this meets your information requirements at this time. Should you have any questions, please contact the undersigned.

Sincerely,

Galen Yerex



Kawartha Conservation

CC: Emma Collyer, Director of Integrated Watershed Management, Kawartha Conservation

**KAWARTHA CONSERVATION**  
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