

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Severn
Report Number COA2022-035

Public Meeting

Meeting Date: June 16, 2022
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 6 – Geographic Township of Fenelon

Subject: The purpose and effect is to permit reduced setbacks to facilitate the reconstruction and addition to a single detached dwelling. The By-law requires minimum interior side yard setbacks of 3.0 metres on one side and 2.3 metres on the opposite side; the existing setbacks are 2.34 metres and 2.59 metres (east side), and, 0.82 metres and 1.12 metres (west side).

The variance is requested at **32 Oriole Road** (File D20-2022-028).

Author: Leah Barrie, RPP, Manager of Planning

Signature:



Recommendations

That Report COA2022-035 – Severn, be received;

That minor variance application D20-2022-028 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

- 1) **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendices C and D submitted as part of Report COA2022-035, which shall be attached to and form part of the Committee's Decision; and,
- 2) **That** 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; and,
- 3) **That** the owner obtains a Section 59 Notice from the Risk Management Official at Kawartha Conservation.

This approval pertains to the application as described in report COA2022-035. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	To permit reduced setbacks to facilitate the reconstruction and addition to a single detached dwelling
Owners:	Wendy and Roger Severn
Applicant:	Same as Owners
Legal Description:	Lot 33, Plan 190 (Part Lot 23, Concession 9)
Official Plan:	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone:	Rural Residential Type Three 'RR3' (Township of Fenelon Zoning By-law 12-95)
Site Size:	528.23 square metres (5,685.82 square feet)
Site Servicing:	Private individual well and septic system
Existing Uses:	Residential
Adjacent Uses:	Residential

Rationale

The variance is desirable for the appropriate development or use of the land, building or structure.

The owners intend to redevelop their seasonal cottage which has served as a secondary residence, as their primary dwelling going forward. It can be expected that over time, owners may improve their property resulting in its highest and best use. The undersized lot, existing built form, topography and natural features limit redevelopment opportunities to building up from the existing foundation, instead of out and further exacerbating existing deficiencies.

The variance maintains the general intent and purpose of the Official Plan.

Residential uses are permitted in the designation, provided they maintain a low building profile, blend with natural surroundings and remain compatible with the established residential character; performance and siting criteria is implemented through the Zoning By-law.

The variance maintains the general intent and purpose of the Zoning By-law.

The existing reduced side yard setbacks provide sufficient room for passage between the front and rear yard areas, as well as for performing maintenance and

repairs. The proposed second storey addition is not anticipated to hinder these activities.

The variance is minor in nature.

There are no anticipated impacts on environmental features; neighbouring properties; or, the function of the municipal right-of-way with respect to access, drainage, or streetscaping and maintenance.

Other Alternatives Considered:

No alternatives applicable.

Consultation Summary

Notice of this application was circulated in accordance with the requirements of the Planning Act.

Agency Comments:

No concerns or objections received as of the writing of the staff report.

Kawartha Conservation notes that the property is located within the Intake Protection Zone 1 for the Fenelon Falls Municipal Drinking Water System; a Section 59 Notice from the RMO regarding prohibited uses or applicability of risk management plans is required prior to any further approvals. A portion of the property is regulated by Kawartha Conservation; permits will be required pursuant to Ontario Regulation 182/06, addressing geotechnical matters for erosion and sediment control, prior to any onsite works.

Public Comments:

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

Attachments

- Appendix A – Location Map
- Appendix B – Aerial Photo
- Appendix C – Applicant's Sketch
- Appendix D – Elevations

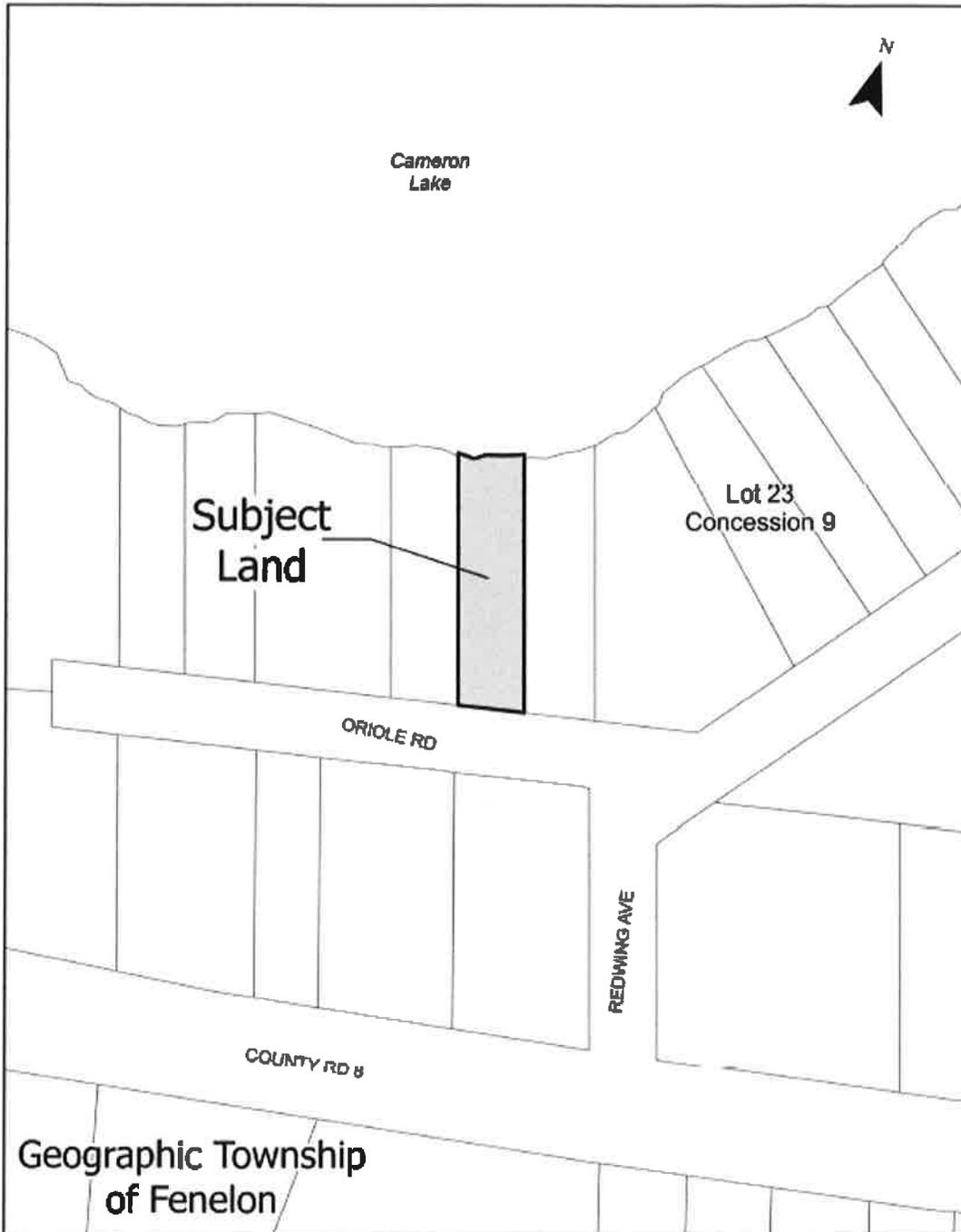


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Appendices_Severn.

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Department Head: Richard Holy, Director of Development Services
Division File: D20-2022-028

to

LOCATION MAP



to

REPORT COA2022-035

FILE NO: D20-2022-028

AERIAL PHOTO

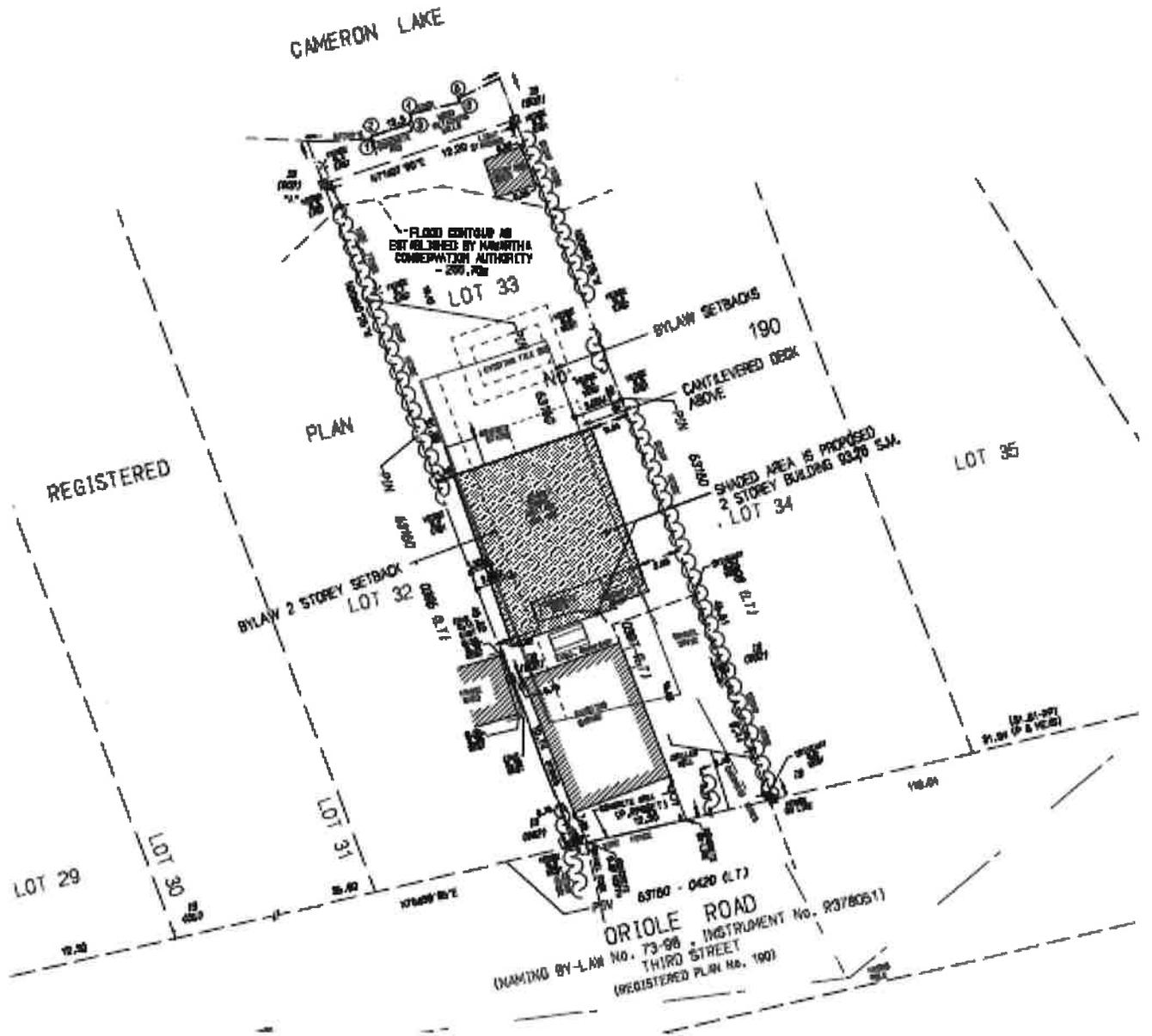


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APPLICANT'S SKETCH



to

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ELEVATIONS

