

# **The Corporation of the City of Kawartha Lakes**

## **Minutes**

### **Committee of Adjustment Meeting**

**COA2022-007**  
**Thursday, July 21, 2022**  
**1:00 P.M.**  
**Council Chambers**  
**City Hall**  
**26 Francis Street, Lindsay, Ontario K9V 5R8**

**Members:**  
**Councillor Emmett Yeo**  
**Lloyd Robertson**  
**David Marsh**  
**Sandra Richardson**  
**Betty Archer**  
**Stephen Strangway**  
**Janice Robinson**

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## 1. **Call to Order**

Chair Robertson called the meeting to order at 1:01pm.

Chair Robertson and Members D. Marsh, S. Strangway, S. Richardson, B. Archer and J. Robinson were in attendance in person.

Staff, L. Barrie, Manager of Planning, M. LaHay, Secretary-Treasurer and C. Crockford, Recording Secretary were in attendance in person.

Staff, Mathew McKinnon, Plans Examiner was in attendance via electronic participation.

Absent: Councillor Yeo.

## 2. **Administrative Business**

### 2.1 Adoption of Agenda

#### 2.1.1 COA2022-007

July 21, 2022

Committee of Adjustment Agenda

**CA2022-065**

**Moved By** S. Richardson

**Seconded By** S. Strangway

**That** the agenda for July 21, 2022 be approved as printed.

**Carried**

### 2.2 Declaration of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

### 2.3 Adoption of Minutes

#### 2.3.1 COA2022-006

June 16, 2022

Committee of Adjustment Minutes

**CA2022-066****Moved By** B. Archer**Seconded By** S. Strangway

**That** the minutes of the previous meeting held June 16, 2022 be adopted as printed.

**Carried****3. New Applications****3.1 Minor Variances****3.1.1 COA2022-043**

Leah Barrie, Manager of Planning

File Number: D20-2022-036

Location: 5 Thorndyke Drive

Lot 7 on Plan 483 (Part Lot 16, Concession 8)

Geographic Township of Mariposa

Owner: Bobbi Lyn Gray

Ms. Barrie summarized Report COA2022-043. The purpose and effect is to facilitate the construction of an Additional Residential Unit (ARU). Relief sought: 1) By-law Section 3.23 vi. requires a minimum lot area of 4,000 square metres (private services); the existing lot is +/- 1,393.79 square metres.

Public concerns received from the following:

Evan &amp; Lexie Van Kooten of 21 Kenscott crescent, Oakwood.

Nancy Hanna, 32 Kenscott Crescent, Oakwood.

Leah Willson, 34 Kenscott Crescent, Oakwood.

Ms. Barrie summarized the concerns and noted the owner had responded to the neighbours concerns which had been distributed to the Committee. Ms. Barrie also noted that the Supervisor of Part 8, Sewage Systems had reviewed the application and complaint regarding the foul smelling odor from the septic system. It was the opinion of the City that the odor was from emptying stagnant water from the pool and not a failure of the septic system, and was subject to ongoing monitoring and review.

Since the writing of the report agency comments were received from the Building and Septic Division with no issues.

Staff respectfully recommend that the application be granted approval subject to the conditions identified within the report.

The Committee had the following questions or concerns:

- Insufficient parking and is it being addressed.
- Concerns with cars reportedly driving over the septic area.
- Diagram within the report notes that the shed and pool to be removed. Should a condition be included to ensure removal?
- The new proposed septic system, is it a replacement or will there be two?
- Pool water flooding into neighbours property. Should a condition be added to remove the pool?
- Driveway, is it to be widened or a new driveway?
- Reduction of lot size of 50%. Clarification on the By-law requested.

Ms. Barrie responded. Details are available on the City's YouTube channel.

The applicant, Ms. Gray was present via electronic participation and clarified the driveway is to be widened to the right side of the garage. There is no desire to remove any further trees from the property. The sewage system design was approved by the City. There is no intention of using the ARU as a rental as it is for her ageing mother and then will be passed to her daughter who has autism. The shed will be removed as it is in the area where the new Septic system is proposed. The pool is above ground and does not interfere with the ARU or the septic system. If during the building permit process it is noted that the pool is in the way, then it will be removed. Ms. Gray finished by saying the exterior of the dwelling will be completely renovated.

The Committee asked the applicant the following questions:

- Do you have access to municipal water?
- Were you aware the water from the pool was flowing onto the neighbours property?

Ms. Gray replied that there is access but she has a well in good working order. She was not aware the water was flowing onto the neighbour's property.

The Committee suggested to Ms. Barrie that a condition be added to connect to the municipal water and can the Committee enforce it? Ms. Barrie replied the Committee can consider adding a condition of approval but suggested that it is phrased "in accordance with the Municipal Connections By-law".

Mr. Marsh motioned to add a condition to connect to the municipal water in accordance with the Mandatory Connection to Water and Wastewater Systems By-law. Ms. Archer seconded the motion. The motion failed.

The Committee asked Ms. Barrie for clarification as to the Mandatory Connection By-law. Ms. Barrie responded and also added that a condition is not necessary as it will be addressed through the building permit process if applicable. The Chair spoke to the failed motion and stated that this is not related to the purpose of the application. Member Marsh requested a deferral to look further into the Mandatory Connection By-law, and following discussion stated for the record that he was denied an opportunity to have information put before the Committee. The Chair referred to the information received, and that there was no need to entertain a deferral motion.

A motion was made to approve the application as printed.

It was noted that Members Marsh and Archer opposed the decision.

No further questions from the Committee or other persons.

**CA2022-067**

**Moved By** J. Robinson

**Seconded By** S. Richardson

**That** minor variance application D20-2022-036 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

1. **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2022-043, 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.

This approval pertains to the application as described in report COA2022-043. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

### 3.1.2 COA2022-044

Leah Barrie, Manager of Planning  
 File Number: D20-2022-037  
 Location: 139 McKelvey Road  
 Lot 17, Plan 276  
 Geographic Township of Eldon  
 Owners: Rosemarie Lindau and Reet Lindau-Voksepp  
 Applicant: Juhan Hugo Lindau

Ms. Barrie summarized report COA2022-044. The purpose and effect is to extend the existing non-conforming use of the land as a family campground. Relief sought:

1) Section 13 'Limited Service Residential Exception One (LSR-1)' Zone and related Section 2 Definitions and Section 3 General Provisions only permit a vacation dwelling.

Ms. Barrie gave a brief summary of the owner's testimonial which indicated photos seen on appendix D of the report and in the presentation.

Since the writing of the report, agency comments were received from the Plans Examiner, Building and Septic Division noting no concerns. The Supervisor of Part 8, Sewage Systems confirmed a condition be added that approval under the OBC pertaining to waste disposal be obtained.

Five letters of support were received, four are included in the report and one from Deborah Gargrave 131 McKelvey Road.

Letters of opposition were received from:

Ms. Finn, 93 McKelvey Road.  
 Mr. Milani and Mr. Azizi, 133 McKelvey Road.  
 Ms. King, 115 McKelvey Road.  
 Mr. and Mrs. Bourgeois, 125 McKelvey Road.

Concerns:

- Rezoning of the campground.
- Reduce property value of surrounding residential properties.
- How is sewage dealt with entering into Canal Lake?
- How is information for taxes determined?
- Negative impacts to the environment.

Ms. Barrie summarized and responded.

The Committee asked Ms. Barrie how this issue came to the attention of the City and is there a Zoning By-law that has provisions to pitch a tent on a persons own property. Ms. Barrie replied, it came from a municipal law enforcement matter initiated from an inquiry/nuisance complaint which the owner can speak to. Ms. Barrie also noted that the application is before the Committee because there is no primary dwelling. Accessory structures cannot exist without a primary dwelling.

The Committee asked for clarification on the following:

- If the Committee were to approve the application, no other accessory buildings can be added moving forward?
- If we deny this application what will change?
- If denied, do the owners have the same appeal rights?
- Are the owners restricted to the number of tents they can pitch?
- Tires on the lake shore, what can be done to remove them?
- If the Committee choose to defer, can it be deferred indefinitely?

Ms. Barrie responded.

The Chair stated to the Committee, if they choose to defer, they must articulate their reasons.

The applicant, Mr. Lindau was present and clarified that the application stemmed from a complaint the Municipal By-law office had received and advised that all accessory buildings be removed as the LSR-1 provision does not allow for camping, if accessory buildings are not removed by a certain date he would incur fines. He spoke to the history of the property. Mr. Lindau spoke with the Manager of Planning, who explained the course of action and what was involved for the application. Mr. Lindau noted that he can no longer camp on his property unless the application to recognize existing use is approved.

The Committee asked the applicant the following questions:

- What changes are contemplated if approved.
- Have neighbours approached the owners with concerns?
- Is there an intention in the future to build a dwelling?

Mr. Lindau replied he would clean up the existing buildings, replace roofs etc. Continue to use property as a camping ground for family use. There is no intention to build a dwelling.

In opposition to the application, Ms. Finn was present via electronic participation and had the following questions:

- How many trailers are allowed on the property?
- What consideration is made for leaching of gray water to the common area?

The Committee asked Ms. Finn how long has she lived at 93 McKelvey Road. Has she approached the owners of 139 McKelvey Road?

Ms. Finn replied she has lived at 93 McKelvey road for 9 years and that she had not approached the owners.

In opposition to the application, Ms. King was present via electronic participation and stated her concerns with tires strapped to the lake shore, buildings in disrepair and the septic.

The Committee asked the applicant, did a relative live on the property? Whose name is the property in and do they pay association fees? Mr. Lindau responded by saying that nobody lives on the property. The property is currently going through probate and that his two older sisters are the trustees.

Ms. Barrie responded to the Committees' questions regarding concerns with run off water from sheds.

A motion was made to approve the application as amended to add a condition. It was noted that Member Marsh spoke against the decision. Discussion ensued.

The Chair called for a recess at 3:23pm. The Chair called the meeting back to order at 3:30pm.

**CA2022-068**

**Moved By** B. Archer

**Seconded By** J. Robinson

**That** application D20-2022-037 be GRANTED, as the application satisfies Section 45(2) of the Planning Act.

**Conditions**



1. **That** existing use of land, buildings and structures related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2022-044, which shall be attached to and form part of the Committee's Decision.
2. **That** approval under the OBC pertaining to waste disposal be obtained 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 a Septic Review with required fees.

This approval pertains to the application as described in report COA2022-044. Fulfillment of all conditions is required for the decision to be considered final and binding.

**Carried**

### 3.1.3 COA2022-045

Leah Barrie, Manager of Planning  
 File Number: D20-2022-038  
 Location: 115 Crescent Drive  
 Lot 10 on Plan 348 (Part Lot 15, Concession 7)  
 Geographic Township of Verulam  
 Owners: Dana Moore and Edna Wodkiewicz  
 Applicant: DC Planning Services Inc. (Doug Carroll)

Ms. Barrie summarized Report COA2022-045. The purpose and effect is to facilitate the replacement of a single detached dwelling. Relief sought:

1) By-law Section 10.2h. requires a minimum water setback of 15.0 metres; the proposed setbacks are +/- 10.06 metres (dwelling, south side) and +/- 8.31 metres and +/- 14.05 metres (dwelling, east side).

2) By-law Section 5.12.1 requires access to an improved street; the existing access is provided by a private street.

Since the writing of the report comments were received from the Plans Examiner, Building and Septic Division, with no issues. The Supervisor of Part 8 Sewage Systems noted the parking and driveway component of the property will be identified through the sewage system application to ensure that it does not impact the system.

Public comments were received from:

Paula Mills, 111 Crescent Drive - Opposed

David Dick, 114 Crescent Drive - Opposed

Grant Bond, 108 Crescent Drive - Opposed

Concerns with drainage and flooding, Swale, size of new dwelling and sketch depicting driveway over septic area.

Frances Parker, 113 Crescent Drive - In Support

Since the writing of the report, comments received from KRCA with no issues.

The Committee noted that the proposal was for a smaller dwelling with 7 bedrooms reduced to 4 bedrooms and asked for confirmation. The septic system has been redesigned and is based on the reduced number of rooms.

The applicants, Mr. Carroll and Mr. Moore were present via electronic participation. Mr. Carroll noted that Appendix E was more up to date than Appendix C.

There were no further questions from the Committee or other persons.

#### **CA2022-069**

**Moved By** J. Robinson

**Seconded By** S. Strangway

**That** minor variance application D20-2022-038 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 Appendix C submitted as part of Report COA2022-045, 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.

This approval pertains to the application as described in report COA2022-045. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

### 3.1.4 COA2022-046

Leah Barrie, Manager of Planning  
 File Number: D20-2022-039  
 Location: 128 Charlore Park Drive  
 Lot 4 on Plan 331  
 Geographic Township of Emily  
 Owners: My Bao and Coung-Bao Song  
 Applicant: My Bao Song

Ms. Barrie summarized Report COA2022-046. The purpose and effect is to facilitate the replacement of a single detached dwelling. Relief sought:

1) By-law Section 12.2.1.3 requires a minimum side yard setback of 5.5 metres; the proposed setback is +/- 3.1 metres.

2) By-law Section 12.2.1.5 permits a maximum height of 11 metres; the proposed height is +/- 12 metres.

After the writing of the report, comments were received from the Plans Examiner, Building and Septic Division with no issues. The Supervisor of Part 8 Sewage Systems noted there is available space to replace the sewage system to accommodate a build. However, the location and sizing of the sewage system will need to be determined prior to finalizing placement of the dwelling. The lot development will need to incorporate adequate space for a conventional Class 4 sewage system established to today's standards. The applicant would have the option to complete this requirement as part of the septic and building permitting process.

The Committee proposed a condition be added to ensure the demolition of the existing cottage as per KRCA comments. Ms. Barrie replied that it is not necessary as it will be addressed through the building permit process.

The Committee had issue with the height of the structure and noted there were no elevation drawings. Ms. Barrie responded.

The applicant, Mr. Song was present via electronic participation and available for questions.

There were no further questions from the Committee or other persons.

It was noted that Members Robinson and Archer were against the decision.

**CA2022-070**

**Moved By** S. Richardson

**Seconded By** D. Marsh

**That** minor variance application D20-2022-039 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 Appendix C submitted as part of Report COA2022-046, 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.

This approval pertains to the application as described in report COA2022-046. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

Member Marsh left the meeting at 4:12pm.

**3.1.5 COA2022-047**

Leah Barrie, Manager of Planning

File Number: D20-2022-040

Location: 90 Alcorn Drive

Lot 71, Plan 57M-802

Former Town of Lindsay

Owners: Allen Hussey and Catherine Komarnycky

Ms. Barrie summarized Report COA2022-047. The purpose and effect is to facilitate the construction of an elevated deck. Relief sought:

1) By-law Section 6.2 requires a minimum rear yard setback of 7.5 metres (dwelling); Section 5.24 permits open decks over 1.8 metres in height to encroach a further 1.8 metres (resulting in a setback of 5.7 metres), and permits stairs to encroach a further 0.9 metres (resulting in a setback of 4.8 metres); the proposed setbacks are +/- 4.27 metres (deck) and +/- 2.74 metres (stairs).

There were no questions from the Committee or other persons.

#### **CA2022-071**

**Moved By** B. Archer

**Seconded By** S. Richardson

**That** minor variance application D20-2022-040 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 Appendix C submitted as part of Report COA2022-047, 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.

This approval pertains to the application as described in report COA2022-047. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

#### 3.1.6 COA2022-048

Leah Barrie, Manager of Planning

File Number: D20-2022-041

Location: 140 Kelly's Bay Road

Part of Lot 15, Concession 4

Geographic Township of Verulam

Owner: Jovina Weekes  
 Applicant: Garry Newhook

Ms. Barrie summarized Report COA2022-048. The purpose and effect is to facilitate an addition to a residential garage. Relief sought:

1) By-law Section 10.2 e. requires a minimum exterior side yard setback of 7.5 metres; the proposed setback is +/- 3.2 metres.

2) By-law Section 5.18 requires an additional 10 metres setback from the centre of the road allowance (17.5 metres).

Ms. Barrie explained revisions made to the proposal since notice of the application was circulated, including the addition of habitable space above the ground-floor garage addition, resulting in no further impacts. Since the writing of the report, comments were received from the Plans Examiner, Building and Septic Division noting no issues. The Supervisor of Part 8 Sewage Systems requested a condition be added as follows, **"That** approval under the OBC pertaining to waste disposal be obtained 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 a Septic Review with required fees".

Staff respectfully recommend that the application be granted approval subject to the conditions identified within the report as amended.

The applicant, Mr. Newhook was available via electronic participation. Mr. Newhook spoke to the second storey proposed over the garage and suggested a condition be added to reflect the sewage system.

No further questions from the Committee or other persons.

#### **CA2022-072**

**Moved By** S. Strangway

**Seconded By** J. Robinson

**That** minor variance application D20-2022-041 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 Appendix C submitted as part of Report

COA2022-048, 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.
3. **That** approval under the OBC pertaining to waste disposal be obtained 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 a Septic Review with required fees.

This approval pertains to the application as described in report COA2022-048. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

### 3.1.7 COA2022-049

Leah Barrie, Manager of Planning  
 File Number: D20-2022-042  
 Location: 57 Charlore Park Drive  
 Lot 19 on Plan 498 (Part of Lot 14, Concession 7  
 Geographic Township of Emily  
 Owner: Sheila McAlpine  
 Applicant: IT Matters Contracting (Matthew Cooper)

Ms. Barrie summarized Report COA2022-049. The purpose and effect is to facilitate the construction of a detached carport and shed. Relief sought:

- 1) By-law Section 3.1.2.1 permits accessory structures in the interior side or rear yards only; the proposed location is in the front yard.
- 2) By-law Section 3.1.3.3 permits a maximum of 3 accessory buildings or structures; the proposal will result in 4.
- 3) By-law Section 12.2.1.3 requires a minimum front yard setback of 7.5 metres; the proposed setback is +/- 2.17 metres.

Ms. Barrie explained revisions made to the proposal since notice of the application was circulated, including re-siting of a proposed garage from the front yard to the rear yard, resulting in no further impacts.

Ms. Barrie noted a letter of support was received from Mr. McDonald of 54 Charlore Park Drive.

The Committee noted a revised diagram was not presented and asked if it was necessary for the Committees' purposes. Ms. Barrie responded.

There were no further questions from the Committee or other persons.

**CA2022-073**

**Moved By** S. Richardson

**Seconded By** B. Archer

**That** minor variance application D20-2022-042 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 Appendix C submitted as part of Report COA2022-049, 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.

This approval pertains to the application as described in report COA2022-049. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

3.1.8 COA2022-050

Leah Barrie, Manager of Planning

File Number: D20-2022-043

Location: 81 Clifford Drive

Part Lot 11, Concession 4 (being Part 2 on RP 57R-60 and Part 2 on RP 57R-3356)



Geographic Township of Verulam  
Owner: Krikor Avedian Bedros  
Applicant: Garry Newhook

Ms. Barrie summarized report COA2022-050. The purpose and effect is to enlarge the existing non-conforming boat house with a 'boatport' addition, and, to repair the existing structure. Relief sought:

1) By-law Section 8.1 permits a boat house as an accessory structure, provided either a single detached dwelling or a seasonal dwelling is present as the primary building on the lot; the boat house is a stand-alone structure on the lot.

2) By-law Section 5.1.4 a. requires a minimum interior side yard setback of 1.2 metres; the existing non-complying setback of +/- 0.84 metres is proposed to remain for the proposed 'boatport' addition to the boat house.

Ms. Barrie noted comments received from the Building and Septic Division with no issues.

Staff respectfully recommend the application be approved subject to the conditions identified within the report.

The Committee asked if this application was complaint generated. Ms. Barrie replied no, however, the applicant could speak to this further if needed.

The Committee followed up by noting the construction commenced prior to the application and would a penalty apply? Mr. McKinnon confirmed there would be a penalty for the construction without a building permit. The boathouse is on dry land so there should be no implications for Trent Severn Waterway. Ms. Barrie replied that is correct. The Committee asked why the lots hadn't merged on title when they are in the same name.

Mr. Newhook also responded to the Committees questions and finished by saying the lots have never merged and the owner has no intention of doing so.

There were no more questions from the Committee or other persons.

**CA2022-074**

**Moved By** J. Robinson

**Seconded By** S. Strangway

**That** application D20-2022-043 be GRANTED, as the application satisfies Section 45(2) of the Planning Act.

### **Conditions**

1. **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2022-050, which shall be attached to and form part of the Committee's Decision; and,
2. **That** building construction related to the application 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 COA2022-050. Fulfillment of all conditions is required for the decision to be considered final and binding.

**Carried**

### 3.1.9 COA2022-051

Leah Barrie, Manager of Planning  
 File Number: D20-2022-044  
 Location: 35 Elliot Street  
 Part Lots 105 and 106 on Plan 100  
 Former Village of Fenelon Falls  
 Owner: Deborah Wilcox  
 Applicant: Allan Wilcox

Ms. Barrie summarized Report COA2022-051. The purpose and effect is to facilitate the construction of a residential garage. Relief sought:

- 1) By-law Section 5.1.4 permits a maximum lot coverage of 5% for accessory structures; the proposed coverage is +/- 9.8%.

Ms. Barrie noted comments received from Building and Septic Division with no issues.

There were no questions from the Committee or other persons.

**CA2022-075****Moved By** S. Richardson**Seconded By** S. Strangway

**That** minor variance application D20-2022-044 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 Appendix C submitted as part of Report COA2022-051, 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.

This approval pertains to the application as described in report COA2022-051. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

## 3.1.10 COA2022-052

Leah Barrie, Manager of Planning

File Number: D20-2022-045

Location: 129 Fell's Point Road

Part of Lot 4 on Plan 311 (Part Lot 31, Concession 10)

Geographic Township of Fenelon

Owner: Grant and Margaret Reid

Ms. Barrie summarized Report COA2022-052. The purpose and effect is to facilitate the replacement of a single detached dwelling and boathouse. Relief sought:

- 1) By-law Section 13.2.1.3 (e) requires a minimum water setback of 15 metres; the proposed setback is +/- 12.18 metres (dwelling) and +/- 8.5 metres (deck).
- 2) By-law Section 3.1.2.2 requires a distance of 1.2 metres from an accessory structure to a residential building; the proposed setback is +/- 0 metres.

3) By-law Section 3.1.5.3 permits a maximum height of 4.5 metres; the proposed height is +/- 3.81 metres (boat house roof) and +/- 4.88 metres (boat house roof deck with railing).

Ms. Barrie brought to the Committee's attention an error on Appendix B to the report related to the GIS, that the highlighted line outlining the property is the neighbour's property. The parcel base layer in the GIS also contains an error on the subject property by not capturing the entirety of the lot.

Ms. Barrie spoke to the areas of natural scientific interest - Natural Heritage and ANSI's.

Ms. Barrie received a call from a neighbour in support of the application.

Ms. Barrie finished her presentation by noting comments received from Part 8 Sewage System that although an on site visit has not taken place which will follow, Planning are confident with the lot size and configuration that there is sufficient area to accommodate the new sewage system. Therefore a condition is requested.

The applicant, Mr. Reid was present via electronic participation and available for questions.

There were no questions from the Committee or other persons.

A motion was made to approve the application with an amended condition.

#### **CA2022-076**

**Moved By** J. Robinson

**Seconded By** B. Archer

**That** minor variance application D20-2022-045 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 Appendix C submitted as part of Report COA2022-052, 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.

3. **That** approval under the OBC pertaining to waste disposal be obtained 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 a Septic Review with required fees.

This approval pertains to the application as described in report COA2022-052. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

### 3.2 Consents

## 4. **Deferred Applications**

### 4.1 Minor Variances

### 4.2 Consents

## 5. **Other Business**

## 6. **Correspondence**

## 7. **Next Meeting**

The next meeting will be Thursday, August 18, 2022 at 1:00pm in Council Chambers, City Hall.

## 8. **Adjournment**

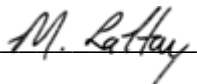
**CA2022-077**

**Moved By** B. Archer

**Seconded By** S. Strangway

**That** the meeting be adjourned at 5:24pm.

**Carried**



Mark LaHay, Secretary-Treasurer