

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Moore and Wodkiewicz
Report Number COA2022-045

Public Meeting

Meeting Date: July 21, 2022
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 3 – Geographic Township of Verulam

Subject: The purpose and effect is to facilitate the replacement of a single detached dwelling. **Relief sought:**

- 1) By-law Section 10.2 h. 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.

The variance is requested at **115 Crescent Drive** (File D20-2022-038).

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

Recommendations

That Report COA2022-045 – Moore and Wodkiewicz, be received;

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.

Application Summary

Proposal:	Construction of a 2-storey single detached dwelling
Owner:	Dana Moore and Edna Wodkiewicz
Applicant:	DC Planning Services Inc. (Doug Carroll, RPP)
Legal Description:	Lot 10 on Plan 348 (Part Lot 15, Concession 7)
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Limited Service Residential 'LSR' (Township of Verulam Zoning By-law 6-87)
Site Size:	2,654.9 sq m (0.66 acres)
Site Servicing:	Lake draw and private individual 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.

Over time it can be expected that owners may redevelop their properties to achieve their highest and best use. The proposed redevelopment includes the replacement of the existing 1962 single-storey wood frame cottage with a two-storey Confederation Log Home dwelling having a +/- 32.6 sq m larger footprint. An existing shed and boathouse are to remain.

The narrow lot configuration, shoreline, grade, presence of natural features and structures presents design challenges for the redevelopment of the lot. The proposal seeks to maintain the existing non-complying setbacks as part of the redevelopment. While the majority of the existing foundation will be used, the new footprint extends 2.1 m (7 ft) inland beyond the existing footprint for the main floor, with the overhang for the second-storey that becomes a covered porch. Given the patio is to be less than 0.6 m (2 ft) above grade, it is considered landscaping and not subject to yard setback provisions.

¹ See Schedule 1

² See Schedule 1

Supporting documentation indicates the proposed sewage disposal system has been designed by Shepherd Environmental Services and vetted by the City's Building and Septic Division.

Grace & Associates Inc. Geological & Environmental Consultants prepared a report assessing the proposed sewage disposal system, imported fill, grading and fill placement, and fill requirements for a possible future driveway and parking area.

In support of a permit application to Kawartha Conservation, the report identified a site plan with cut and fill areas for the proposed dwelling and partially raised sewage disposal system to demonstrate that minimal impact would occur to the floodplain of Sturgeon Lake. Due to the location of the floodplain in relation to the proposed sewage disposal system, a cut/fill assessment was also completed to ensure that a minimum amount of fill was to be imported on-site as part of the redevelopment. Accordingly, Kawartha Conservation has issued Permit 2022-008 (February 28, 2022) for the demolition of the existing dwelling; and, the excavation, grading and fill placement for the construction of the new dwelling with associated septic system.

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

The proposed single detached dwelling is permitted as-of-right in the Waterfront designation; performance and siting criteria are implemented through the Zoning By-law.

Notwithstanding the proposed second-storey design, the dwelling is a low density housing type, has been set back +/- 2 m from the existing footprint towards the centre of the lot to improve development conditions on the shoreline to ensure surface water quality is maintained or improved, and intends to blend with the natural surroundings by limiting tree removal.

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

The proposed single detached dwelling is permitted as-of-right in the LSR zone and complies with all applicable zone provisions, save for the setbacks and access. Recognizing access is a technicality given the lot has been previously developed.

The proposal improves a non-complying setback of 8.02 m to 10.06 m, and maintains existing non-complying setbacks that are compatible with surrounding uses. Notwithstanding the larger footprint, the resulting total lot coverage at +/- 10% is well under the permitted maximum of 33%.

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:

CKL Development Engineering: No objection

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

Appendix E – Dwelling Layout and Sewage System



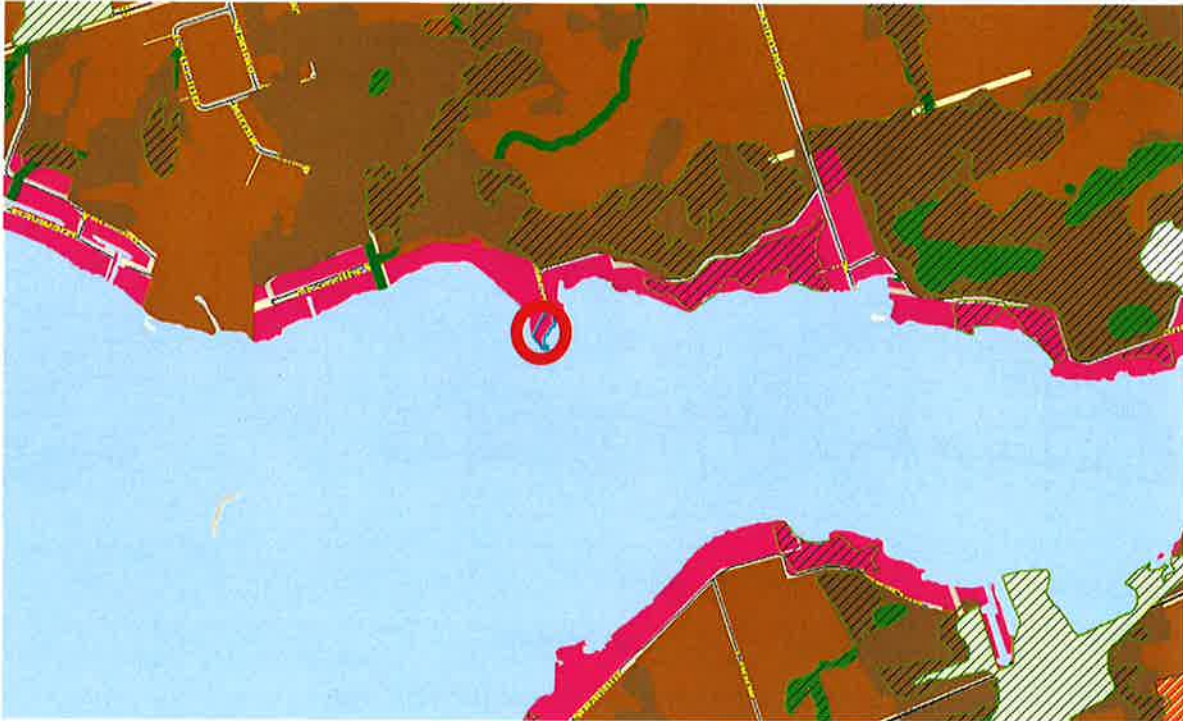
COA2022-045
Appendices_Moore.

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Department Head:	Richard Holy, Director of Development Services
Division File:	D20-2022-038

Schedule 1

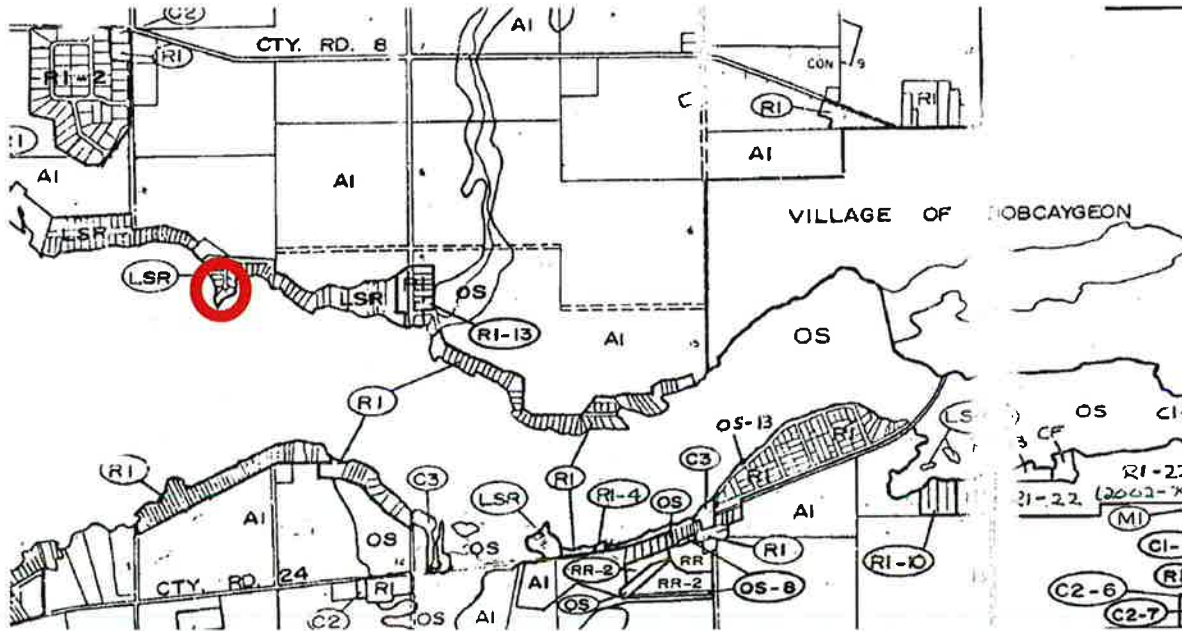
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



- 20. Waterfront Designation
 - 20.1. Goal
 - 20.2. Objectives
 - 20.3. Policies
 - 20.5. Density and Massing

Township of Verulam Zoning By-law 6-87



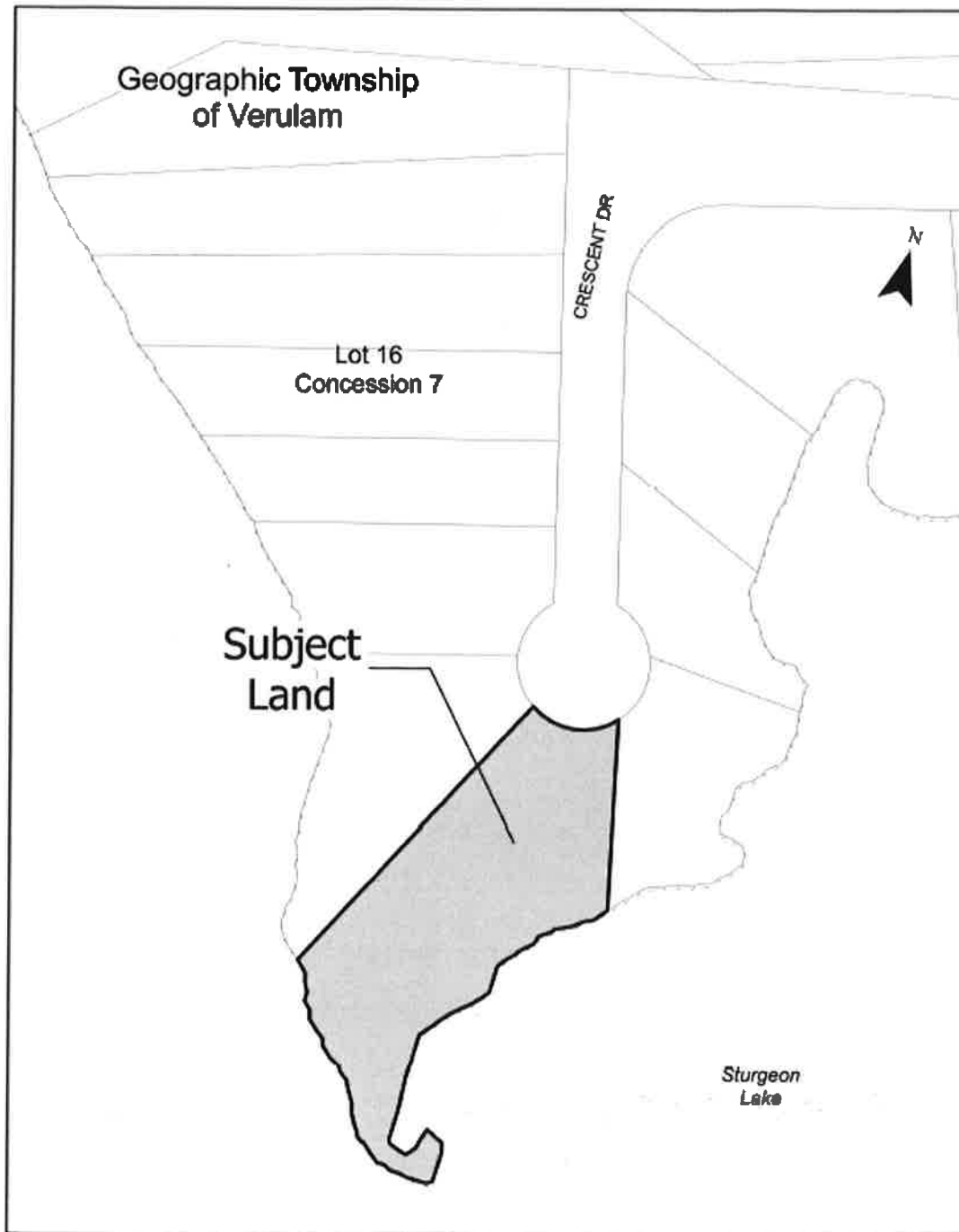
Section 5	General Provisions
5.12.1	Access to Improved Streets
Section 10	Limited Service Residential (LSR) Zone

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LOCATION MAP



to

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AERIAL PHOTO

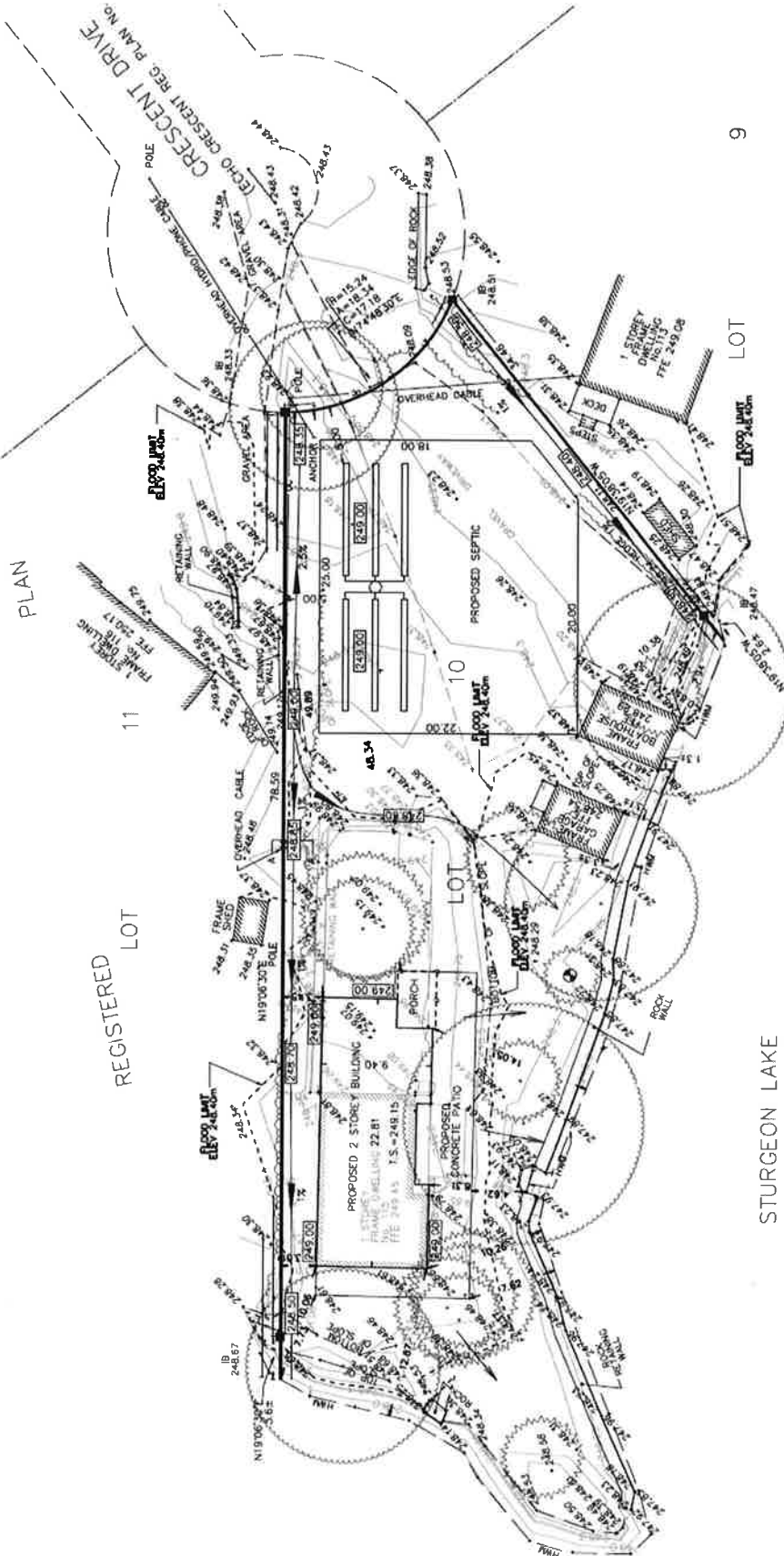


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APPLICANT'S SKETCH



APPENDIX " D "

to

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ELEVATIONS



to

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DWELLING LAYOUT AND SEWAGE SYSTEM

