

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Ellison
Report Number COA2022-069

Public Meeting

Meeting Date: September 22, 2022
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 6 – Geographic Township of Emily

Subject: The purpose and effect is to facilitate a residential addition.

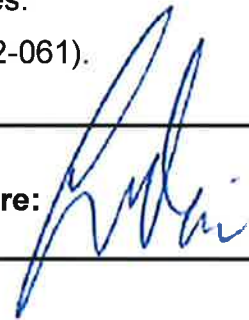
Relief sought:

1. Section 11.2.1.3(b) of the By-law requires a minimum interior side yard setback of 3 metres; the proposed setback is 1.25 metres.

The variance is requested at 14 Cornwall Street (File D20-2022-061).

Author: Leah Barrie, RPP, Manager of Planning

Signature:



Recommendations

That Report COA2022-069 – Ellison, be received;

That minor variance application D20-2022-061 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 and D submitted as part of Report COA2022-069, 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** building construction related to this approval shall proceed provided the Supervisor – Part 8 Sewage Systems is satisfied that the Class 4

Sewage System existing on the property can accommodate the proposal and will be in compliance with the Ontario Building Code or any predecessor legislation.

This approval pertains to the application as described in report COA2022-069. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	To facilitate a residential addition
Owners:	James and Constance Ellison
Applicant:	Same as Owners
Legal Description:	Part Lot 9, Concession 4 (being Lot 8, Plan 537)
Official Plan ¹ :	Rural (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Rural Residential Type Two 'RR2' (Township of Emily Zoning By-law 1996-30)
Site Size:	2,443.3 sq m (0.6 ac)
Site Access:	Year-round municipal road
Site Servicing:	Private individual well and septic system
Existing Uses:	Residential
Adjacent Uses:	Residential, rural

Rationale

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

It can be expected that over time, owners may improve their property resulting in its highest and best use. Though the current home has a basement, it functions more as a crawlspace than as a living space.

The owners intend to increase the habitable area of their 1977 +/- 130.1 sq m (1,400 sq ft) single detached dwelling by removing the temporary storage shelter and building a +/- 77.3 sq m (832 sq ft) addition, including a +/- 38.6 sq m (416 sq ft) single car garage with storage shelving, and with upper level living space to become the primary bedroom with ensuite. The addition provides much needed

¹ See Schedule 1

² See Schedule 1

storage and living space to accommodate the growing family. The 1.75 m encroachment into the side yard provides a functional floorplan. The proposed addition is sited appropriately given the existing interior layout and driveway location. An existing tree line along the shared west property line functions to screen the addition from the abutting property owner.

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

The Rural designation permits residential uses and accessory uses thereto; there are no significant natural heritage or hazard features present on site or in proximity to the lot. Performance and siting criteria are implemented through the Zoning By-law.

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

The RR2 zone permits residential uses and accessory uses thereto; save for the reduced side yard setback, the proposal complies with the balance of the zone provisions.

The proposed reduced setback in the west side yard provides sufficient area for maintenance and passage between the front and rear yards, with additional access between yards from the east side yard as well.

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 considered.

Consultation Summary

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

Agency Comments:

DS-Building and Septic Division (Building): “No comments.”

DS-Building and Septic Division (Septic): “The living space addition will include a bedroom and ensuite bathroom. These items can lead to an increase in the total daily sewage flows being generated by the dwelling under the Ontario Building Code. To fully review the proposal, a request to review the sewage system for the modifications to the dwelling has been sent to the property owners. As such, the Building and Septic Division would request that a condition be placed on the minor variance endorsement to satisfy the Supervisor – Part 8 Sewage Systems that the Class 4 Sewage System existing on the property can accommodate the proposal and will be in compliance with the Ontario Building Code or any predecessor legislation.”

Public Comments:

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

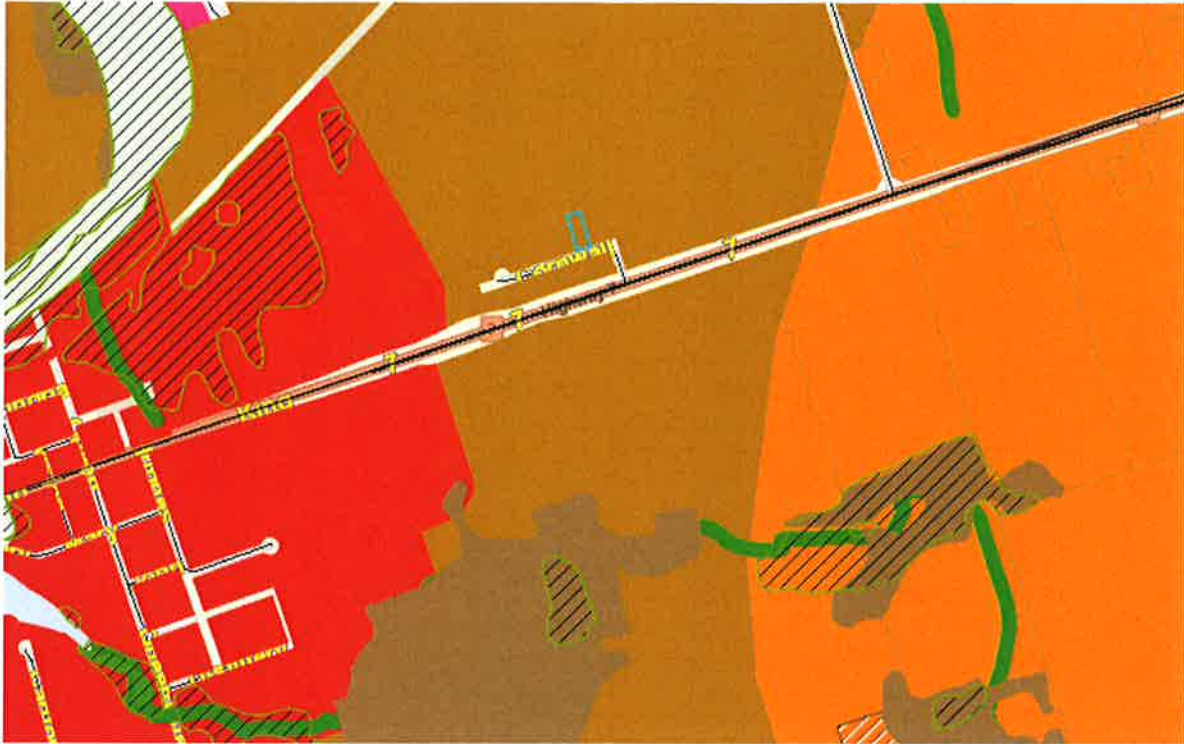
Attachments

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch
Appendix D – Elevation, Floorplans
Appendix E – Applicant's Photos

Phone:	705-324-9411 extension 1240
E-Mail:	lbarrie@kawarthalakes.ca
Department Head:	Richard Holy, Director of Development Services
Division File:	D20-2022-061

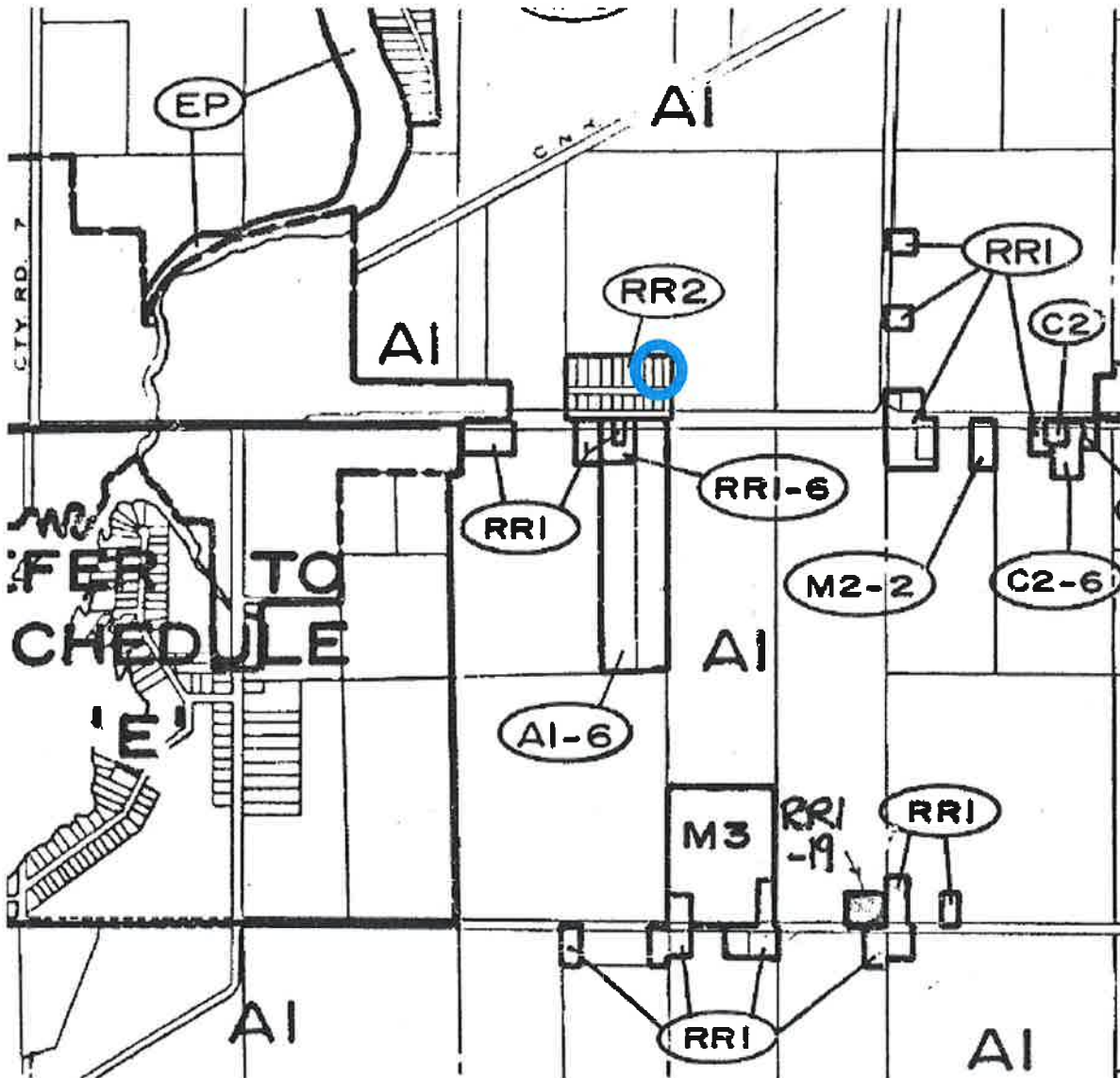
Schedule 1 Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



16. Rural Designation

Township of Emily Zoning By-law 1996-30



Part 11 Rural Residential Type Two (RR2) Zone

11.2.1.3 Yard Requirements (min.)

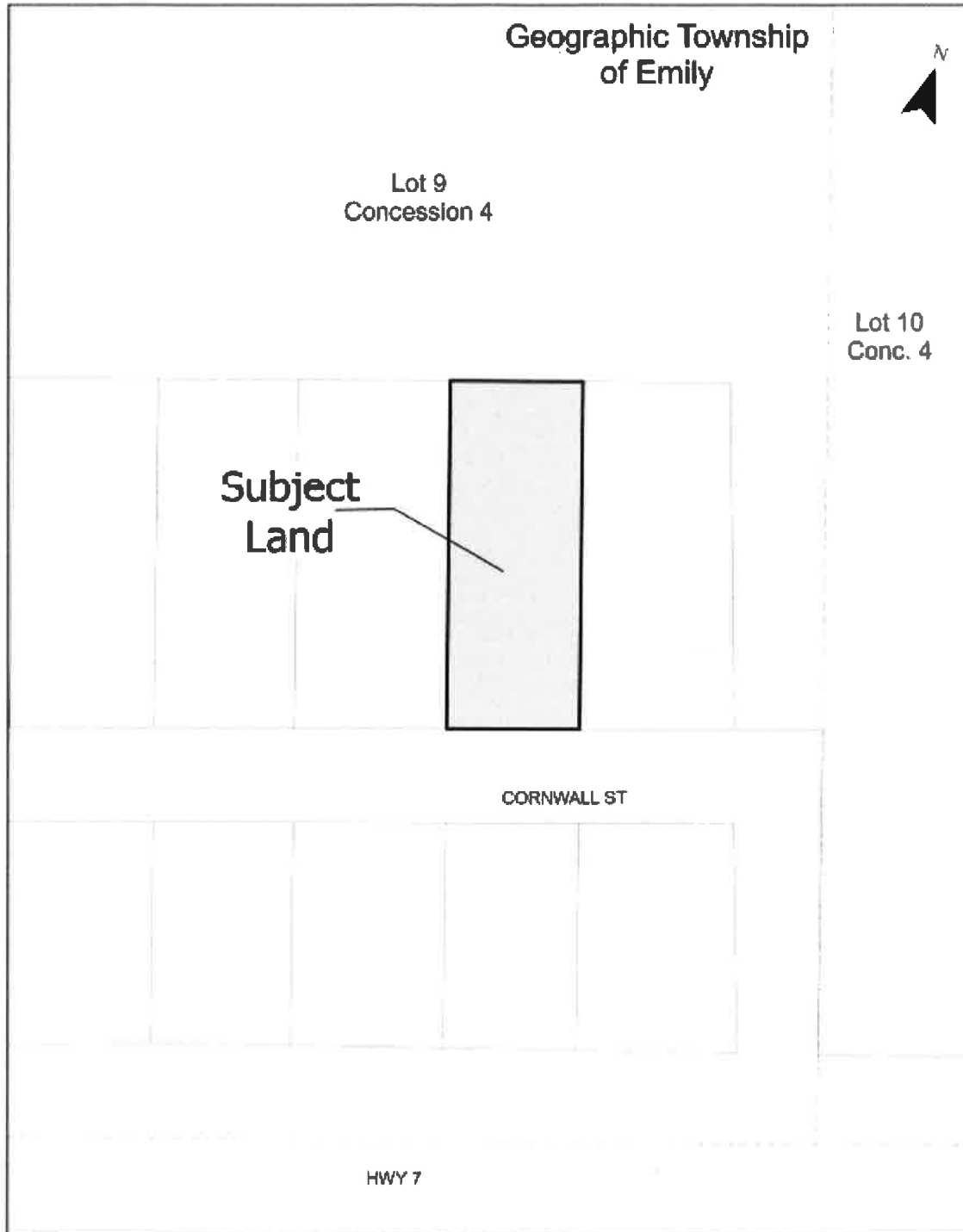
(b) interior side 3 m

to

REPORT COA2022-069

FILE NO: D20-2022-061

LOCATION MAP



to

REPORT COA2022-069

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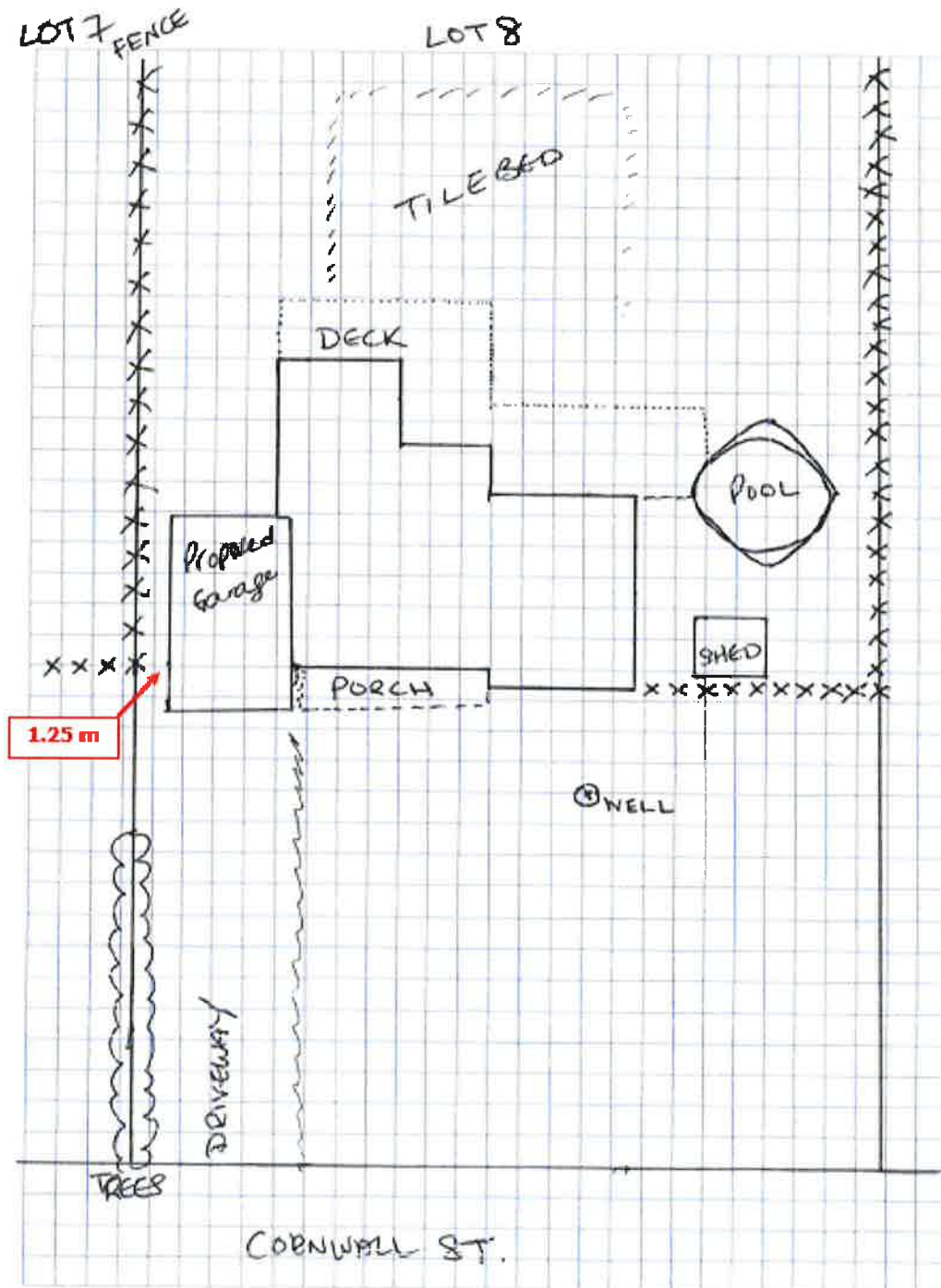
AERIAL PHOTO



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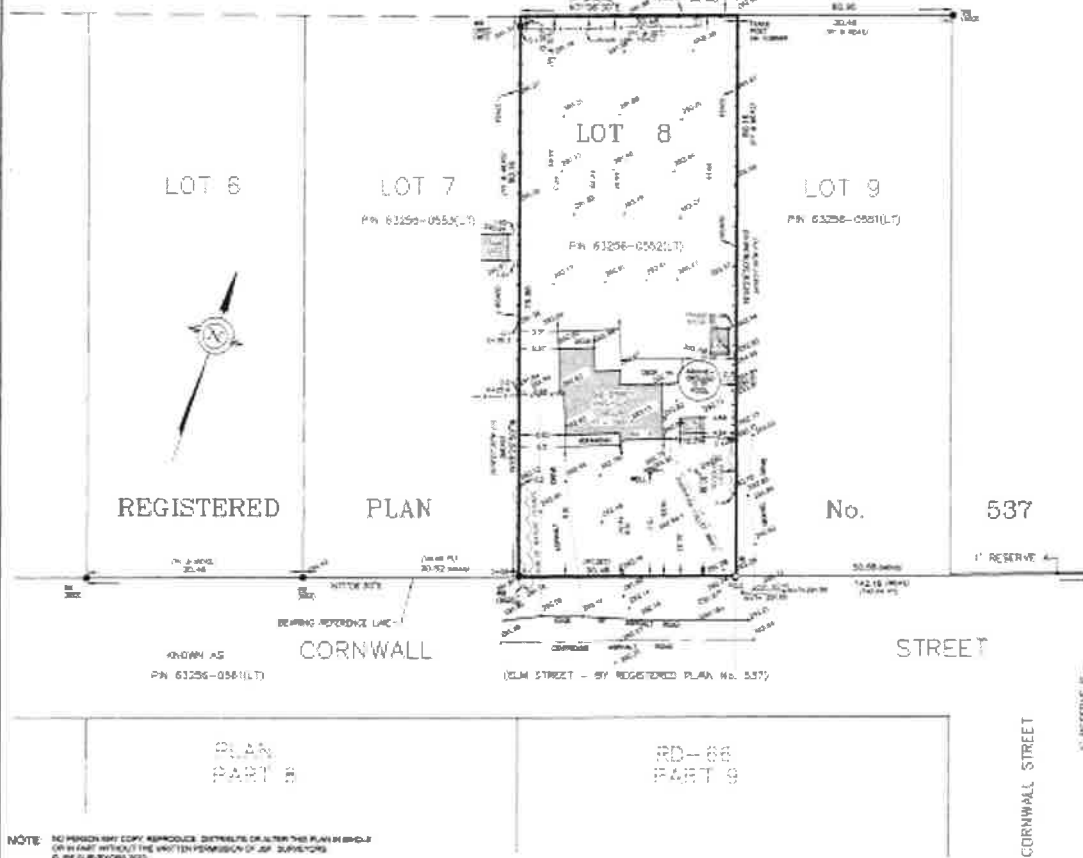
APPLICANT'S SKETCH



METRIC:
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

PN 61256-0550(LT)

LOT 9, CONCESSION 4



SURVEYOR'S REAL PROPERTY REPORT

PLAN OF SURVEY OF
LOT 8
REGISTERED PLAN No. 537
GEOGRAPHIC TOWNSHIP OF EMILY
CITY OF KAWARTHA LAKES



PART 2 - REPORT SUMMARY

THIS PLAN HAS BEEN PREPARED FOR THE USE OF
JAMES & CONSTANCE BURTON
REGISTERED EASEMENTS AND/OR RIGHTS OF WAY:
NONE
NOTABLE FEATURES:
NONE
COMPLIANCE WITH MUNICI PAL ZONING BY-LAWS
NOT CERTIFIED IN THIS REPORT

SURVEYOR'S CERTIFICATE

I CERTIFY THAT
1) THIS SURVEY AND PLAN ARE CORRECT AND ARE
IN ACCORDANCE WITH THE SURVEY ACT, THE
SURVEYORS ACT AND THE LAND TITLES ACT AND
THE REGULATIONS MADE UNDER THEM
2) THE SURVEY WAS COMPLETED ON 3 JANUARY 2022

SIGNED AT LAKESIDE, ONTARIO
THIS 3RD DAY OF FEBRUARY 2022

CHRISTOPHER E. BULETSON
DISTRICT LAND SURVEYOR

LEGEND

■ DISTRICT SURVEY REGISTRY, FOUND
□ DISTRICT SURVEY REGISTRY, PLANNED
OBP DISTRICTS COMPARTMENTED STEEL PIPE
BB DISTRICTS AIR COIL COIL
BY DISTRICTS REGISTERED PLAN NO. 537
BAY DISTRICTS OBP BAY
CO-ORD DISTRICTS CANADIAN GEODETIC VERTICAL DATUM (1984)
BEARINGS, SLOPES, HEIGHTS AND AZIMUTHS DERIVED FROM THE
NORTH-ARROW, LAST OF 10M STREET, HAVING A BEARING OF 10° 10' 00" N
AS SHOWN ON IT.
ELEVATIONS AND/OR HEIGHTS ARE DERIVED FROM REAL-TIME
NETWORK OBSERVATIONS USING BROADBAND CORRECTION DATA
COLLECTED DATA

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
V-19780
THIS PLAN IS NOT VALID
UNLESS IT IS AS SIGNED
BY THE SURVEYOR
REGISTERED AND
REGISTERED AND



J.B.F. SURVEYORS
3177 LAKESIDE ROAD, BOX 70
LAKESIDE, ON L0L 2K0
PHONE: 705-682-6986
info@jbsurveyors.com
www.jbsurveyors.com
PRECED. # 6252

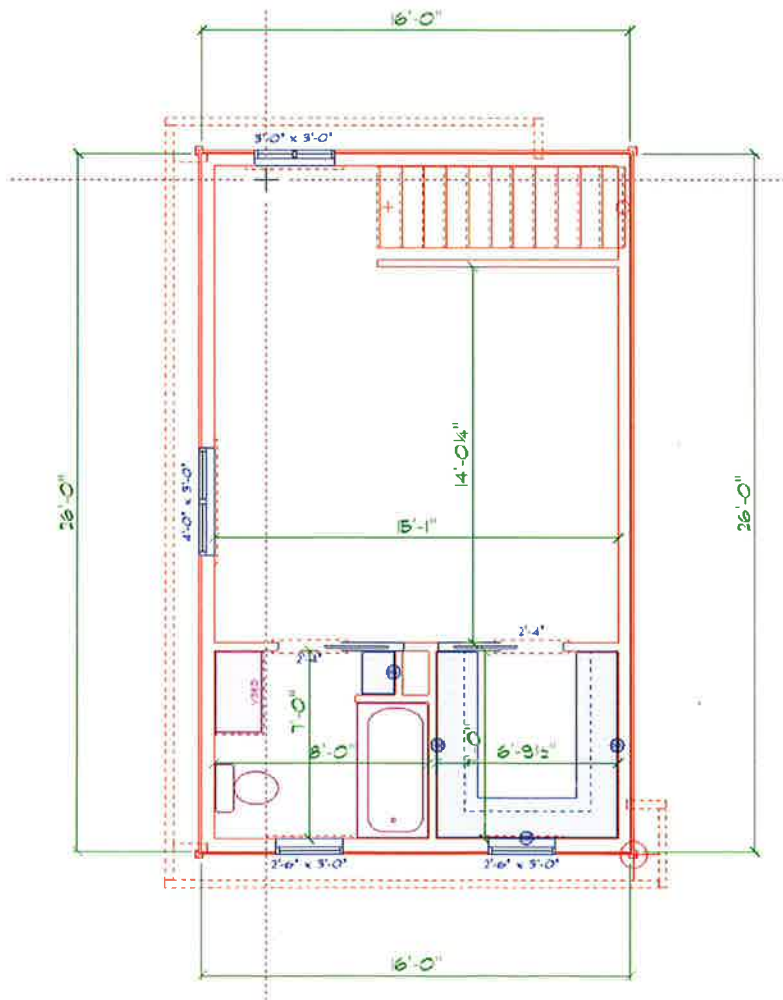
to

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ELEVATION, FLOORPLANS





to

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APPLICANT'S PHOTOS



