

The Corporation of the City of Kawartha Lakes

Minutes

Committee of Adjustment Meeting

COA2023-008
Thursday, August 24, 2023
1:00 P.M.
Council Chambers
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

Members:
Councillor Emmett Yeo
Betty Archer
Gerald Erickson
Sandra Richardson
Lloyd Robertson
Alexandra Scarr
Stephen Strangway

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To see the full proceedings of the public meeting, go to the City of Kawartha Lakes YouTube Channel.

1. **Call to Order**

Chair Strangway called the meeting to order at 1:00pm. Members S. Richardson, B. Archer and G. Erickson were in attendance.

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

Staff. M. McKinnon, Plans Examiner was present via electronic participation.

Absent: Members L. Robertson, Councillor Yeo and A. Scarr.

2. **Administrative Business**

2.1 Adoption of Agenda

2.1.1 COA2023-008

August 24, 2023

Committee of Adjustment Agenda

CA2023-096

Moved By S. Richardson

Seconded By B. Archer

That the agenda for August 24, 2023 meeting be approved.

Carried

2.2 Declaration of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

2.3 Adoption of Minutes

2.3.1 COA2023-007

July 27, 2023

Committee of Adjustment Minutes

CA2023-097

Moved By G. Erickson

Seconded By S. Richardson

That the minutes of the previous meeting held July 27, 2023 be adopted as printed.

Carried

3. New Applications

3.1 Minor Variances

3.1.1 COA2023-070

Katherine Evans, Planner II
 File Number: D20-2023-062
 Location: 56 Cowans Crescent
 Lot 34 on Plan 358
 Geographic Township Emily
 Owner: Jesse Corbeil
 Applicant: Alexandra Platt

Ms. Evans summarized Report COA2023-070. The purpose and effect is to facilitate the demolition of a portion of the east side (water side) of the existing dwelling, and the construction of an addition onto the west side (road side) of the existing dwelling. Relief sought: Section 12.2.1.2 c) of the By-law requires a minimum lot frontage of 35 metres; the existing lot frontage is 6 metres; and Section 12.2.1.3 e) of the By-law requires a minimum water setback of 30 metres; the proposed setback is 13 metres.

Agency comments were received from the Building and Septic Division - Supervisor of Part 8 Sewage Systems and Kawartha Conservation with no issues or concerns with the proposed minor variance.

The Committee had the following questions:

What are the number of structures permitted on the lot and should a condition be added to ensure removal of the shed. Ms. Evans responded.

The applicant, Ms. Platt was present via electronic participation and available for questions.

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

CA2023-098

Moved By B. Archer

Seconded By S. Richardson

That minor variance application D20-2023-062 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 COA2023-070, 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 COA2023-070. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

3.1.2 COA2023-071

Katherine Evans, Planner II
 File Number: D20-2023-063
 Location: 165 Fell's Point Road
 Part Lot 31, Concession 10 (being Part 6 on Reference Plan 57R7315)
 Geographic Township of Fenelon
 Owner: Gordon Pike

Ms. Evans summarized Report COA2023-071. The purpose and effect is to facilitate the raising of the existing single detached dwelling for the purpose of constructing a walkout lower level. Relief sought: Section 15.2.1.3 e) of the By-law requires a minimum water setback of 15 metres; the existing setback of 2.5 metres is proposed to remain.

Agency comments were received from the Building and Septic Division - Supervisor of Part 8 Sewage System and the Plans Examiner (Building) with no concerns.

The Committee had concerns with Appendix C showing the rear of the dwelling located on the private road and would this prevent access for the neighbouring properties. Ms. Evans replied.

The owner, Mr. Pike was present in person and available for questions.

No further questions from the Committee or other persons.

CA2023-099

Moved By S. Richardson

Seconded By G. Erickson

That minor variance application D20-2023-063 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 the drawings in Appendix D submitted as part of Report COA2023-071, 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 COA2023-071. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

3.1.3 COA2023-072

Katherine Evans, Planner II

File Number: D20-2023-064

Location: 604 Long Beach Road

Part Lot 12, Concession 9 (being Parts 1 and 2 on Reference Plan 57R6353 and Part 6 on Reference Plan 57R8322)

Geographic Township of Fenelon

Owner: Jennifer and Byron Allin

Applicant: John Louws

Ms. Evans summarized Report COA2023-072. The purpose and effect is to facilitate the construction of a detached garage. Relief sought: Section 3.1.3.1 of the By-law permits a maximum lot coverage for accessory structures of 8% of the lot area to a maximum of 225 square metres; the proposed resulting accessory structure lot coverage is 502 square metres, (being 2% of the lot area); Section 3.1.3.2 of the By-law permits a maximum height for accessory structures of 5 metres; the proposed height is 5.4 metres; and Section 3.1.3.3 of the By-law permits a maximum of three accessory structures on a lot in any class of residential zone; the proposed total number of resulting accessory structures is 4.

The Committee asked if a condition should be added to remove the shipping container when the construction is completed. Staff responded that a condition is built into the Zoning By-law which speaks to the removal of the shipping container. If however the shipping container is not removed then it will become a Municipal Law Enforcement issue.

The applicant, Mr. Louws was present via electronic participation and thanked staff.

The Committee sought clarification of the Zoning By-law pertaining to size of propane tanks and are they considered as part of the lot coverage. Ms. Evans responded.

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

CA2023-100

Moved By B. Archer

Seconded By G. Erickson

That minor variance application D20-2023-064 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 the drawings in Appendix D submitted as part of Report COA2023-072, 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 COA2023-072. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

3.1.4 COA2023-073

Katherine Evans, Planner II
 File Number: D20-2023-065
 Location: 203 Minns Avenue
 Part Park Lot 1, Plan 70 (being Part 2 on Reference Plan 57R3222)
 Geographic Village of Bobcaygeon
 Owner: Joanne DeWolfe

Ms. Evans summarized Report COA2023-073. The purpose and effect is to facilitate the construction of a semi-in ground pool and surrounding deck Relief sought: Section 3.1 b) of the By-law permits accessory buildings and structures in the side or rear yard; the proposed pool with surrounding deck is to be located in the front yard; and Section 3.1 c) of the By-law permits a maximum lot coverage for accessory structures of 8% of the lot area; the proposed lot coverage is 8.1%.

Amended comments were received from Kawartha Conservation after the writing of the report stating that a permit is still required. The technical site-specific study addressing the unstable bedrock or Karst is no longer required.

There were no questions from the Committee or other persons.

CA2023-101

Moved By S. Richardson

Seconded By B. Archer

That minor variance application D20-2023-065 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 COA2023-073, 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 COA2023-073. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

3.1.5 COA2023-074

Katherine Evans, Planner II
 File Number: D20-2023-066
 Location: 26 Bendorie Lane
 Part Lot 2, Concession 11 (being Parts 1 and 6 on Reference Plan 57R3876)
 Geographic Township of Laxton
 Owners: Ariel and Judit Halin
 Applicant: Gerald Hood

Ms. Evans summarized Report COA2023-074. The purpose and effect is to facilitate the demolition and reconstruction of the existing single detached dwelling. Relief sought: Section 5.2 g) of the By-law requires a minimum water setback of 15 metres; the existing water setback of 6.88 metres is proposed to remain.

Agency comments were received from the Building and Septic Division - Supervisor of Part 8 Sewage Systems noting a sewage system application has been submitted and as such has no concerns with the minor variance proposal. Kawartha Conservation have no concerns with the proposal and a permit is required from their office.

The Committee had the following questions:

Is the sewage system sufficient for the proposed reconstruction of the existing

single detached dwelling?

Why is a permit required from the Ministry of Transportation? Ms. Evans responded.

The applicant, Mr. Hood was present via electronic participation and thanked staff.

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

CA2023-102

Moved By B. Archer

Seconded By G. Erickson

That minor variance application D20-2023-066 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 the drawings in Appendix D submitted as part of Report COA2023-074, which shall be attached to and form part of the Committee's Decision;
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** approvals and/or permits required by the Ministry of Transportation, if applicable, are applied for and granted prior to the issuance of a Building Permit.

This approval pertains to the application as described in report COA2023-074. 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

Ms. Barrie, Manager of Planning and the Committee thanked Ms. Evans for her presentations.

Ms. Barrie also spoke to the Committee regarding staff recruitment.

The Committee asked if in the future conditions could be taken into consideration to ensure the removal of structures/shipping containers used for temporary storage once construction is completed. Ms. Barrie responded.

6. Correspondence

7. Next Meeting

The next meeting will be Thursday, September 28 at 1:00pm in Council Chambers, City Hall.

8. Adjournment

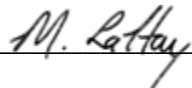
CA2023-103

Moved By S. Richardson

Seconded By B. Archer

That the meeting be adjourned at 2:00pm.

Carried



Mark LaHay, Secretary-Treasurer