

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Card

Report Number COA2021-003

Public Meeting

Meeting Date: February 18, 2020

Time: 1:00 pm

Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 3 – Geographic Township of Fenelon

Subject: The purpose and effect is to request relief from Section 13.2.1.3 (b) (i) to reduce the minimum interior side yard setback from 3 metres to 1.8 metres in order to permit the construction of a screened-in porch addition to a single detached dwelling.

The variance is requested at 128 Romany Ranch Road, geographic Township of Fenelon (File D20-2020-045).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2021-003 Card, be received;

That minor variance application D20-2020-045 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketches in Appendices C - E submitted as part of Report COA2021-003, which shall be attached to and form part of the Committee's Decision;
- 2) **That** within 24 months after the date of the Notice of Decision the owners shall submit to the Secretary-Treasurer photographic evidence confirming that the structure identified on Appendix C to Report COA2021-003 as 'relocated shed' has been relocated,
- 3) **That** prior to the issuance of a building permit the owner shall submit to the Secretary-Treasurer written approval from the Building Division – Part 8 Sewage Systems that the Class 2 Greywater System located under the proposed screened-in porch has been decommissioned satisfactorily, and;

- 4) **That** the building construction related to the minor variances 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 COA2021-003. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The owners contacted the Planning Division in October 2020 regarding a proposal to construct an addition to an existing single detached dwelling on Balsam Lake. The proposal would reduce the minimum interior side yard setback from 3 metres to 1.8 metres and would require a minor variance.

Subsequently, a pre-screening meeting was conducted in November 2020. The applicant was advised to proceed with a formal application for minor variance.

This application was deemed complete on December 14, 2020.

Proposal: To construct a new 14.3 square metre (154 square feet) screened-in porch addition to an existing 1.5 storey single detached dwelling.

Owners: Graham and Sharon Card

Legal Description: Part Lot 27, Concession 4, Part of Lot 9, Plan 214, Geographic Township of Fenelon, City of Kawartha Lakes

Official Plan: Waterfront within the City of Kawartha Lakes Official Plan (2012)

Zone: Rural Residential Type Three (RR3) Zone within the Township of Fenelon Zoning By-law 12-95

Site Size: 1,123.3 square metres (12,091 square feet)

Site Servicing: Private individual well supply and septic system (holding tank)

Existing Uses: Shoreline Residential

Adjacent Uses: North: Balsam Lake
East, West: Shoreline Residential
South: Romany Ranch Road, Wood lot

Rationale:

1) Are the variances minor in nature? Yes

And

2) Is the proposal desirable and appropriate for the use of the land? Yes

The subject property is situated on the southeastern shore of Balsam Lake. The secluded and well-treed neighbourhood along Romany Ranch Road is composed of shoreline residential lots on the waterside and dense woodlands on the opposite side of the road in its entirety. The dwellings along Romany Ranch Road vary in built-form and age, ranging from smaller cottage bungalows to two-storey residences. The 1.5 storey single detached dwelling on the subject lands was recently constructed in 2019 and includes a detached garage constructed in 2007, an in-water boathouse constructed in 1948 (according to MPAC) and a frame shed built in 2016.

The dwelling is located on a relatively flat stretch of land before transitioning to a steep drop-off approximately 16 metres from the shoreline. Armor stone has been installed with steps down to a concrete dock, which forms the foundation of the in-water boathouse. The shoreline remains naturalized to the northeast.

The subject property is surrounded by mature deciduous and coniferous trees with a fully developed cedar hedge on the western lot line. It appears as though additional cedar plantings have been more recently established on the eastern lot boundary as well. The hedge on the western lot line will provide significant screening to the property to the west and negate any potential privacy impacts imposed through the addition. The location of the detached garage in the front yard reduces any views of the proposed addition from Romany Ranch Road.

The screened-in porch will be constructed to match the exterior treatments of the dwelling with identical materials and colour scheme. An incorporated gable facing the water blends in well with the current design with a matching eave line. The height of the addition is 5 metres in height and is less than the overall 8 metre height of the overall dwelling. As a result, there are no anticipated massing impacts to the neighbouring lot to the west and the existing cedar hedge will remain intact.

Due to the above analysis, the variance is minor in nature and desirable and appropriate for the use of the land.

3) Do the variances maintain the intent and purpose of the Zoning By-law? Yes

The subject property is zoned Rural Residential Type Three (RR3) Zone within the Township of Fenelon Zoning By-law 12-95.

The purpose of an interior side yard is also to provide sufficient space for lot drainage, access between the front and rear yards, and building maintenance. The addition will be up to 1.8 metres away from the lot line at the yard's narrowest point. The location of the air conditioning unit on the opposite side of the dwelling combined with the dwelling being setback 1.35 metres from the lot line inhibits larger machinery from accessing the rear yard. The applicant has

acknowledged that through proceeding with the proposal, access for larger equipment for the purposes of maintenance and potential repairs to the rear of the dwelling and/or the boathouse may require alternative methods of access via barge or through a neighbouring yard at the owner's expense. Noteworthy is the fact that the septic system (holding tank) is located within the front yard of the property.

Upon conducting site inspection associated with the variance, Planning staff identified a garden shed that matched the location of a shed provided in Appendix D. The shed had been constructed on Municipal property. The owners have agreed to relocate the garden shed on their property in compliance with the general provisions of the Zoning By-law. A condition is recommended in order to ensure the frame shed is relocated in accordance with Appendix C.

Therefore, the variances maintain the general intent and purpose of the Zoning By-Law.

4) Do the variances maintain the intent and purpose of the Official Plan?

Yes

The property is designated Waterfront within the City of Kawartha Lakes Official Plan. Low density residential uses, along with accessory uses are anticipated within this designation.

The proposed screened-in porch will be at least 15 metres away from the shoreline, satisfying Policy 3.11, which directs development away from the shoreline wherever possible and establishes a minimum water setback of 15 metres. The screened-in porch follows the building line of the existing dwelling with no further encroachment towards the shoreline.

In consideration of the above, the variances maintain the general intent and purpose of the Official Plan.

Other Alternatives Considered: No alternatives have been considered at this time.

Servicing Comments: The property is serviced by private water supply and holding tank with a grey water system.

Consultations: Notice of this application was circulated in accordance with the requirements of the Planning Act. Comments have been received from:

Agency Comments:

Engineering and Corporate Assets Division (January 21, 2021): No objections.

Building Division (January 21, 2021): The Division has no concerns with the noted application.

Part 8 Sewage Systems (January 22, 2021): There is a current Class 2 Greywater system that would be directly under the proposed screened-in porch. The construction of the porch would impair the function of the system. The owners have

indicated that they will be decommissioning the Class 2 Greywater system and directing all plumbing lines to the existing Class 5 Holding Tank, approved through File SS2017-071. With the removal of the Class 2 Greywater system, the screened-in porch will not impact the requirements for this system.

At the time of the comments, an Application for a Sewage System Permit to decommission the Class 2 System has not been completed. As Such, the Building Division- Sewage System Program would request that a condition be applied to the Minor Variance approval to satisfy the Supervisor – Part 8 Sewage System in terms of compliance for the sewage system serving the property.

Community Services Division (February 21, 2021): No comments or objections.

Public Comments: No comments have been received as of February 8, 2021.

Attachments:



- Appendix A – Location Map
- Appendix B – Aerial Photo of Subject Property
- Appendix C – Applicant's Site Plan
- Appendix D – Lot Drainage and Grading Plan
- Appendix E – Elevation Drawings
- Appendix F – Department and Agency Comments

Phone: 705-324-9411 extension 1367
E-Mail: kstainton@kawarthalakes.ca
Department Head: Chris Marshall, Director of Development Services
Department File: D20-2020-045

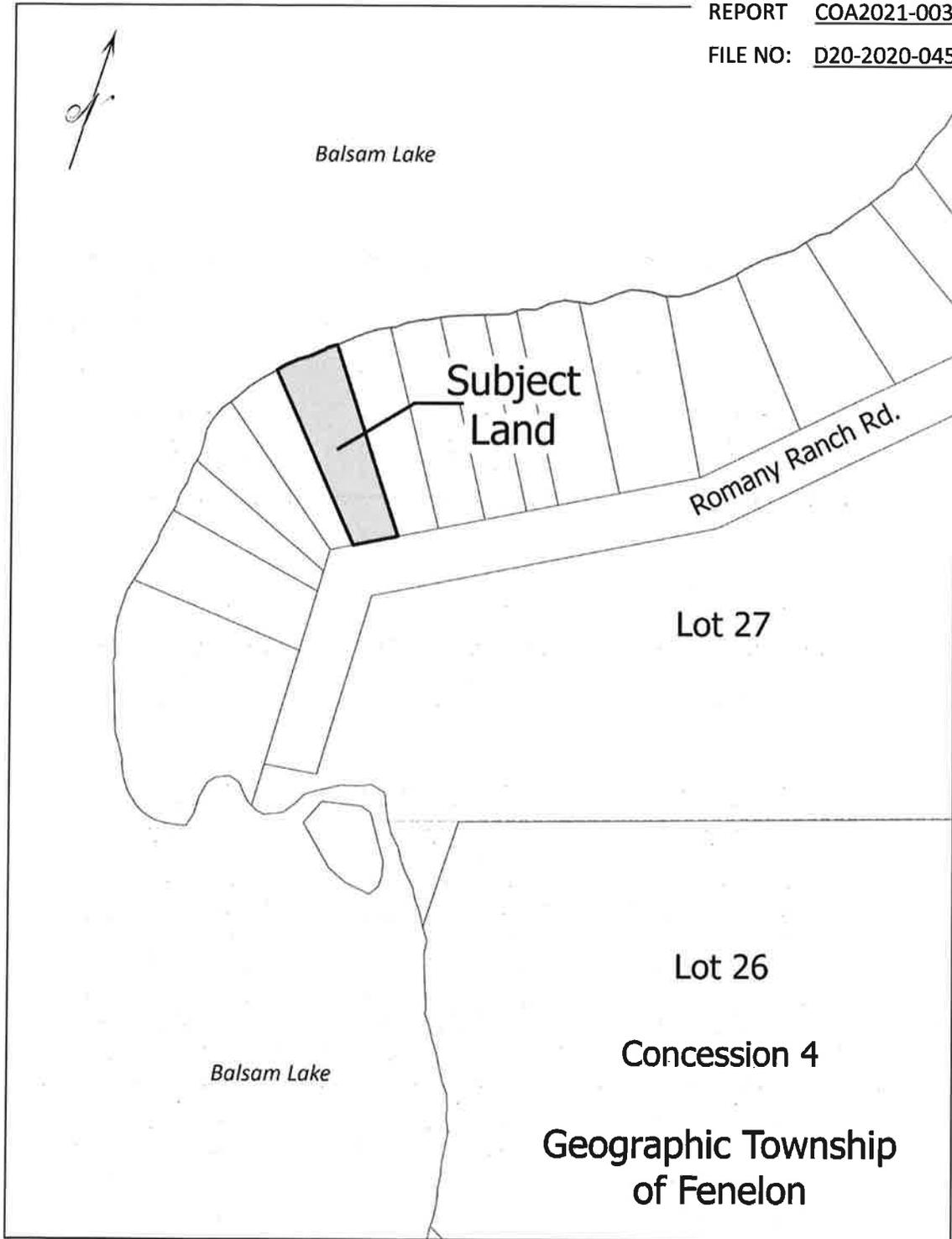
D20-2020-045

APPENDIX " A "

to

REPORT COA2021-003

FILE NO: D20-2020-045





Legend

- Property Roll Number
- Lots and Concessions

Notes

Notes

REPORT COA2021-003
FILE NO: D20-2020-045

APPENDIX " B "

0.06 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

128 Romany Ranch Rd Variance Appliz APPENDIX " C "



● Hydro Pole

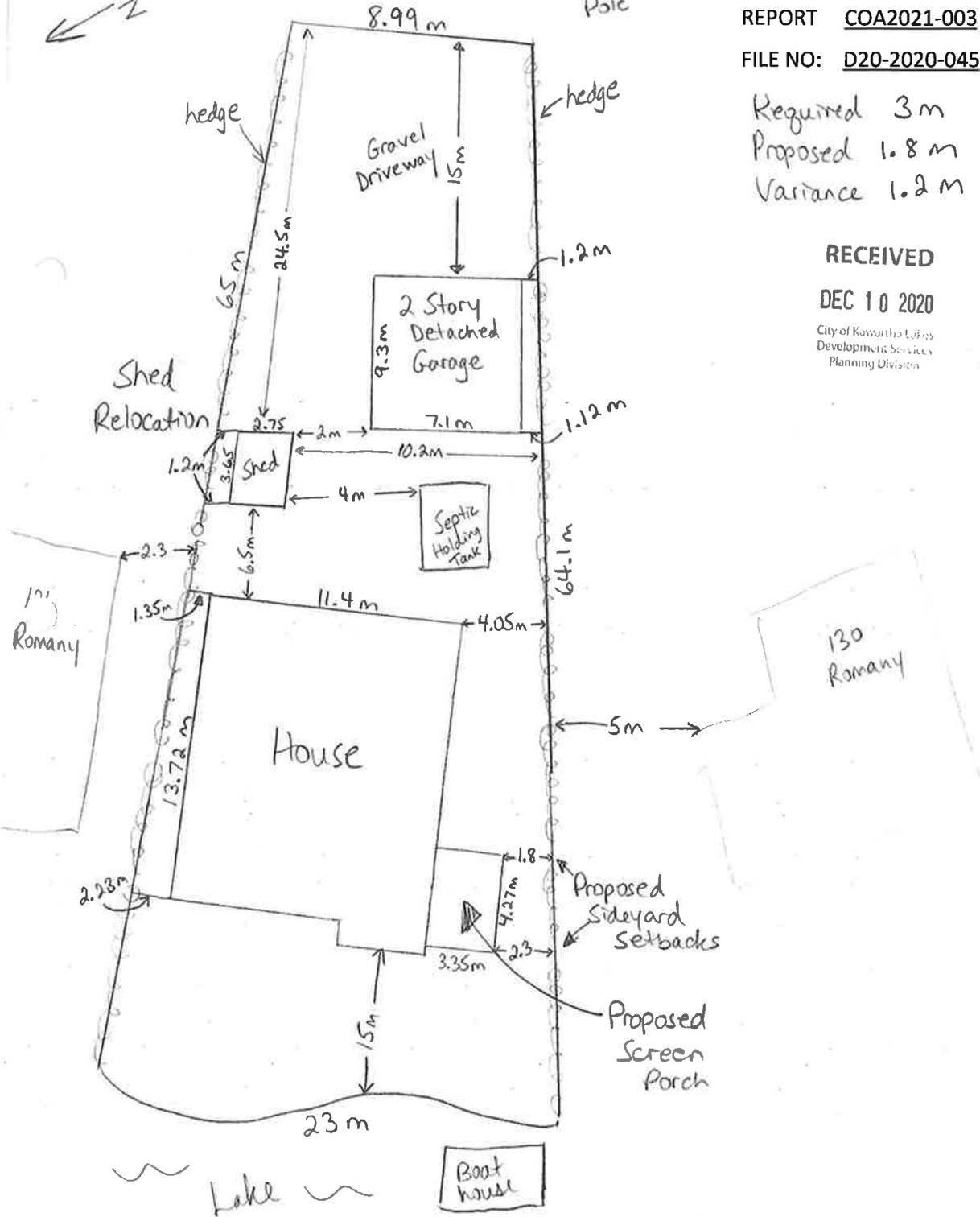
to
 REPORT COA2021-003
 FILE NO: D20-2020-045

Required 3m
 Proposed 1.8m
 Variance 1.2m

RECEIVED

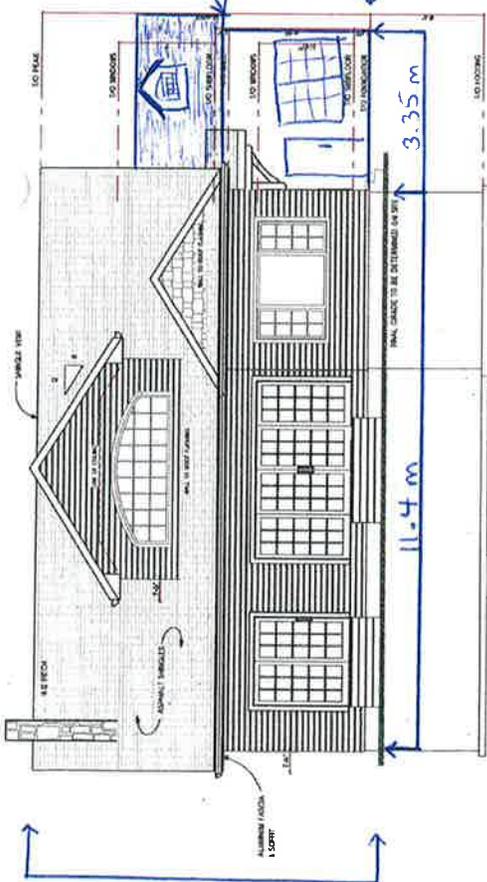
DEC 10 2020

City of Kawartha Lakes
 Development Services
 Planning Division



Card - 128 Komany Karch Road - Proposed Screen Porch Addition - Variance Application

Eye Overlay
L. 6m

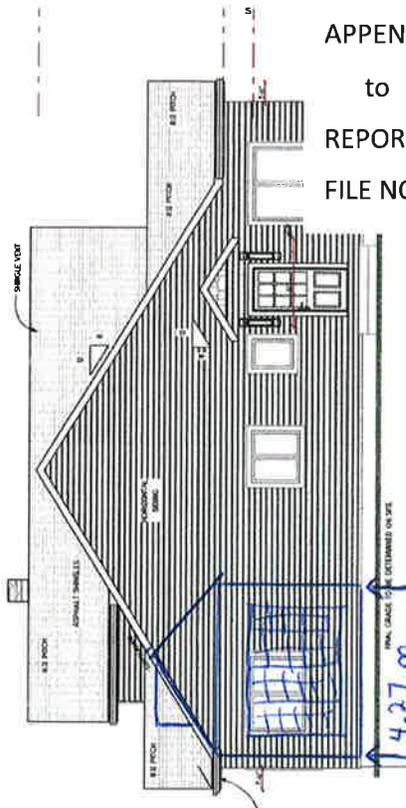


REAR ELEVATION
SCALE: 1/4" = 1'-0"
Lakeside West

NO.	FLOOR	FINISH	AREA	PERCENT	FINISH	AREA	PERCENT	FINISH	AREA	PERCENT
100	1ST FLOOR	CONCRETE	100	100	CONCRETE	100	100	CONCRETE	100	100
101	1ST FLOOR	WOOD	101	101	WOOD	101	101	WOOD	101	101
102	1ST FLOOR	WOOD	102	102	WOOD	102	102	WOOD	102	102
103	1ST FLOOR	WOOD	103	103	WOOD	103	103	WOOD	103	103
104	1ST FLOOR	WOOD	104	104	WOOD	104	104	WOOD	104	104
105	1ST FLOOR	WOOD	105	105	WOOD	105	105	WOOD	105	105
106	1ST FLOOR	WOOD	106	106	WOOD	106	106	WOOD	106	106
107	1ST FLOOR	WOOD	107	107	WOOD	107	107	WOOD	107	107
108	1ST FLOOR	WOOD	108	108	WOOD	108	108	WOOD	108	108
109	1ST FLOOR	WOOD	109	109	WOOD	109	109	WOOD	109	109
110	1ST FLOOR	WOOD	110	110	WOOD	110	110	WOOD	110	110

INDICATOR
GROSS WALL AREA
GROSS FLOOR AREA
TOTAL % OF CLASS 3

NO.	FLOOR	FINISH	AREA	PERCENT	FINISH	AREA	PERCENT	FINISH	AREA	PERCENT
100	1ST FLOOR	CONCRETE	100	100	CONCRETE	100	100	CONCRETE	100	100
101	1ST FLOOR	WOOD	101	101	WOOD	101	101	WOOD	101	101
102	1ST FLOOR	WOOD	102	102	WOOD	102	102	WOOD	102	102
103	1ST FLOOR	WOOD	103	103	WOOD	103	103	WOOD	103	103
104	1ST FLOOR	WOOD	104	104	WOOD	104	104	WOOD	104	104



RECEIVED
DEC 10 2020
City of Kawartha Lakes
Development Services
Planning Division
LEFT ELEVATION / South
SCALE: 1/4" = 1'-0"
13.72m
4.27m

APPENDIX " E "
to
REPORT COA2021-003
FILE NO: D20-2020-045

Kent Stainton

From: Anne Elmhirst
Sent: Friday, January 22, 2021 2:06 PM
To: Charlotte Crockford
Subject: RE: Advanced Circulation for Minor Variance D20-2020-045, 128 Romany Ranch Road, Fenelon

APPENDIX F
to
REPORT COA2021-003

Hello Charlotte,

I have reviewed the Minor Variance Application D20-2020-045 to request relief for a side yard setback to allow for the construction of a screened-in porch. FILE # D20-2020-045

There is a current sewage system installation report, File SS2018-0385, for an installed Class 2 Greywater System that would be directly under the proposed screened-in porch. The construction of the porch would impair the function of the greywater system. The owners have indicated that they will be decommissioning the Class 2 Greywater and directing all plumbing lines to the existing Class 5 Holding Tank, approved through File SS2017-0071. With the removal of the Class 2 Greywater system, the screened-in porch will not impact the requirements for this system.

At this time, an Application for a Sewage System Permit to decommission the Class 2 System has not been completed. As such, the Building Division – Sewage System Program would request that a condition be applied to the Minor Variance approval to satisfy the Supervisor – Part 8 Sewage System of compliance for the sewage systems serving the property.

Should you have any questions, please do not hesitate to contact me.

Best Regards,

Anne Elmhirst C.P.H.I.(C), B.A.Sc., B.Sc.
Supervisor – Part 8 Sewage Systems
Development Services - Building Division, City of Kawartha Lakes
705-324-9411 ext. 1882 www.kawarthalakes.ca



Please note: The Building Division offices at 180 Kent St W, Lindsay remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.

From: Charlotte Crockford
Sent: Wednesday, January 20, 2021 4:22 PM
To: Christina Sisson ; Kim Rhodes ; Cathie Ritchie ; LeAnn Donnelly ; 'alanna.boulton@canada.ca' ; Doug Elmslie ; Susanne Murchison ; Derryk Wolven ; Anne Elmhirst ; 'Erin McGregor' ; Ron Warne
Subject: Advanced Circulation for Minor Variance D20-2020-045, 128 Romany Ranch Road, Fenelon
Importance: High

Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance, Sketch, Ad and application. I have sent this in advance of the February 18, 2021 meeting as this application was part of the January circulation that was cancelled. However we have decided to circulate and would request comments back by February 1, 2021.

Please note the Ad is Part 1 of the February 18 advertisement. Part II will follow February 4, with more applications.

Many thanks

Charlotte Crockford
Administrative Assistant
Planning Department, City of Kawartha Lakes
705-324-9411 ext. 1231 www.kawarthalakes.ca



Please note: The Development Services offices at 180 Kent St W, Lindsay remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.

For COVID-19 information including service levels and how to access services, please call 705-324-9411 extension 4000 or visit www.kawarthalakes.ca/covid19



Staff Memo

LeAnn Donnelly, Executive Assistant, Community Services

Date: January 21, 2021
To: Committee of Adjustment
From: LeAnn Donnelly, Executive Assistant, Community Services
Re: Minor Variance – Various Applications

This memorandum confirms receipt of various applications to the Community Services Department and is intended to advise that our Department has no comments or concerns to offer the Committee with respect to the following minor variance applications:

D20-2020-037 18 Westlake Court, Fenelon
D20-2020-045 128 Romany ranch Road, Fenelon
D20-2020-046 120 Charlore Park Road, Emily
D20-2020-047 4 Bruce Street, Mariposa
D20-2020-048 121 Grassy Road, Emily

LeAnn Donnelly

LeAnn Donnelly
Executive Assistant, Community Services
705-324-9411 ext. 1300

Charlotte Crockford

From: Derryk Wolven
Sent: Thursday, January 21, 2021 10:00 AM
To: Charlotte Crockford
Subject: D20-2020-045 128 Romany Ranch

Please be advised building division has no concerns with the above noted application.

Derryk Wolven
Plans Examiner
City of Kawartha Lakes
705-324-9411 ext 1273
www.kawarthlakes.ca



Charlotte Crockford

From: Mark LaHay
Sent: Thursday, January 21, 2021 12:45 PM
To: David Harding; Kent Stainton
Cc: Charlotte Crockford
Subject: FW: 20210121 D20-2020-045 - Engineering review

FYI - file

From: Kim Rhodes <krhodes@kawarthalakes.ca>
Sent: Thursday, January 21, 2021 11:26 AM
To: Mark LaHay <mlahay@kawarthalakes.ca>
Cc: Christina Sisson <csisson@kawarthalakes.ca>; Kirk Timms <ktimms@kawarthalakes.ca>; Benjamin Courville <bcourville@kawarthalakes.ca>
Subject: 20210121 D20-2020-045 - Engineering review

Please see the message below from Christina Sisson:

Good morning Mark – further to our engineering review of the following:

Minor Variance – D20-2020-045
128 Romany Ranch Road
Part Lot 27, Concession 4, Part Lot 9 on Plan 214
Geographic Township of Fenelon

It is the understanding by Engineering that the purpose and effect is to request relief from Section 13.2.1.3 (b) (i) to reduce the minimum interior side yard setback from 3 metres to 1.8 metres to permit the construction of a 14.3 square metre enclosed porch.

From an engineering perspective, we have no objection to the proposed Minor Variance.

Please do not hesitate to contact our office if you have any questions.

Thanks,

CHRISTINA

Christina Sisson, P.Eng.
Supervisor, Development Engineering
Engineering & Corporate Assets, City of Kawartha Lakes
705-324-9411 ext. 1152 www.kawarthalakes.ca



