

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Sandra Twiselton**  
Report Number COA2020-035

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**Public Meeting**

**Meeting Date:** November 26, 2020  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward: 8 –Geographic Township of Emily**

**Subject:** The purpose and effect is to request relief from Section 12.2.1.3(e) to reduce the minimum water setback from 30 metres to 21.9 metres in order to permit the construction of a sunroom.

The variance is requested at 93 Kenedon Drive, geographic Township of Emily (File D20-2020-029).

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**Author:** David Harding, Planner II, RPP, MCIP

**Signature:** 

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**Recommendation:**

**Resolved That** Report COA2020-035 Twiselton, be received;

**That** minor variance application D20-2020-029 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 sketch in Appendix C and elevations in Appendix D submitted as part of Report COA2020-035, which shall be attached to and form part of the Committee's Decision;
- 2) **That** prior to the issuance of a building permit the owner shall submit photographs and measurements to the satisfaction of the Secretary-Treasurer demonstrating the smaller of the two sheds on the property has been removed or relocated in accordance with the zoning by-law; and
- 3) **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 COA2020-035. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.**

**Background:** The application proposes to construct a sunroom on the rear of a single detached dwelling.  
The application was last amended October 29, 2020.

**Proposal:** To permit the construction of an approximately 5.8 metre x 3.7 metre sunroom.

**Owner:** Sandra Twiselton

**Applicant:** Ron Freer – Prestige Sunrooms

**Legal Description:** Part Lot 16, Concession 7, Northern Half of Lot 15, Plan 16, geographic Township of Emily, now City of Kawartha Lakes

**Official Plan:** Waterfront within the City of Kawartha Lakes Official Plan

**Zone:** Rural Residential Type Three (RR3) Zone within the Township of Emily Zoning By-law 1996-30

**Site Size:** 2,015.6 square metres (0.5 acre)

**Site Servicing:** Private individual well and septic system

**Existing Uses:** Shoreline Residential

**Adjacent Uses:** North, South: Shoreline Residential  
East: Shoreline Residential Backlots  
West: Pigeon River

**Rationale:**

**1) Is the variance minor in nature? Yes**

**And**

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

The subject property is situated in a shoreline residential neighbourhood on the east side of Pigeon River where it transitions into Pigeon Lake.

The sunroom is proposed within the rear yard, west of the existing dwelling. While the addition is proposed to extend into the rear yard, it is proposed no closer to the shoreline than the two dwellings to the north, addressed as 95 and 97 Kenedon Drive.

At 5.8 metres, the sunroom length is modest in relation to the overall length of the dwelling at about 17 metres. The sunroom is also proposed to project 3.7 metres into the rear yard. Therefore, the total area within the rear yard to be occupied by the sunroom is minimal. As such, the presence of the sunroom is

not anticipated to affect the ability to use the rear yard for recreational and amenity purposes, nor is the built form anticipated to generate adverse massing impacts with respect to the shoreline.

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

**3) Does the variance 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 Emily Zoning By-law 1996-30.

The intent of the water setback is to provide sufficient spatial separation between the shoreline and built form to protect the ecological integrity of the waterbody. The separation provides space for the establishment of vegetation to provide functions such as stormwater infiltration and attenuation, and provision of habitat. Sufficient space remains within the rear yard to accommodate these functions.

Therefore, the variance maintains the general intent and purpose of the Zoning By-Law.

**4) Does the variance 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.

In consideration of the above the variance maintains the general intent and purpose of the Official Plan.

**Other Alternatives Considered:**

No other alternatives have been considered at this time.

**Servicing Comments:**

The property is serviced by a private individual well and sewage system.

**Consultations:**

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

**Agency Comments:**

Building Division – Part 8 Sewage Systems (September 30, 2020): No concerns as the sunroom is being proposed in the rear yard and will not constitute an increase in the total daily sewage flow.

Kawartha Region Conservation Authority (October 30, 2020): No concerns.

Building Division (November 13, 2020): No concerns.

Development Engineering (November 17, 2020): No concerns.

**Public Comments:**

No comments received as of November 16, 2020.

**Attachments:**



Appendices A-E to  
COA2020-035.pdf

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Applicant's Elevations

Appendix E – Department and Agency Comments

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**Phone:** 705-324-9411 extension 1206

**E-Mail:** [dharding@kawarthalakes.ca](mailto:dharding@kawarthalakes.ca)

**Department Head:** Chris Marshall, Director of Development Services

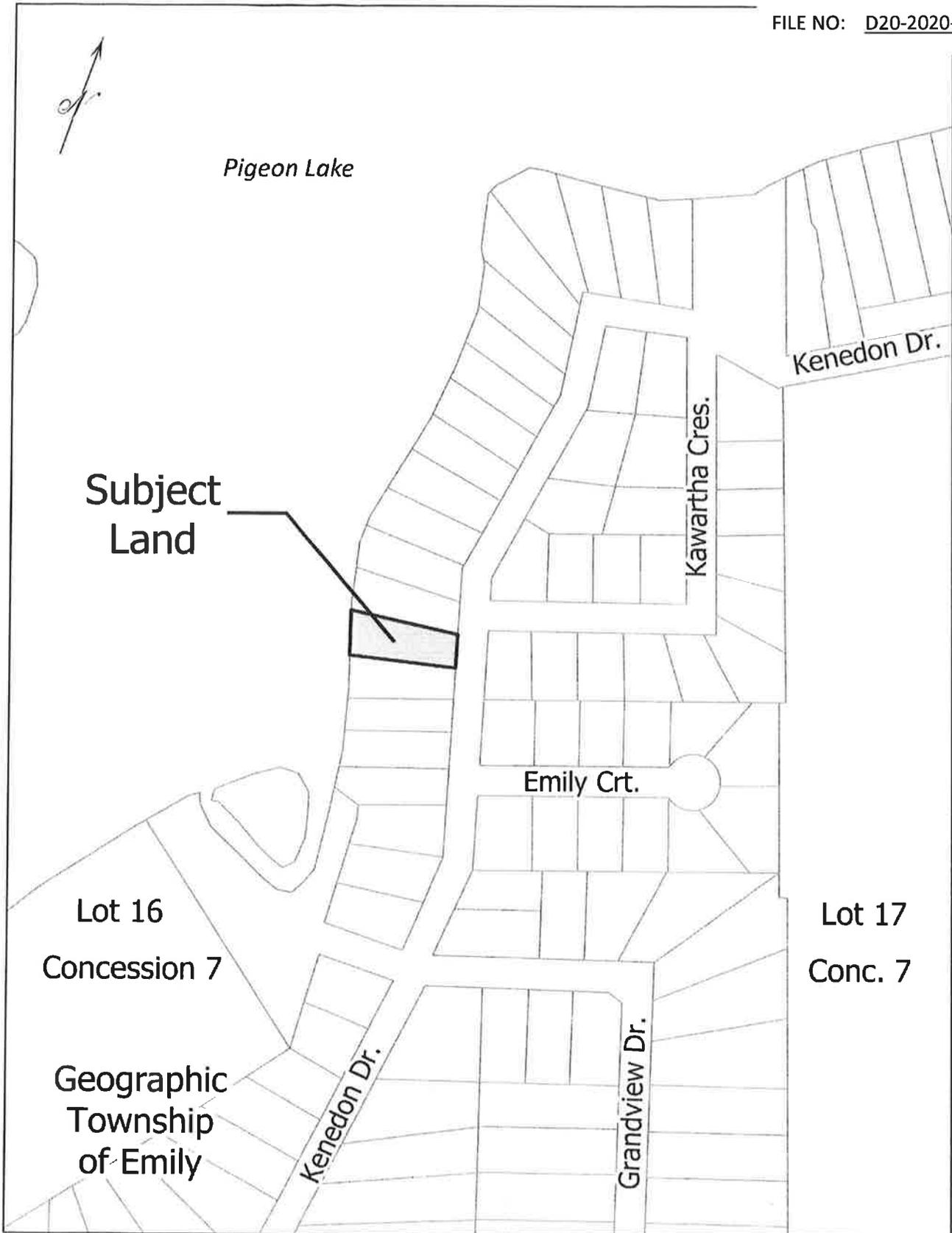
**Department File:** D20-2020-029

to

REPORT COA2020-035

FILE NO: D20-2020-029

# D20-2020-029



# 93 Kenedon Drive, geographic Twp. of Emily



0.11 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

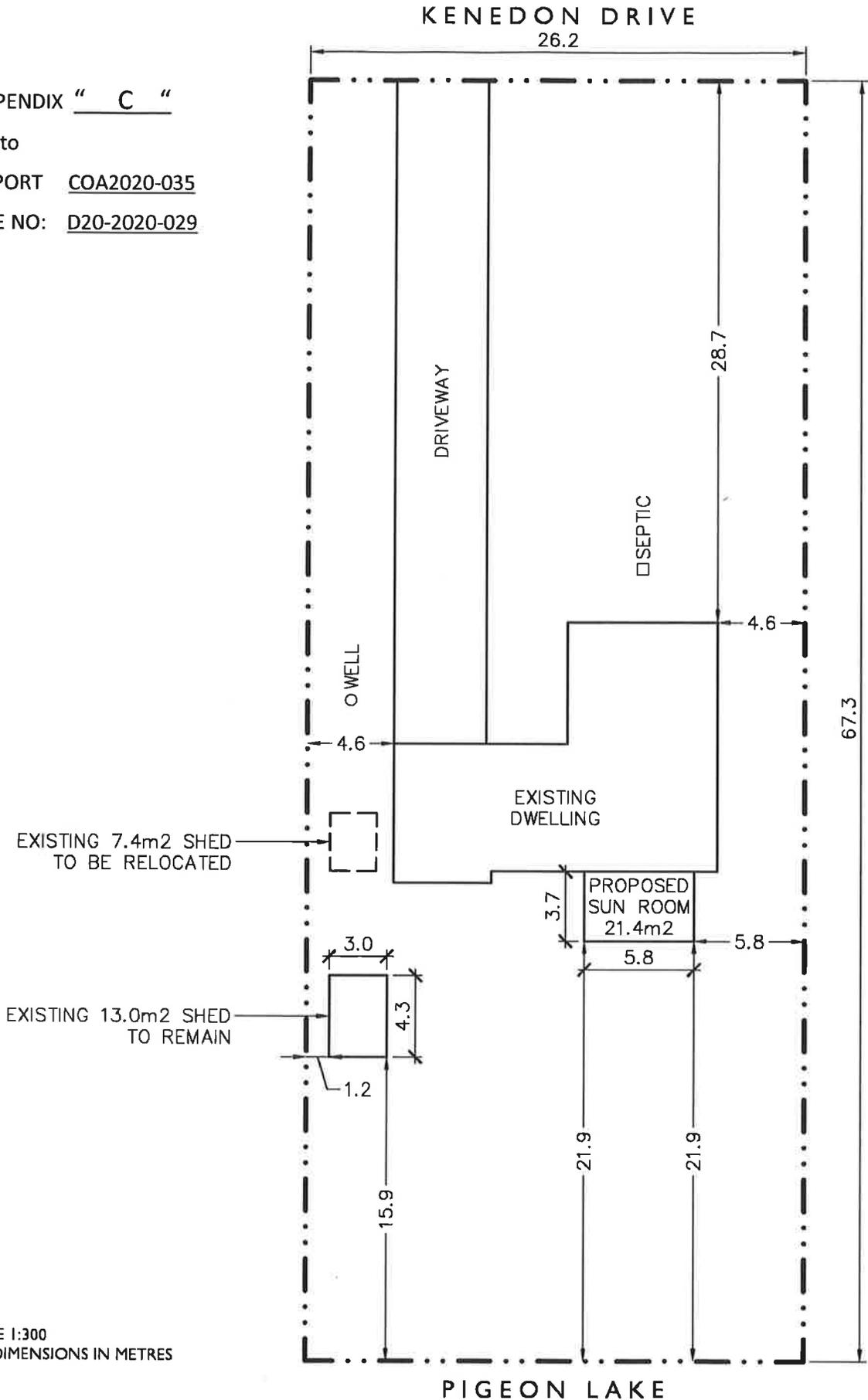
APPENDIX " B "  
to  
REPORT COA2020-035  
FILE NO: D20-2020-029

APPENDIX " C "

to

REPORT COA2020-035

FILE NO: D20-2020-029



SCALE 1:300  
ALL DIMENSIONS IN METRES

SITE PLAN  
**93 KENEDON DRIVE**  
EMILY WARD, CITY OF KAWARTHA LAKES

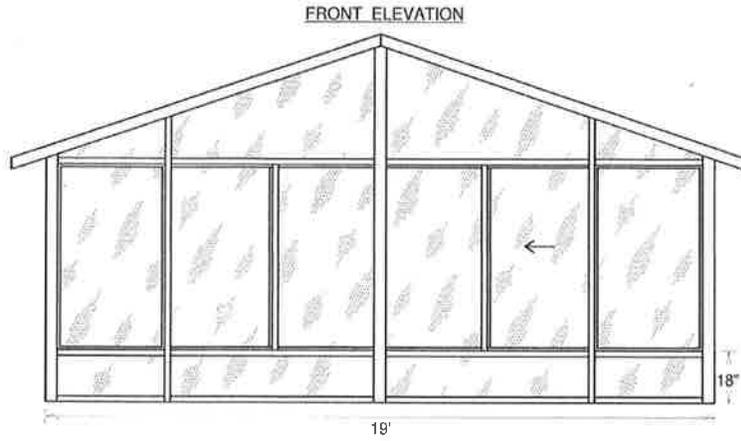
**SUNROOM FOR TWISELTON RESIDENCE**

APPENDIX " D "

to

REPORT COA2020-035

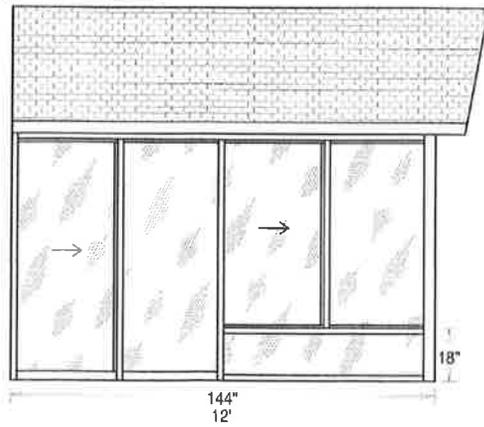
FILE NO: D20-2020-029



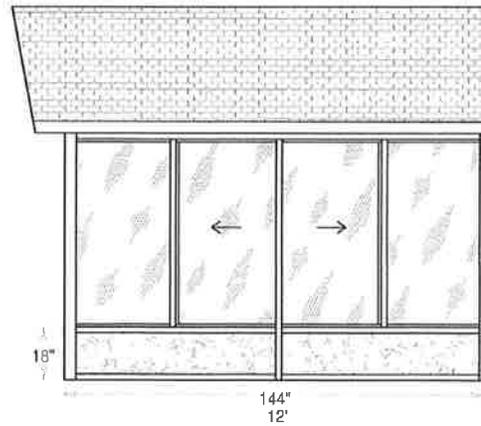
ALL EXTERIOR VIEW

**SUNROOM FOR TWISELTON RESIDENCE**

LEFT ELEVATION



RIGHT ELEVATION



**David Harding**

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**From:** Anne Elmhirst  
**Sent:** Wednesday, September 30, 2020 11:02 PM  
**To:** Charlotte Crockford-Toomey  
**Subject:** D20-2020-029 - 93 Kennedon Drive

APPENDIX " E "  
to  
REPORT COA2020-035  
FILE NO. D20-2020-029

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Charlotte,

I have received and review the application for Minor Variance to request relief to construct a sunroom onto the existing dwelling.

I have completed a site visit to locate the sewage disposal system. The septic tank and distribution lines were located in the roadside yard of the property. The sunroom is being proposed on dwelling at the water yard. The sunroom will not constitute an increase in the total daily sewage flow.

As such, the Building Division – Sewage System Program has no concerns with the proposal.

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](http://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.

KRCA File NO: PPLK-8457

Via Email: Ccrockford-toomey@kawarthalakes.ca  
Charlotte Crockford-Toomey  
Administrative Assistant  
Development Services – Planning Division  
180 Kent Street West  
Lindsay, ON, K9V 2Y6

**Regarding: Minor Variance Application  
D20-2020-029  
93 Kenedon Drive, Emily, CKL  
Sandra Twiselton and Ron Freer**

Kawartha Conservation has completed review of the above noted Minor Variance Application, submitted by Ron Freer (Prestige Sunrooms) on behalf of Sandra Twiselton. Kawartha Conservation has provided comments as per our MOU with the City of Kawartha Lakes to review the application with respect to Natural Heritage, Watershed Management, and Natural Hazards. Our comments are as follows:

**Application Purpose:**

It is Kawartha Conservation's understanding that the purpose and effect of Minor Variance Application D20-2020-029 is to seek relief from sections 12.2.1.3(e) and 12.2.1.3(b) in the Township of Emily Zoning By-law 1996-30 for a reduced water setback for the addition of a sunroom and to acknowledge an accessory structure's current location and to reduce the interior side lot line setback.

**Site Characteristics:**

The subject property backs onto Pigeon Lake/fish habitat. Our mapping does not show any other natural heritage features on or within 120 metres of the property. There may be flooding hazards on the property due to proximity to Pigeon Lake. The regulatory flood elevation of Pigeon Lake is 246.9 mASL.

**Applicable Kawartha Conservation Regulation and Policies**

**Ontario Regulation 182/06 (as amended):**

Any development with Kawartha Conservation's regulated area will require a Permit pursuant to Ontario Regulation 182/06 (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses), as amended.

**KAWARTHA CONSERVATION**  
277 Kenrei Road, Lindsay, ON K9V 4R1  
705.328.2271 Fax 705.328.2286  
**KawarthaConservation.com**

**Our Watershed Partners:**

City of Kawartha Lakes • Region of Durham • Township of Scugog • Municipality of Clarington • Township of Brock • Municipality of Trent Lakes • Township of Cavan Monaghan



**KAWARTHA  
CONSERVATION**

Discover · Protect · Restore

Permissions are required from Kawartha Conservation prior to any of the following works taking place:

- a) Straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, or watercourse; or changing or interfering with a wetland; and
- b) Development, if the control of flooding, erosion, dynamic beaches, pollution or the conservation of land may be affected by the development.

Development is defined as:

- a) The construction, reconstruction, erection or placing of a building or structure of any kind,
- b) Any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- c) Site grading or, the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

Kawartha Conservation regulates the shoreline of Pigeon Lake and 15 metres from the regulatory flood elevation of 246.9 mASL.

**Recommendation:**

Kawartha Conservation has no concern with the approval of D20-2020-029 based on our consideration for natural heritage, natural hazards, and watershed management.

I trust this meets your information requirements at this time. Should you have any questions, please contact the undersigned.

Sincerely,

Erin McGregor

Resources Planner Technician  
Kawartha Conservation

CC: Ron Warne, Director of Planning, Development, & Engineering, Kawartha Conservation

**KAWARTHA CONSERVATION**  
277 Kenrei Road, Lindsay, ON K9V 4R1  
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**David Harding**

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**From:** Derryk Wolven  
**Sent:** Friday, November 13, 2020 3:34 PM  
**To:** Charlotte Crockford-Toomey  
**Subject:** D20-2020-029

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Building has no concerns with the above noted application.

Derryk Wolven  
Plans Examiner  
City of Kawartha Lakes Building Division

## David Harding

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**From:** Mark LaHay  
**Sent:** Tuesday, November 17, 2020 9:30 AM  
**To:** David Harding; Kent Stainton  
**Cc:** Charlotte Crockford-Toomey  
**Subject:** FW: 20201117 D20-2020-029 - Engineering review

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FYI - file

**From:** Kim Rhodes  
**Sent:** Tuesday, November 17, 2020 8:05 AM  
**To:** Mark LaHay  
**Cc:** Christina Sisson ; Kirk Timms ; Benjamin Courville  
**Subject:** 20201117 D20-2020-029 - Engineering review

**Please see the message below from Christina Sisson:**

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

Minor Variance – D20-2020-029  
93 Kenedon Drive  
Part Lot 16, Concession 7, North Half of Lot 15, Plan 16  
Geographic Township of Emily

It is the understanding by Engineering that the purpose and effect is to request relief to reduce the minimum water setback from 30 metres to 21.9 metres in order to permit the construction of a sunroom.

*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](http://www.kawarthalakes.ca)

