

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Maurice and Beverley Gauthier**  
Report Number COA2021-014

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**Public Meeting**

**Meeting Date:** March 18, 2021  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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

**Subject:** The purpose and effect is to request relief from Section 13.2(e) to reduce the minimum flankage yard requirement of 15 metres to 3.35 metres in order to facilitate the construction of an addition to the existing residential dwelling.

The variance is requested at 21 Propp Drive, geographic Township of Manvers (File D20-2021-007).

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**Author:** Kent Stainton, Planner II

**Signature:**



**Recommendations:**

**Resolved That** Report COA2021-014 Gauthier, be received;

**That** minor variance application D20-2021-007 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 & D submitted as part of Report COA2021-014, 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 as 'Exist. Shed' on Appendix C has been removed, 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 COA2021-014. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.**

**Background:** This application proposes to construct a 373.55 square metre (4,021 square feet) addition consisting of an expansion to the existing living space and an attached two-bay garage fronting onto Propp Drive with storage loft. There is no habitable space proposed within the storage loft of the garage.

The application was deemed complete on January 28, 2021.

**Proposal:** The proposal involves the construction of a new addition to the existing detached dwelling consisting of an addition to the master bedroom as well as the construction of a two-door garage with storage loft.

**Owners:** Maurice and Beverly Gauthier

**Applicant:** John Kenthol

**Legal Description:** 21 Propp Drive, Lot 50, Plan 9M-725, Part Lot 11, Concession 3, geographic Township of Manvers

**Official Plan:** Rural Settlement within the City of Kawartha Lakes Oak Ridges Moraine Policy Area

**Zone:** Rural Residential Type One (RR1) Zone – Oak Ridges Moraine Zoning By-law 2005-133

**Site Size:** 2,293 square metres (0.57 acres)

**Site Servicing:** Municipal water supply and private individual sewage system

**Existing Uses:** Residential

**Adjacent Uses:** North, East, West: Residential

South: Residential, parklands

**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 in a residential subdivision north of Pontypool. Based on MPAC data, the homes were built in the mid 1980s and reside on modest sized lots. Side split dwelling configurations dominate the design within the neighbourhood. The majority of the homes along both Propp and Corbett Drive are similarly constructed with either attached garages or garages connected via breezeways to the dwellings. The dwelling does contain an attached one-car garage on the south side of the dwelling. In order to lessen the presence of built form in the front yard as well enhance functionality through connection, an attached configuration was decided upon. Since the location of the current development is shifted to the southern portion of the lot, the proposed location of the addition northwards and away from the dwellings to the south and west is logical.

The subject property is a corner lot on the southwest corner of the T-intersection of Propp Drive and Corbett Drive. The corner lot is one of the largest lots on both Propp and Corbett Drives with ample capacity to accommodate the addition and in compliance with the lot coverage provisions of the Zoning By-law. To the north, three detached dwellings properties front opposite to the property along Corbett Drive. There is only one residential lot to the south of the property before a larger park breaks up the block. To the south and west, additional side split configured dwellings persist. Approximately half of the northern lot line is delineated by older blue spruce trees forming a formidable privacy barrier to the rear yard when viewed from Corbett Drive. The trees will remain in-tact.

It is anticipated that the garage will compliment the character of the neighbourhood and streetscape by providing enclosed storage for vehicles and other items that would otherwise be stored outside within either the rear yard or the front yard. The proposed height of the addition is 6.43 metres and less than the 11 metre height requirement of the RR1 Zone. As shown in Appendix D, significant detail has been incorporated into the bay window on the eastern face of the garage as well as the large windows facing Corbett Drive. The impact of the location of the windows provides for an effective break-up of the exterior walls. Garage door windows and brick skirting have also been incorporated for additional visual impact. A parapet also adds to the character of the neighbourhood. When combined with the landscape plantings proposed in Appendices C & D, the addition will meld with the character of the neighbourhood and assist in preventing any massing impacts to the streetscape along both Prop and Corbett Drives.

Due to the above analysis, the variances are minor in nature, 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 One (RR1) Zone" within the Oak Ridges Moraine Zoning By-law 2005-133.

The objectives of the flankage yard requirement are to maintain sight lines, preserve space for road for widening, maintain land for the installation/expansion of

services and shape the streetscape by regulating the placement of buildings. Given the large lots within the rural residential subdivision on the Oak Ridges Moraine, the flankage yard requirement of 15 metres is nearly double the typical 7.5 metre requirement found in many residential subdivisions. When coupled with the size of the lot and no sidewalk installations, the proposed reduction to 3.35 metres is more appropriate; Engineering and Corporate Assets Division has no concerns with the proposal with respect to lot drainage and grading with the drainage swales along Corbett Drive to be maintained.

With regard to accessibility, the 3.35 metre flankage yard setback maintains the ability for access surrounding the dwelling as well as access to the rear yard for the purposes of accessing the septic system. While rear yard access can be gained on the south side of the lot, the ability to access from the north with larger machinery is essential. Without removing additional vegetation, the presence of the spruce trees effectively screens the rear yard of the subject lands from Corbett Drive.

Another intent of the flankage yard requirement is to ensure buildings and uses do not dominate the streetscape. While the zoning by-law requires a minimum flankage yard setback of 15 metres, the closest extent of the addition at 3.35 metres from the property line abutting Corbett Drive will be screened by the row of mature spruce trees when traveling from the west towards the intersection. The addition terminates at 7.6 metres from the flankage yard, which is approximate with the building line at 256 Corbett Drive. Through establishing this limit, the sightline from the northern limit of development is equal to that of 256 Corbett Drive and does not reduce the sightlines of the intersection. All existing front yard space is preserved with no visual impedance created by the garage with a distance of 17.72 metres from the extent of the garage to the front lot line.

The subject lands also contain a shed that is used as a pump house for the koi pond in the rear yard. The shed was constructed in 1987 according to MPAC. It is important to note that the garden shed labeled as 'Exist. Shed' in Appendix C will be removed following construction of the addition. A condition is recommended in order to confirm removal of the structure upon the final inspection of the garage

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 Rural Settlement within the City of Kawartha Lakes Oak Ridges Moraine Policy Area of the City of Kawartha Lakes Official Plan. The designation permits residential uses and associated accessory structures.

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

**Other Alternatives Considered:** Through the pre-screening process, the several configurations were examined. The initial configuration involved a three-bay garage with doors facing southwards. This configuration was found to encroach into the aforementioned building line established by the lot at 256 Corbett Drive.

During an initial site visit, a three-bay garage configuration was discussed. The massing implications and tree removal requirements rendered further revisions of the configuration necessary.

The penultimate configuration represents over a one metre improvement from the exterior lot line from the original proposal in the Spring of 2020. Window treatments along the north facing and east facing walls were also increased in size to assist in enhancing the appearance of the addition.

**Servicing Comments:**

The property is serviced by Municipal water supply and a private septic 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 (February 22, 2021): The applicant has submitted an application to relocate the sewage system to another location in the rear yard of the property. There is ample area to relocate the sewage system to an alternate location and allow the construction of the proposed additions.

As such, the Building and Septic Division has no concerns with the proposal as related to private, on-site sewage disposal requirements.

Development Engineering Division (March 4, 2021): No objections.

Building Division (March 4, 2021): No concerns. Building Permits required.

**Public Comments:**

No public comments as of March 10, 2021

**Attachments:**



- Appendix A – Location Map
- Appendix B – Aerial Photo
- Appendix C – Applicant's Sketch - Site Plan
- Appendix D – Elevation Drawings

## Appendix E – Department and Agency Comments

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**Phone:** 705-324-9411 extension 1367  
**E-Mail:** [kstainton@kawarthalakes.ca](mailto:kstainton@kawarthalakes.ca)  
**Department Head:** Chris Marshall, Director of Development Services  
**Department File:** D20-2021-007

# D20-2021-007

APPENDIX " A "

to  
REPORT COA2021-014  
FILE NO: D20-2021-007

Lot 11  
Concession 4

Telecom Rd.

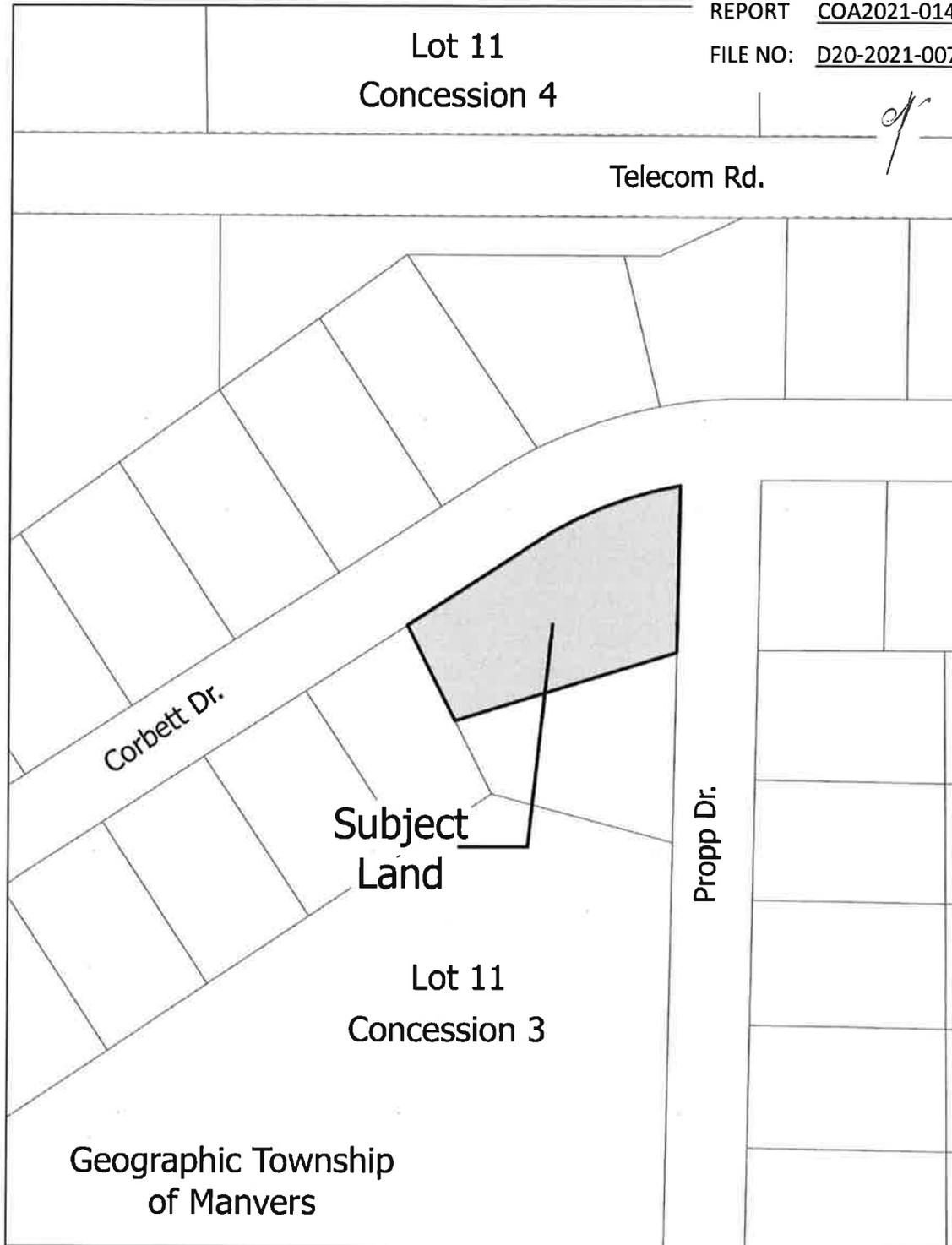
Corbett Dr.

Subject  
Land

Propp Dr.

Lot 11  
Concession 3

Geographic Township  
of Manvers





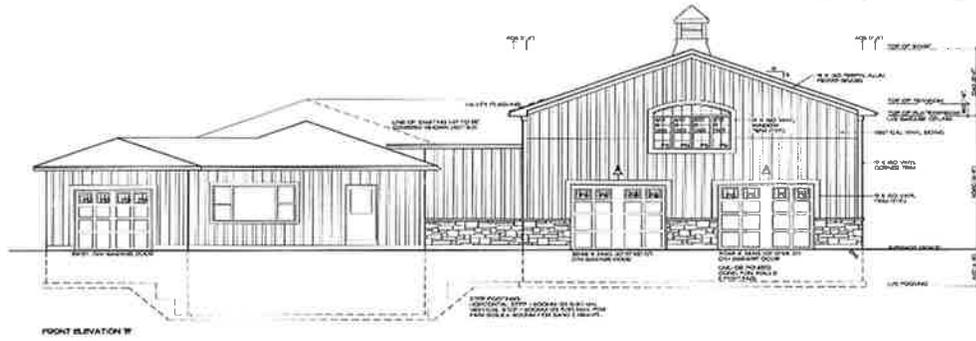


APPENDIX " D "

to

REPORT COA2021-014

FILE NO: D20-2021-007



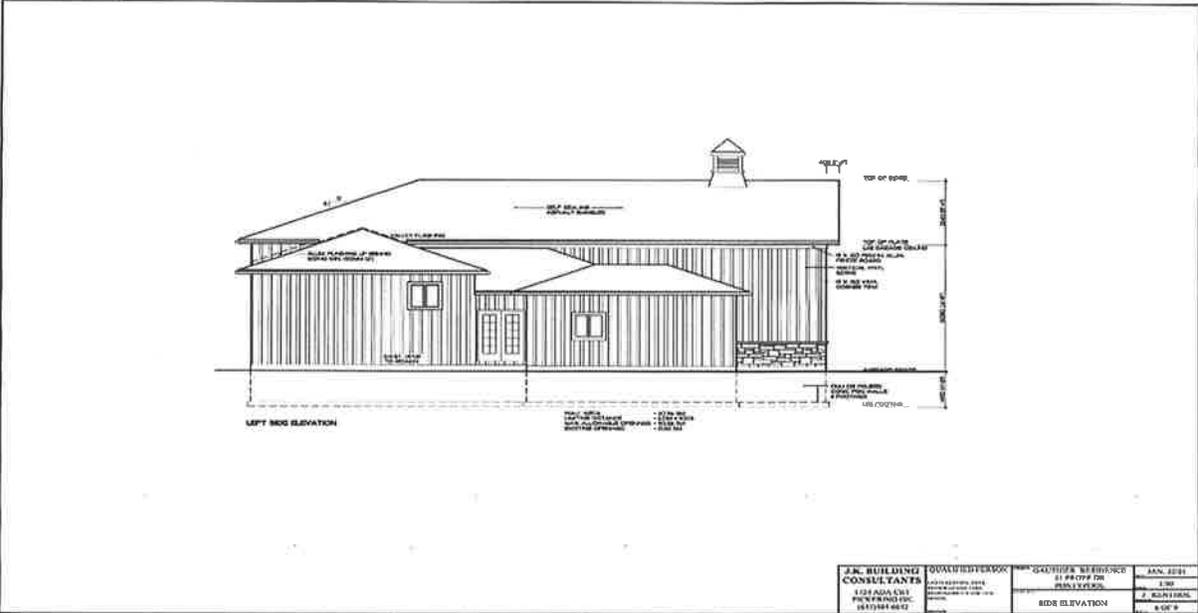
FRONT ELEVATION B

J.K. BUILDING CONSULTANTS 1325 ALAHA ST HICKAM AFB HAWAII, HI 96819-5000	QUICK RESPONSE ARCHITECTURE 1000 KALANIANAʻOHE AVENUE HONOLULU, HI 96813	JEFF GAULTIER REGISTERED ARCHITECT 21 PRUITT DRIVE HAWAII, HI 96706	DATE: JAN 22 21 SCALE: 1/8\"/>
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RIGHT SIDE ELEVATION

J.K. BUILDING CONSULTANTS 1325 ALAHA ST HICKAM AFB HAWAII, HI 96819-5000	QUICK RESPONSE ARCHITECTURE 1000 KALANIANAʻOHE AVENUE HONOLULU, HI 96813	JEFF GAULTIER REGISTERED ARCHITECT 21 PRUITT DRIVE HAWAII, HI 96706	DATE: JAN 22 21 SCALE: 1/8\"/>
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**Kent Stainton**

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**From:** Mark LaHay  
**Sent:** Thursday, March 4, 2021 2:00 PM  
**To:** David Harding; Kent Stainton  
**Cc:** Charlotte Crockford  
**Subject:** FW: 20210304 D20-2021-007 - Engineering review

FYI - file

**From:** Kim Rhodes  
**Sent:** Thursday, March 4, 2021 1:46 PM  
**To:** Mark LaHay  
**Cc:** Christina Sisson ; Kirk Timms ; Benjamin Courville  
**Subject:** 20210304 D20-2021-007 - Engineering review

APPENDIX " E "

to

REPORT COA2021-014

FILE NO. D20-2021-007

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

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

Minor Variance – D20-2021-007  
21 Propp Road  
Lot 50, Plan 9M-725, Part Lot 11, Concession 3  
Geographic Township of Manvers

It is the understanding by Engineering that the purpose and effect is to request relief from Section 13.2(e) to reduce the minimum flankage yard requirement of 15 metres to 3.35 metres in order to facilitate the construction of an addition to the existing residential dwelling.

*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  
Lean Six Sigma Black Belt  
Engineering & Corporate Assets, City of Kawartha Lakes  
705-324-9411 ext. 1152 (office) 705-878-3186 (mobile) [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



## Kent Stainton

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**From:** Derryk Wolven  
**Sent:** Thursday, March 4, 2021 12:30 PM  
**To:** Charlotte Crockford  
**Subject:** RE: Notice of Public Hearing for Minor Variance D20-2021-007, 21 Propp Drive, Manvers

Please be advised building division has no concerns with the above noted application. Building permits are required.

Derryk Wolven  
Plans Examiner  
City of Kawartha Lakes  
705-324-9411 ext 1273  
[www.kawarthlakes.ca](http://www.kawarthlakes.ca)



## Kent Stainton

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**From:** Anne Elmhirst  
**Sent:** Monday, February 22, 2021 3:00 PM  
**To:** Charlotte Crockford  
**Subject:** D20-2021-007 - 21 Propp Dr

Hello Charlotte,

I have received and reviewed the application D20-2021-007 for minor variance to permit the construction of an addition with attached garage.

The applicant has submitted an application to relocate the sewage system to another location in the rear yard of the property. There is ample area to relocate the sewage system to an alternate location and allow the construction of the proposed additions.

As such, the Building and Septic Division has no concerns with the proposal as related to private, on-site sewage disposal requirements.

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

Best Regards,  
Anne Elmhirst  
Supervisor - Part 8 Sewage Systems

Sent from my Bell Samsung device over Canada's largest network.