

The Corporation of the City of Kawartha Lakes

Minutes

Committee of Adjustment Meeting

COA2024-04
Thursday, April 25, 2024
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
Stephen Strangway

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1. **Call to Order**

Chair Robertson called the meeting to order at 1:01 pm. Chair Robertson, Members S. Richardson, B. Archer, G. Erickson and S. Strangway were in attendance.

Councillor E. Yeo attended via electronic participation.

Staff, L. Barrie, Director of Development Services, J. Connolly, Manager of Planning, K. Evans, Planner II, A. Shahid, Planner II, M. LaHay, Secretary-Treasurer, C. Crockford, Recording Secretary and M. McKinnon, Plans Examiner-Building and Septic Division (Building) were in attendance in person.

2. **Administrative Business**

2.1 Adoption of Agenda

2.1.1 COA2024-04

April 25, 2024

Committee of Adjustment Agenda

CA2024-041

Moved By S. Strangway

Seconded By G. Erickson

That the agenda April 25, 2024 be approved as amended to bring forward Section 4.1.7 Report COA2024-038, 146 Yankee Line, Emily under New Applications; Minor Variance File: D20-2024-028, to be presented following the returning deferral application, Section 3.1.1 Report COA2024-020, 506 King's Wharf Road, Emily.

Carried

2.2 Declaration of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

2.3 Adoption of Minutes

2.3.1 COA2024-03

March 28, 2024

Committee of Adjustment Minutes

The Committee indicated that an amendment is required on page 16, paragraph 3 where it reads "the Committee asked if the neighbours of the rental apartment

next door would receive the notice of decision or just the owner" should now read "notice of application".

CA2024-042

Moved By G. Erickson

Seconded By S. Strangway

That the minutes of the previous meeting held March 28, 2024 be adopted as amended.

Carried

3. Deferred Applications

3.1 Minor Variances

3.1.1 COA2024-020

Katherine Evans, Planner II

File Number: D20-2024-010

Location: 506 King's Wharf Road

Part Lot 9, Concession 13

Geographic Township of Emily

Owners: Troy and Emelda Coates

Applicant: TD Consulting Inc.

Ms. Evans summarized Report COA2024-020, previously deferred at the February 22, 2024 meeting. The purpose and effect is to recognize a storage building under construction and an existing horse shelter. 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 lot coverage is 248 square metres or 2% of the lot area; and, Section 3.18.5.2 provides that no livestock building or manure storage facility shall be erected or altered unless it complies with the minimum distance separation calculated using Form 2 being Schedule "G" Minimum Distance Separation (MDS) Calculation for Livestock Facilities to this By-law. The required MDS radius for the existing horse shelter is 37 metres; the existing distance between the shelter and the church on the adjacent lot to the west is 29.4 metres.

The Committee asked for clarification as to the existing shed shown on Appendix C and the storage building referenced on page three of the report were the same building. Staff replied yes.

The applicant, Mr. deBoer of TD Consulting Inc. was present in person and available for questions.

The Committee asked the applicant if he had spelt Emily correctly on the site plan. Mr. deBoer responded.

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

CA2024-043

Moved By S. Strangway

Seconded By B. Archer

That minor variance application D20-2024-010 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 COA2024-020, 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 eight (8) 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 COA2024-020. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

3.2 Consents

4. New Applications

4.1 Minor Variances

4.1.7 COA2024-038

Katherine Evans, Planner II
File Number: D20-2024-028

Location: 146 Yankee Line
 Part Lot 15, Concession 6
 Geographic Township of Emily
 Owners: Amanda Svendsen and Justin Adamson
 Applicant: Amanda Svendsen

Ms. Evans summarized Report COA2024-038. The purpose and effect is to facilitate the construction of a new kennel building. Relief sought: Section 7.2.1.3 d) of the By-law requires a minimum rear yard setback of 25 metres; the proposed setback is 15 metres; and, Section 7.2.1.3 e) of the By-law requires a minimum lot line setback for a kennel of 45 metres; the proposed setback from the rear lot line is 15 metres.

Comments and concerns were received from the Gary Judges of 137 Valley Road, being the property that abuts the subject property to the south. Concerns were related to the proposed location of the kennel, noise generated from existing kennel and the proposed kennel, potential of water to drain from subject property to 137 Valley Road, the increase number of dogs to be accommodated in the new building, how is the waste disposed of from the kennel, parking spaces required, and the shape of the proposed building.

Ms. Evans provided responses to the Committee and confirmed that she had communicated with Mr. Judges.

The Committee had the following questions:

- 1) Size of the property.
- 2) Were there any concerns from Part 8 Sewage Systems?
- 3) Location of second shed.
- 4) Are there any concerns with lot coverage?
- 5) What do the outstanding building permits relate to?
- 6) Outstanding fees owed to the City.
- 7) Are the owners demolishing the existing kennel and how will the City ensure this is followed through?

Ms. Evans responded.

The Chair to Ms. Barrie, a member has suggested adding a condition to ensure the existing kennel is demolished, would this be acceptable? Ms. Barrie suggested that a text box could be added to Appendix C stating that the existing kennel be demolished as determined at the meeting. Appendix C is attached to

the decision and has the same affect as adding a condition.

The applicant, Ms. Svendsen was present via electronic participation and spoke to the minor variance being sought and confirmed that the existing kennel will be demolished.

Opposed to the application, Mr. Judges of 137 Valley Road. Mr. Judges requested a deferral due to insufficient time and lack of information. Ms. Evans indicated that she had provided Mr. Judges with copies of the Emily Township Zoning By-law, Noise By-law, Kennel By-law, and drawings of proposed kennel. Ms. Evans confirmed that the proposal is to increase the number of kennels

Mr. Judges disputed the number of structures on the property being four not one as shown on the site plan.

Councillor Yeo asked Mr. Judges if the distance from his dwelling to the property line was correct. Mr. Judges replied yes.

The applicant, Ms. Svendsen confirmed that the previous owner installed the kennels being three portables attached as one building.

The Committee had questions relating to the distance between the kennel to the residence and the distance from property line to the kennel. Ms. Svendsen noted that the site plan was not to scale but the measurements were correct.

The Committee asked Ms. Evans if there are any concerns that would warrant a deferral. Ms. Evans replied no concerns with the proposal.

Councillor Yeo motioned to approve the application as recommended by staff. Mr. Judges' concerns were noted however, they were not relevant to the minor variance being requested as the setbacks and measurements are correct. Member Erickson seconded the motion, agreed with Councillor Yeo, and suggested in the future that a plan of survey be presented or dimensions on an aerial photo would be beneficial.

The Chair thanked Mr. Judges for his presentation and encouraged him to contact the Planning Division if he has further questions.

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

CA2024-050

Moved By Councillor Yeo

Seconded By G. Erickson

That minor variance application D20-2024-028 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 COA2024-038, 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 COA2024-038. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

4.1.1 COA2024-031

Katherine Evans, Planner II

File Number: D20-2024-021

Location: 116 Wilkinson Drive

Part Lot 20, Concession 6 (being Lot 4 on Plan 335)

Geographic Township of Somerville

Owners: Ryan Bennett and Tara Bennett-Johnson

Applicant: Keji Planners and Buildings - Joe McCool

Ms. Evans summarized Report COA2024-031. The purpose and effect is to facilitate the demolition of the existing dwelling and the construction of a new dwelling with a two level attached waterside deck, as well as the construction of a shed. Relief sought: Section 5.2 f) of the By-law requires a minimum water setback of 15 metres; the proposed setbacks are 11.8 metres from the dwelling, 8.5 metres from the deck, and 8.5 metres from the shed.

Since the writing of the report, comments were received from the Supervisor of Part 8 Sewage Systems; the proposal indicates that a replacement sewage system will be installed to accommodate the new construction. A site visit was conducted to evaluate the area and site for a sewage disposal system installation. The property has a significant slope from the driveway to the parking area. Additionally, the parking area adjacent to the dwelling will restrict the available space to install a replacement system. At this time, a proposal has not been submitted to outline the type or design of sewage disposal. As such, the Building and Septic Division would request a condition be placed on any endorsement of the minor variance to satisfy the Supervisor – Part 8 Sewage Systems.

The applicant, Mr. McCool was present in person and available for questions.

The Committee asked the applicant if he would anticipate any difficulties with the installation of the new septic system. Mr. McCool responded.

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

Member Richardson motioned to approve the application as amended.

CA2024-044

Moved By S. Richardson

Seconded By B. Archer

That minor variance application D20-2024-021 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 COA2024-031, 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** approval under the Ontario Building Code (OBC) pertaining to private sanitary waste disposal be obtained 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 achievement of compliance to the satisfaction of the Supervisor of Part 8 Sewage Systems.

This approval pertains to the application as described in report COA2024-031. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

The Committee asked Ms. Barrie, Director of Development Services if the Committee could amend the motion to add a condition for the previous Report COA2024-038, 146 Yankee Line. In Ms. Barrie's opinion, a condition should not be added after the fact.

4.1.2 COA2024-032

Ahmad Shahid, Planner II
 File Number: D20-2024-022
 Location: 3552 Monck Road
 Part Lot 6, Concession A (being Part 13 to 14 on Reference Plan 57R2231)
 Geographic Township of Somerville
 Owner: Ranginidevy Rajendran
 Applicant: Raj Balasundaram

Mr. Shahid brought to the Committee's attention that under the Planning Act, Section 3 of the Ontario Regulation 200/96; notice must be given 10-days before the day of the hearing on minor variance applications. Notice is given by mail and a public sign posted on the property. The notice was sent out by mail in accordance with the 10-day requirement and the sign was posted 6 days before the meeting. It is the staff's opinion that the application can proceed. The Chair asked the Director if she agreed with staff's opinion. Ms. Barrie responded. Committee agreed to proceed.

Mr. Shahid summarized Report COA2024-032. The purpose and effect is to recognize an existing garage to cabin conversion. Relief sought: Section 4.2.f. of the Zoning By-law requires a minimum water setback of 15-metres. The water setback from the existing storage structure attached to the cabin is 13.83 metres. Section 18.1.3.a. of the Zoning By-law permits a maximum accessory lot

coverage of 8% to a maximum of 225 square metres, whichever is less. The accessory structure lot coverage remains unchanged at 9.86% (136.37 square metres). Section 18.1.6.a. of the Zoning By-law permits a maximum floor area of 30 square metres for the accessory use of a cabin. The existing cabin is 45.3 square metres in floor area. Section 18.1.6.a. of the Zoning By-law states that a cabin may be permitted provided the subject lot conforms to the minimum lot area and frontage requirements of the zone. The required minimum lot area and frontage of the applicable zone is 2,000 square metres and 30 metres, respectively. The subject property is 1,382.40 square metres in size and 29.26 metres in frontage.

After the writing of the report, comments were received from a member of the public with concerns to the cabin and use of the property. Although the concerns are not part of the minor variance, Mr. Shahid has forwarded the concerns to Municipal Law Enforcement Office, the licensing team in charge of Short-Term Rentals (STR) and to the Supervisor of Part 8 Sewage Systems.

Mr. Shahid stated that Condition 2, last sentence of the report should be revised to read as follows; "This condition will be considered fulfilled upon achievement of compliance to the satisfaction of the Supervisor of Part 8 Sewage Systems". Also a condition is to be added from KRCA; "**That** confirmation be provided to the Secretary Treasurer, demonstrating Kawartha Region Conservation Authority's minor variance review fee (of \$500) is paid within a period of one (1) month after the date of the Notice of Decision, failing which this application shall be deemed to be refused; and,"

Committee had the following questions:

- 1) Does the City keep a registry of short term rentals? Mr. McKinnon and Staff responded by saying the short-term rentals are regulated through the Municipal Law Enforcement Office. Councillor Yeo also confirmed that Council have instituted a new system to register STR's.
- 2) When was the cabin/Garage built? Staff indicated that the cabin/garage was built in 2003. Also, Staff stated that according to the owners who bought the property 3 to 4 years ago the cabin already existed at that time.
- 3) Reference to public concerns that the cabin is being used as a short-term rental. What can be done to accommodate from a health and safety aspect? Staff replied that this is not within the scope of the minor variance requested.
- 4) Septic permissions. Staff noted that the Supervisor of Part 8 Sewage Systems has requested that a condition be added for a review.

The applicant, Mr. Balasundaram was present via electronic participation and available for questions.

Opposed to the application, Mr. Whynot was present via electronic participation and spoke to concerns with the garage being converted into a cabin and used as a short-term rental as previously mentioned by Mr. Shahid.

The Committee to Mr. Whynot. Is it your understanding that the cabin is strictly for sleeping, but used as a short-term rental? Mr. Whynot replied yes.

The Chair asked staff to clarify that we are proceeding with the minor variance as requested in the report for the conversion only and not the short-term rental. Mr. Shahid replied that is correct.

Member Erickson motioned to approve the minor variance to include the amendment of Conditions 2 and the addition of Condition 3. Mr. Erickson also encouraged Mr. Whynot to follow up with the Municipal Law Enforcement Office about concerns with the Short-Term Rental use.

Members in support of the application: L. Robertson, S. Strangway, B. Archer and G. Erickson

Members opposed to the application: Councillor Yeo and S. Richardson.

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

CA2024-045

Moved By G. Erickson

Seconded By S. Strangway

That minor variance application D20-2024-022 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

1. **That** this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2024-032, which shall be attached to and form part of the Committee's Decision;
2. **That** approval under the Ontario Building Code (OBC) pertaining to private sanitary waste disposal be obtained within a period of eight (8) 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 achievement of compliance to the satisfaction of the Supervisor of Part 8 Sewage Systems;

3. **That** confirmation be provided to the Secretary Treasurer, demonstrating Kawartha Region Conservation Authority's minor variance review fee (of \$500) is paid within a period of one (1) month after the date of the Notice of Decision, failing which this application shall be deemed to be refused; and,
4. **That** this approval shall be in effect for a period of eight (8) months after the date of the Notice of Decision, after which this application shall be deemed to be refused.

This approval pertains to the application as described in report COA2024-032. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

4.1.3 COA2024-033

Katherine Evans, Planner II
 File Number: D20-2024-023
 Location: 60 Elder Street
 Part Lot 8, Concession 11 (being Lot 12 on Plan 246)
 Geographic Township of Fenelon
 Owners: 2537914 Ontario Inc.
 Applicant: Jason Bektas

Ms. Evans brought to the Committee's attention a similar situation as the previous application as to the advertising requirements and that they were not met as per the Planning Act. The notice was circulated to the surrounding neighbours and the owner via mail as well as posted on the City's website. Photographic proof was received for posting the sign; however, the sign was posted 3 days before the meeting as opposed to the 10-day requirement. Ms. Barrie, the Director of Development Services was of the opinion that adequate notice had been served.

Councillor Yeo had reservation that appropriate notice was not given, taken that this is a seasonal area. Councillor Yeo motioned to defer the application to allow

sufficient time for the sign to be posted for the public to view.

Staff had previously discussed with the applicant a potential deferral. The applicant did not have an issue with a deferral.

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

CA2024-046

Moved By Councillor Yeo

Seconded By B. Archer

That Application D20-2024-023 be deferred to allow adequate time for the signage to be posted. The application is to return to the Committee at the May 23rd meeting.

Carried

4.1.4 COA2024-034

Katherine Evans, Planner II

File Number: D20-2024-024

Location: 251 Snug Harbour Road

Part Lot 4, Concession 8 (being Part 1 on Reference Plan 57R3164)

Geographic Township of Fenelon

Owners: Marie and Brian Reel

Applicant: Brian Reel

Ms. Evans summarized Report COA2024-034. The purpose and effect is to facilitate the demolition of the existing sunporch and the construction of a new sunporch. Relief sought: Section 13.2.1.3 a) of the By-law requires a minimum front yard setback of 7.5 metres; the proposed setback is 7.1 metres.

The applicant, Mr. Reel was present via electronic participation and available for questions.

There were no questions from the Committee or other persons.

CA2024-047

Moved By S. Strangway

Seconded By S. Richardson

That minor variance application D20-2024-024 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 COA2024-034, 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 COA2024-034. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

The Chair called for a break at 2:49pm. The Chair called the meeting back to order at 2:58pm.

4.1.5 COA2024-036

Katherine Evans, Planner II
 File Number: D20-2024-026
 Location: 65 Hemlock Drive
 Part Lot 13, Concession 9 (being Lot 9 on Plan 563)
 Geographic Township of Somerville
 Owners: Frank Grech and Margaret Alder-Grech
 Applicant: Frank Grech

Ms. Evans summarized Report COA2024-036. The purpose and effect is to facilitate the construction of an addition to the dwelling, a new screened porch, and new attached deck. Relief sought: Section 4.3.7 a) ii) of the By-law requires a minimum rear yard setback of 30 metres; the proposed setbacks are 27 metres from the dwelling and screened porch, and 24.7 metres from the attached deck.

The Committee asked for clarification as to page 3 of the report, paragraph 5, referencing the recognition in the Official Plan of the shoreline residential community at capacity. Ms. Evans responded.

The Committee asked if comments were received from the Building and Septic Division (Septic). Ms. Evans indicated that the Supervisor of Part 8 Sewage systems had conducted a site visit and it was determined that there were no concerns.

The applicant, Mr. Grech was present in person and available for questions.

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

CA2024-048

Moved By B. Archer

Seconded By S. Richardson

That minor variance application D20-2024-026 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 COA2024-036, 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 COA2024-036. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

4.1.6 COA2024-037

Ahmad Shahid, Planner II

File Number: D20-2024-027

Location: 11 Corby Crescent
 Lot 12, Plan 36
 Geographic Township of Somerville
 Owners: Jillian and Ken Gray
 Applicant: TD Consulting Inc.

Mr. Shahid summarized Report COA2024-037. The purpose and effect is to facilitate an addition to the existing one-storey dwelling. Relief sought: Section 5.2.f. of the Zoning By-law requires a 15-metre water setback. The proposed water setback from the addition is 5.2 metres.

After the writing of the report, comments were received from the Supervisor of Part 8 Sewage Systems stating no concerns with the minor variance. Kawartha Conservation also had no concerns and that a permit was not required.

The Committee had general questions for the Director of Development Services regarding the new Zoning By-law concerning the minimum 15-metre setbacks from the water. Will the water setbacks be addressed in the new Zoning By-law or will they continue to be brought to Committee of Adjustment? Ms. Barrie responded.

The applicant, Mr. deBoer was present and available for questions.

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

CA2024-049

Moved By S. Richardson

Seconded By S. Strangway

That minor variance application D20-2024-027 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 COA2024-037 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 COA2024-037. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

4.1.8 COA2024-039

Ahmad Shahid, Planner II
 File Number: D20-2024-029
 Location: 3711 Highway 7
 Part Lot 2, Concession 4
 Geographic Township of Emily
 Owners: Cleon, Elias, Amsey and Oscar Gringrich
 Applicant: TD Consulting Inc.

Mr. Shahid summarized Report COA2024-039. The purpose and effect is to request permission to enlarge a legal non-conforming use (abattoir) to allow for greater warehousing area for poultry processing. The use of an abattoir from 1992 predates the Zoning By-law adopted in 1996.

After the writing of the report, comments were received from the Supervisor of Part 8 Sewage Systems stating no concerns with the minor variance. The Ministry of Transport requested that a condition be added as follows, "That approvals and /or permits required by the Ministry of Transportation (MTO), if applicable, are applied for and granted prior to the issuance of a Building Permit".

The applicant, Mr. deBoer was present and available for questions.

There were no questions from the Committee or other persons.

Member Richardson motioned to approve the application as amended.

CA2024-051

Moved By S. Richardson

Seconded By Councillor Yeo

That permission application D20-2024-029 be GRANTED, as the application meets the tests set out in Section 45(2) 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 COA2024-039, which shall be attached to and form part of the Committee's Decision;
2. **That** approvals and/or permits required by the Ministry of Transportation (MTO), if applicable, are applied for and granted prior to the issuance of a Building Permit; and,
3. **That** building construction related to the application 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 COA2024-039. Fulfillment of all conditions is required for the application to be considered final and binding.

Carried

4.1.9 COA2024-040

Ahmad Shahid, Planner II

File Number: D20-2024-030

Location: 433 Beaver Road (Lot 166)

Part Lot 8, Concession 5, (being Part 1 of Reference Plan 57R2979)

Geographic Township of Emily

Owners: Chris Rhodes (Owner/Manager of Parkbridge Resorts) and Daniel Peleg (Tenant)

Applicant: Howard Janes

Mr. Shahid spoke to the reliefs advertised and the reliefs later identified as required in the report with no need to re-circulate. Ms. Barrie supported staff's recommendation to proceed. The Committee agreed.

Mr. Shahid summarized Report COA2024-040. The purpose and effect is to facilitate the construction of a sunroom addition on an existing park model home seasonal trailer, as well as recognize an existing deck. Relief sought: Section 17.2.1.12.a. of the Zoning By-law states that a deck and/or enclosed structure may be added to a tourist trailer provided it does not increase the floor area of such vehicle by more than 30 square metres. The proposed addition and deck will increase floor area by 50.16 square metres. Section 17.2.1.12.b. of the Zoning By-law states that a deck and/or enclosed structure may be added to a tourist trailer, provided it does not extend beyond the dimensions of the longest walls of the existing trailer. The existing deck extends 2.13 metres into the front yard beyond the longest walls of the trailer. Section 17.2.1.12.c. of the Zoning By-law states that a deck and/or enclosed structure may be added to a tourist trailer, provided it does not extend more than 3.0 metres from the trailer. The proposed sunroom and existing deck extends 3.05 metres into the side yard from the trailer. Section 17.2.1.3.e. of the Zoning By-law requires a 30-metre water setback. The existing water setback from the deck is 19.20 metres. The proposed water setback from the sunroom addition is 29.26 metres.

After the writing of the report, comments were received from Kawartha Conservation stating no concerns with the application and the owner has already obtained a permit.

The Committee asked for clarification as to the existence of the other trailers and why are they permitted to go closer to the water. Mr. Shahid responded according to the Municipal Property Assessment Corporation many have been existing prior to the Zoning By-law.

No further questions from the Committee or other persons.

CA2024-052

Moved By S. Strangway

Seconded By Councillor Yeo

That minor variance application D20-2024-030 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 COA2024-040 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 COA2024-040. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

4.2 Consents

5. **Other Business**

The Chair referred to a recent public meeting held for the Zoning By-law Consolidated Project and asked for an update. Ms. Barrie responded.

Committee asked if a Tree Cutting By-law is into effect. Ms. Barrie replied it is a work in progress and suggested checking in at the "Jump In" page on the City's website for more up to date information.

Mr. Connolly noted that the Planning Act is going through various changes.

6. **Correspondence**

7. **Next Meeting**

The next meeting will be Thursday, May 23rd at 1:00pm in Council Chambers, City Hall.

8. **Adjournment**

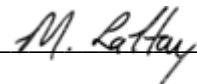
CA2024-053

Moved By B. Archer

Seconded By S. Strangway

That the meeting be adjourned at 3:40 pm.

Carried



 Mark LaHay, Secretary-Treasurer