

**The Corporation of the City of Kawartha Lakes**  
**Minutes**  
**Committee of Adjustment Meeting**

**COA2024-08**  
**Thursday, August 22, 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**  
**Eric Finn**

**Accessible formats and communication supports are available upon request. The City of Kawartha Lakes is committed to accessibility for persons with disabilities. Please contact [AgendaItems@kawarthalakes.ca](mailto:AgendaItems@kawarthalakes.ca) if you have an accessible accommodation request.**

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

## 1. Call to Order

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

Absent, Councillor Yeo.

Staff, J. Connolly, Manager of Planning, K. Evans, Planner II, A. Shahid, Planner II, M. McKinnon, Supervisor of Plans Review and Inspections, M. LaHay, Secretary-Treasurer and C. Crockford, Recording Secretary were in attendance in person.

## 2. Administrative Business

### 2.1 Adoption of Agenda

August 22, 2024

Committee of Adjustment Agenda

The Chair brought to the attention of the Committee, the September 26th meeting, which will start at 2:00pm.

#### **CA2024-094**

**Moved By** S. Strangway

**Seconded By** B. Archer

**That** the agenda for August 22, 2024 meeting be approved.

**Carried**

### 2.2 Declaration of Pecuniary Interest

#### 2.2.1 E. Finn - COA2024-073

Member Finn declared a pecuniary interest for Section 3.1.2, minor variance application D20-2024-064, 33 Douglas Drive, Laxton. Member Finn owns a property on Head Lake.

### 2.3 Adoption of Minutes

July 25, 2024

Committee of Adjustment Minutes

**CA2024-095****Moved By** S. Richardson**Seconded By** E. Finn

**That** the minutes of the previous meeting held July 25, 2024 be adopted as printed.

**Carried****3. New Applications**

## 3.1 Minor Variances

## 3.1.1 COA2024-072

Katherine Evans, Planner II

File Number: D20-2024-063

Location: 75 Campbell Beach Road

Part Lot 11, Concession 1 (being Lot 27 on Plan 235)

Geographic Township of Carden

Owner: Rob Reid

Applicant: Rob Reid

Ms. Evans summarized Report COA2024-072. The purpose and effect is to facilitate the recognition of existing accessory structures and the construction of a new detached garage. Relief sought: Section 14.1 b) of the Zoning By-law provides that accessory structures are permitted in the interior side or rear yard; the proposed garage is to be located in the front yard and two existing sheds are currently located in the front yard; and, Section 14.1 c) i) of the Zoning By-law permits a maximum lot coverage for accessory structures of 8%; the proposed accessory structure lot coverage is 13%.

Ms. Evans noted that a previous tent storage structure on the property to be removed as per Condition 3 of the report has been removed.

Ms. Evans briefly summarized concerns received from the owner of 71 Campbell Beach Road. The potential use as a business, potential use of the travel trailer as habitable space, the two existing sheds in the front yard relating to setbacks to the side lot line and garbage structure located on Campbell Beach Road. Ms. Evans responded that unpermitted uses and the trailer being used for human habitation should be reported to Municipal Law Enforcement. The owners of the

subject property adjusted the location of the sheds in the front yard so they comply with the interior side yard setback. The owners of the subject property also relocated the garbage storage structure.

The Committee had the following questions:

1) Is the applicant the owner of the portion of the shoreline road allowance? Staff replied that Realty Services were circulated and had the opportunity to respond but they did not.

The applicant, Rob Reid was present in person and confirmed that he does not own the shoreline road allowance.

2) To the planner, should a condition be put in place? Staff replied that this is not the right meeting for this concern, as the garage is not being built on the shoreline road allowance. If Realty Services contacts the Planning Division in the future with a concern to the shoreline road allowance, they will be connected to the owner.

A motion was made to approve the application as amended to remove Condition 3.

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

**CA2024-096**

**Moved By** B. Archer

**Seconded By** S. Strangway

**That** minor variance application D20-2024-063 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 submitted as part of Report COA2024-072, 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 COA2024-072. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

Member Finn excused himself from the meeting at 1:15pm.

### 3.1.2 COA2024-073

Ahmad Shahid, Planner II

File Number: D20-2024-064

Location: 33 Douglas Drive

Part Lot 10, Concession 5 (being Part 9 of Reference Plan 57R3844)

Geographic Township of Laxton

Owner: Kathy Firth

Applicant: Kathy Firth

Mr. Shahid summarized Report COA2024-073. The purpose and effect is to facilitate the recognition of two gazebo's, a cabin, and three sheds. Relief sought (the numbers in the closed brackets correspond to the numbers shown on Appendix A): Section 5.2.g. of the Zoning By-law requires a 15 metre water setback. The existing setback from each of the subject accessory structures is as follows: Gazebo (#2) is 1.0 metre setback; Boat Supply Shed (#4) is 9 metre setback; and, the Hot Tub Gazebo (#5) is 8.4 metre setback; Section 18.1.b. of the Zoning By-law requires a minimum 1.3 metre rear yard setback. The existing setback from the Gazebo (#2) is 1.0 metres; and, Section 18.1.b. of the Zoning By-law requires accessory structures to be located in a side or rear yard. The following structures are located in the front yard: Bunkie (#3), Boat Supply Shed (#4), Storage Shed (#6), and the Garden Tool Shed (#7).

After the writing of the report, comments were received from the Supervisor of Part 8 Sewage Systems stating they have no issue with the application. Kawartha Region Conservation Authority indicated they have no concerns with the approval of the application and that a permit is not required from their office.

Public comments were received from Mr. and Mrs. Lowles, the owner of 28 Douglas Drive and co-signed by six other property owners in support of the minor variance. Mr. Grills, the owner of 35 Douglas Drive, had concerns with the number of buildings and setbacks of which Mr. Shahid responded.

The Committee asked staff if there was a reason why the dwelling was not

included with the other water setbacks as it is close to the water. Staff replied that the cottage was built in 1964 and predates the Zoning By-law.

The applicant, Ms. Firth was present and available for questions.

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

**CA2024-097**

**Moved By** S. Richardson

**Seconded By** G. Erickson

**That** minor variance application D20-2024-064 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 COA2024-073, which shall be attached to and form part of the Committee's Decision; and,
2. **That** this approval shall be in effect 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 COA2024-073. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

Member Finn returned to the meeting at 1:22pm.

3.1.3 COA2024-074

Katherine Evans, Planner II

File Number: D20-2024-065

Location: 64 Shadow Lake Road 18

Part Lot 53, Concession Front Range

Geographic Township of Somerville

Owner: Christine Raffan

Applicant: Christine Raffan

Ms. Evans summarized Report COA2024-074. The purpose and effect is to facilitate the construction of an attached screened porch onto the existing dwelling. Relief sought: Section 5.2 f) of the Zoning By-law requires a minimum water setback of 15 metres; the proposed setback to the porch is 8 metres.

After the writing of the report agency comments were received from the Supervisor of Part 8 Sewage Systems stating no concerns with the minor variance. Kawartha Region Conservation Authority also stated they have no concerns and that a permit is not required from their office.

Public comments were received from Mr. Browne of 70 Shadow Lake Road 18, in support of the application.

There were no questions from the Committee or other persons.

#### **CA2024-098**

**Moved By** S. Strangway

**Seconded By** E. Finn

**That** minor variance application D20-2024-065 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 COA2024-074, 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 COA2024-074. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

Ahmad Shahid, Planner II  
File Number: D20-2024-066  
Location: 83 Paradise Road  
Part of Lot 10, Range NPR (being Part 1 of Reference Plan 57R5590)  
Geographic Township of Eldon  
Owner: Wendy Anderson  
Applicant: Rose Dunning

Mr. Shahid summarized Report COA2024-075. The purpose and effect is to facilitate the recognition of a recently constructed one-and-a-half (1.5) storey single-detached dwelling and rear deck. Relief sought: Section 13.2.1.3 (b) of the Zoning By-law requires a minimum interior side yard of 3 metres on one side, 1.2 metres on the other side plus 1 metre for each additional or partial storey above the first. The existing interior side yard setbacks are 3.74 metres (compliant west side yard) and 2.08 metres (deficient east side yard); and, Section 13.2.1.4 of the Zoning By-law requires a minimum 15 metre water setback, the existing water setback is 12.8 metres (dwelling), 9.7 metres (deck platform) and 7.57 metres (stairs of deck).

After the writing of the report agency comments were received from the Supervisor of Part 8 Sewage Systems stating they have no issues with the minor variance proposal as it relates to private on-site sewage disposal. Kawartha Region Conservation Authority stated they have no concerns with the proposal and that the applicant has obtained the necessary approvals.

There were no questions from the Committee or other persons.

#### **CA2024-099**

**Moved By** S. Richardson

**Seconded By** G. Erickson

**That** minor variance application D20-2024-066 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 COA2024-075, which shall be attached to and form part of the Committee's Decision; and,



2. **That** approval shall be in effect for a period of 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 next pending Building Inspection.

This approval pertains to the application as described in report COA2024-075. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

### 3.1.5 COA2024-076

Katherine Evans, Planner II  
File Number: D20-2024-067  
Location: 3 West Street South  
Lot 80, Plan 100 East Side of Lindsay Street  
Former Village of Fenelon falls  
Owner: Janette Palmer  
Applicant: TD Consulting Inc.

Ms. Evans summarized Report COA2024-076. The purpose and effect is to facilitate the construction of an addition onto the existing legal non-conforming single detached dwelling (circa 1962) whereby residential uses predate the Zoning By-law adopted in 1989, that zones the lot District Commercial (C2) Zone, and Section 4.10.1 does not otherwise permit a single detached dwelling. Relief sought: Section 4.10.3 c) i) of the Zoning By-law requires a minimum front yard setback of 12 metres; the proposed setback is 4.7 metres; Section 4.10.3 c) iv) of the Zoning By-law requires a minimum rear yard setback of 12 metres; the proposed setback is 7.1 metres; and, Section 4.10.3 e) of the Zoning By-law requires a minimum setback from the street centreline of 22 metres; the proposed setback is 14.7 metres.

After the writing of the report agency comments were received from Kawartha Region Conservation Authority stating they have no concern with the minor variance pending the receipt of a satisfactory karst assessment and that a permit is required from their office.

Public comments were received from the owner of the Gas Station next to the subject property who was seeking clarification for the proposal and asked what

side the addition is to be added. Ms. Evans responded to the neighbour regarding the proposal and indicated that the addition will be to the south east of the dwelling. The neighbour had no further concerns.

The Committee suggested that a condition be added to reflect Kawartha Region Conservation Authorities requirements. Ms. Evans noted that she had a conversation with Kawartha Region Conservation Authority and they indicated that a condition is not required, as it will be dealt with through the permitting process.

The applicant, Mr. deBoer was present in person, thanked staff and was available for questions.

As Kawartha Region Conservation Authority are requesting a Karst Study, the Committee asked the applicant to give more detail as to what that entails and the cost. Mr. deBoer responded.

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

**CA2024-100**

**Moved By** B. Archer

**Seconded By** E. Finn

**That** minor variance application D20-2024-067 be GRANTED, as the application meets the tests set out in Section 45(1) and 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 COA2024-076, 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 COA2024-076. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried****3.1.6 COA2024-077**

Ahmad Shahid, Planner II  
File Number: D20-2024-068  
Location: 64 Telecom Road  
Part Lot 2, Concession 3 (being Part 1 of Reference Plan 9R2117)  
Geographic Township of Manvers  
Owner: Michelle Crosbie  
Applicant: Michelle Crosbie

Mr. Shahid summarized Report COA2024-077. The purpose and effect is to facilitate the construction of a detached garage. Relief sought: Section 5.1.b of the Zoning By-law requires accessory structures to be located in the side or rear yard, the proposed detached garage is to be located in the front yard; and, Section 5.1.c. of the Zoning By-law permits a maximum height of 5 metres for accessory structures, the proposed height of the detached garage is 6.71 metres.

After the writing of the report agency comments were received from the Supervisor of Part 8 Sewage Systems stating they have no issue with the minor variance as it relates to private on-site sewage disposal.

The Committee asked staff if the City has an arborist due to the removal of vegetation. Mr. Shahid replied that he is not aware if the City has an arborist available, also that the City does not currently have a Tree By-law.

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

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

**CA2024-101****Moved By** S. Strangway**Seconded By** G. Erickson

**That** minor variance application D20-2024-068 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 Appendix D submitted as part of Report COA2024-077, 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 COA2024-077. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

### 3.1.7 COA2024-078

Katherine Evans, Planner II  
File Number: D20-2024-069  
Location: 30 Birchwood Lane  
Part Lot 26, Concession 3 (being Lot 3 on Plan 149)  
Geographic Township of Fenelon  
Owner: Jeffrey Sandbrook  
Applicant: TD Consulting Inc.

Ms. Evans summarized Report COA2024-078. The purpose and effect is to facilitate the demolition of the existing dwelling and the construction of a new two storey single detached dwelling. Relief sought: Section 15.2.1.3 a) of the Zoning By-law requires a minimum front yard setback of 7.5 metres; the proposed setback is 6.4 metres; Section 15.2.1.3 b) ii) of the Zoning By-law requires a minimum interior side yard setback of 3 metres on one side and 2.3 metres on the other side for a dwelling greater than one storey; the proposed setback from the southern interior lot line is 1.2 metres; and, Section 15.2.1.3 e) of the Zoning By-law requires a minimum water setback of 15 metres; the proposed setback is 10.2 metres.

After the writing of the report agency comments were received from Kawartha Region Conservation Authority with no issues to the proposal.

The owner to the south of the subject property contacted planning seeking clarification to the water setbacks. Staff responded to the owner.

The Committee asked staff if the owner of the subject property was instructed to demolish the cabin or was it by choice. Staff and Mr. deBoer responded that it was by choice.

The Committee referred to the small lot sizes and asked the applicant if there would be sufficient room for a septic system. Mr. deBoer replied that a holding tank would be required.

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

**CA2024-102**

**Moved By** S. Richardson

**Seconded By** E. Finn

**That** minor variance application D20-2024-069 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 COA2024-078, 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** the cabin identified in Appendix E be removed within a period of twenty-four (24) months after the date of the Notice of Decision. This condition will be considered fulfilled upon the owner providing photographic evidence to the Secretary-Treasurer that the cabin has been removed.

This approval pertains to the application as described in report COA2024-078. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

### 3.1.8 COA2024-079

Ahmad Shahid, Planner II  
File Number: D20-2024-070  
Location: 44 Walnut Street  
Part Lot 31, Concession 11 (being Parts 1 to 5 of Reference Plan 57R8852)  
Geographic Township of Fenelon  
Owner: Avy Ben-Zvi  
Applicant: Avy Ben-Zvi

Mr. Shahid summarized Report COA2024-079. The purpose and effect is to facilitate the recognition of an existing lakeside deck constructed in 2022. Relief sought: Section 15.2.1.3.a. of the Zoning By-law requires a minimum front yard setback of 7.5 metres. The existing front yard setback, from Walnut Street to the deck, is 4.57 metres; and, Section 15.2.1.3.b. of the Zoning By-law requires a minimum interior side yard setback of 3 metres on one side, 1.3 metres on the opposite side for a single storey or 2.3 metres (if greater than one storey). The existing interior side yard setbacks from the deck are 1.17 metres (south) and 0.55 metres (north).

After the writing of the report agency comments were received from the Supervisor of Part 8 Sewage Systems stating they have no issue with the minor variance as it relates to private on-site sewage disposal.

Committee asked staff if the driveway is shared. Staff replied yes.

Committee followed up by asking if there is sufficient room to move a piece of equipment through the front yard without encroaching on the neighbour's property. Staff replied yes and that there are no concerns.

The applicant, Mr. Ben-Zvi was present in person, thanked staff and was available for questions.

The Committee asked Mr. Ben-Zvi if he owned the lane way or is it shared. Mr. Ben-Zvi confirmed it is a shared lane way and there is sufficient room.

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

**CA2024-103****Moved By** S. Strangway**Seconded By** S. Richardson

**That** minor variance application D20-2024-070 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 COA2024-079, which shall be attached to and form part of the Committee's Decision; and,
2. **That** this approval shall be in effect 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 COA2024-079. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

## 3.1.9 COA2024-080

Katherine Evans, Planner II

File Number: D20-2024-071

Location: 211 Francis Street East

Part Lots 21 and 22, Concession 11 (being Part 1 on Reference Plan 57R1013)

Geographic Township of Fenelon

Owner: Alexandra Barrett

Applicant: Alexandra Barrett

Ms. Evans summarized Report COA2024-080. The purpose and effect is to facilitate the construction of an attached garage onto the existing dwelling. Relief sought: Section 12.2.1.3 d) of the Zoning By-law requires a minimum rear yard setback of 7.5 metres; the proposed setback is 2.4 metres.

The Committee asked staff what is the rear yard setback for existing building. Ms. Evans replied 3.54 metres.

The applicant, Ms. Barrett was present in person.

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

**CA2024-104**

**Moved By** S. Strangway

**Seconded By** E. Finn

**That** minor variance application D20-2024-071 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 COA2024-080, 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 COA2024-080. 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**

Committee inquired as to the use of the pointer when Planners are presenting. Ms. Evans responded.

New Provincial Planning Statement (PPS) and if this would affect the Committee of Adjustment. Mr. Connolly, Manager of Planning responded.



The Chair thanked Staff.

**6. Correspondence**

**7. Next Meeting**

The next meeting will be Thursday, September 26th at 2:00pm in Council Chambers, City Hall.

**8. Adjournment**

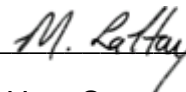
**CA2024-105**

**Moved By** B. Archer

**Seconded By** E. Finn

**That** the meeting be adjourned at 2:10pm.

**Carried**



Mark LaHay, Secretary-Treasurer