

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

**COA2024-09**  
**Thursday, September 26, 2024**  
**2:00 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**

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## 1. Call to Order

Chair Robertson called the meeting to order at 2:01pm. Councillor E. Yeo and Members S. Strangway, S. Richardson, B. Archer, G. Erickson and E. Finn were in attendance in person.

Staff, L. Barrie, Director of Development Services, K. Evans, Senior Planner, A. Shahid, Planner II, M. LaHay, Secretary-Treasurer, M. McKinnon, Supervisor of Plans Review and Inspections and C. Crockford, Recording Secretary.

Absent, J. Connolly, Manager of Planning.

## 2. Administrative Business

### 2.1 Adoption of Agenda

September 26, 2024

Committee of Adjustment Agenda

Mr. Shahid, Planner II brought to the attention of the Committee an amendment to the agenda for section 3.1.8 to add Consent file number D03-2024-022.

Ms. Evans, Senior Planner also brought to the Committees attention an amendment to Section 3.1.12 to read 26 Ridgewood Road instead of 24 Ridgewood Road.

#### **CA2024-106**

**Moved By** S. Strangway

**Seconded By** S. Richardson

**That** the agenda for September 26, 2024 be approved as amended.

**Carried**

### 2.2 Declaration of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

### 2.3 Adoption of Minutes

August 22, 2024

Committee of Adjustment Minutes

**CA2024-107****Moved By** B. Archer**Seconded By** E. Finn

That the minutes of the previous meeting held August 22, 2024 be adopted as printed.

**Carried****3. New Applications****3.1 Minor Variances****3.1.1 COA2024-081**

Ahmad Shahid, Planner II  
 File Number: D20-2024-072  
 Location: 7971 Highway 35  
 East Part Lots 12 and 13, Concession 11  
 Geographic Township of Laxton  
 Owner: Eric Hall and Kelly Pellerine  
 Applicant: Carmen Pellerine

Mr. Shahid summarized Report COA2024-081. The purpose and effect is to facilitate the construction of an Additional Residential Unit (ARU) and detached garage. Relief sought: Section 18.1.b of the Zoning By-law requires accessory structures to be located in a side or rear yard; relief is required for locating the proposed ARU in the front yard.

After the writing of the report, comments were received from the Supervisor of Part 8 Sewage Systems stating no issue with the minor variance as it relates to private on-site sewage disposal. Kawartha Region Conservation Authority stated they have no concerns with the proposal and that a permit is not required from their office.

There were no questions from the Committee or other persons.

**CA2024-108****Moved By** Councillor Yeo**Seconded By** S. Richardson

**That** minor variance application D20-2024-072 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 COA2024-081, 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), are applied for and granted prior to the issuance of a Building Permit; and,
3. **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 COA2024-081. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

### 3.1.2 COA2024-082

Katherine Evans, Senior Planner  
File Number: D20-2024-074  
Location: 7 Bronte Lane  
Part Lot 12 and 13, Concession 6  
Geographic Township of Verulam  
Owners: Kevin Primmer and Beverly Swan  
Applicant: TD Consulting Inc.

Ms. Evans summarized Report COA2024-082. The purpose and effect is to facilitate the construction of a detached garage with a workshop and Additional Residential Unit (ARU) and the recognition of an existing storage building. Relief sought: Section 5.1.3 b) of the Zoning By-law provides that an accessory building or structure that is not attached to the main building shall not be erected in any yard other than the interior side or rear yard; the proposed detached garage/ARU

is to be located in the front yard and the existing storage building is located in the front yard.

After the writing of the report, comments were received from the Supervisor of Part 8 Sewage Systems stating sewage system proposal needs to be revised to include all components of the minor variance proposal to comply with the Ontario Building Code. Condition 3 has been added to ensure this occurs. Kawartha Region Conservation Authority stated no concerns with the minor variance and that a permit will be required.

The applicant, Ms. Archer of TD Consulting Inc. was present in person and thanked staff.

There were no questions from the Committee or other persons.

The Committee made a motion to approve the application as amended.

**CA2024-109**

**Moved By** S. Richardson

**Seconded By** G. Erickson

**That** minor variance application D20-2024-074 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 COA2024-082, 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 completion of a review of the sewage system

requirements.

This approval pertains to the application as described in report COA2024-082. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

### 3.1.3 COA2024-083

Ahmad Shahid, Planner II

File Number: D20-2024-075

Location: 375 Snug Harbour Road

Part of Lot 6, Concession 9 (being Parts 2 of Reference Plan 57R-7753 and Part 6 of Reference Plan 57R-4058)

Geographic Township of Fenelon

Owners: Ernie and Kim Griffioen

Applicants: Ernie and Kim Griffioen

Mr. Shahid summarized Report COA2024-083. The purpose and effect is to recognize an existing Additional Residential Unit (ARU) on the upper storey of an existing detached garage. Relief sought: Section 3.22.vi. of the Zoning By-law requires a minimum lot area of 4,000 square metres (0.4 hectares) for lots on private services to be eligible for an ARU. The subject lot is 3,000 square metres (0.3 hectares).

After the writing of the report, comments were received from the Supervisor of Part 8 Sewage Systems stating the existing sewage system does not have the capacity to service additional sewage flows generated from the additional residential unit (ARU). They also found evidence indicating a system was installed to service the ARU without a permit. As such, the Supervisor of Part 8 requires a condition be added for their approval, which was already added to the report.

The Committee had the following questions:

- 1) Is eight (8) months sufficient to work on the septic system and could it be extended to twelve (12) months?
- 2) Was a building permit issued in 2012?
- 3) Is the applicant required to pay the permit fees from 12 years ago?

Mr. Shahid replied that the eight (8) month timeframe was determined to be sufficient by the Supervisor of Part 8 to complete the septic system, however the Committee can decide.

Mr. McKinnon, Supervisor of Plans Review and Inspections stated that a permit was not issued in 2012, and confirmed that all outstanding permit fees will be applicable for the ARU and Septic are subject to the Building By-laws fees.

The Committee made a motion to approve the application as amended Condition 2, to extend the eight (8) month timeline to twelve (12) months due to the winter period.

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

**CA2024-110**

**Moved By** B. Archer

**Seconded By** S. Strangway

**That** minor variance application D20-2024-075 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 COA2024-083, 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 twelve (12) 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; and,
3. **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 COA2024-083. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

### 3.1.4 COA2024-084

Ahmad Shahid, Planner II

File Number: D20-2024-076

Location: 32 Beachli Lane

Part Lot 9, Concession 11 (being Parts 2 to 6 on Reference Plan 57R-1887)

Geographic Township of Laxton

Owners: Manojah Ganeshalingam and Nishanthan Mahenthirarasa

Applicant: Manojah Ganeshalingam

Mr. Shahid summarized Report COA2024-084. The purpose and effect is to recognize an existing cabin and shed. Relief sought: Section 5.2 g) requires a minimum water setback of 15 metres, the existing water setbacks are 13.8 metres (cabin) and 13.3 metres (shed). Section 18.1 b) requires a minimum side yard of 1.3 metres for accessory structures, the existing side yard setback from the shed is 0.57 metres. Section 18.1.f. i) of the Zoning By-law permits cabins as an accessory use to a permitted dwelling on lots which conform to the requirements of the By-law for lot area and frontage. The applicable zone requires a minimum 2,000 square metre lot area; the existing lot area is 1,080 square metres.

After the writing of the report, comments were received from the Supervisor of Part 8 Sewage Systems that a sewage system use permit has been located and that the permit does not have the capacity for the additional sewage flows generated from the cabin. A sewage system replacement would be required to continue with the proposal of the cabin. A condition was requested and included in the revised conditions provided to the Committee. The Kawartha Region Conservation Authority stated they have no concerns with the application and that the applicant does not require a permit from their office.

The Committee had the following questions:

- 1) Size of the subject lot.
- 2) Condition 2, is eight (8) months sufficient?
- 3) Is there a fixed timeline for the installation of a sewage system?
- 4) Is there any sanitary services in the cabin?

Mr. Shahid responded by saying the size of the subject lot was compared to

similar lots on both sides of the Gull River. There are no sanitary services in the cabin.

Mr. McKinnon, Supervisor of Plans Review and Inspections stated that the Ontario Building Code has a six (6) month time line for installation of a sewage system although the City has a By-law that states 1 year and if not completed the permit can be revoked or begin an enforcement.

The applicant, Ms. Ganeshalingam was present via electronic participation and confirmed the cabin is purely used for living space and will comply with any requirements.

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

The Committee made a motion to approve the application as amended to add Condition 2.

**CA2024-111**

**Moved By** Councillor Yeo

**Seconded By** G. Erickson

**That** minor variance application D20-2024-076 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 COA2024-084, 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; and,
3. **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 COA2024-084. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

### 3.1.5 COA2024-085

Ahmad Shahid, Planner II

File Number: D20-2024-077

Location: 81 Front Street West

Part Lot 1, West Side of Head Street (being Plan 70 of Reference Plan 57R-4510)

Former Village of Bobcaygeon

Owner: Melissa Ryall

Applicant: Melissa Ryall

Mr. Shahid summarized Report COA2024-085. The purpose and effect is to facilitate the construction of a new front yard deck. Relief sought: Section 5.2.c. of the Zoning By-law requires a minimum 7.5 metre front yard setback, the front yard setback from the proposed deck is 6.47 metres; and, Section 5.2.f. of the Zoning By-law permits a maximum 30% total lot coverage, the existing lot coverage is 34.39% and the proposed lot coverage is 38.69%.

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

Public comments were received from the owner of 77 Front Street West in support of the application.

The Committee had the following questions:

- 1) Use of the detached garage at the rear of the property and could it be changed to comply with the lot coverage?
- 2) Setbacks relating to the area of the deck.

Mr. Shahid indicated that the garage is not being used for parking but would defer to the applicant for confirmation.

The applicant, Ms. Ryall was present via electronic participation and confirmed

that the garage was originally used for storage and is presently used as a workshop and that she has no intention of removing the garage.

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

**CA2024-112**

**Moved By** S. Richardson

**Seconded By** S. Strangway

**That** minor variance application D20-2024-077 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 COA2024-085, 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 COA2024-085. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

3.1.6 COA2024-086

Katherine Evans, Senior Planner

File Number: D20-2024-078

Location: Lot 70 Randal Street

Part East 1/2 and Part West 1/2 Lot 22, Concession 4 Ops

Former Town of Lindsay

Owner: Lindsay 2017

Applicant: DG Biddle and Associates

Ms. Evans summarized Report COA2024-086. The purpose and effect is to facilitate the construction of a single detached dwelling. Relief sought: Section 8.2 f) of the Zoning By-law requires a minimum rear yard setback of 7.5 metres; the proposed setback is 1.2 metres.

After the writing of the report, comments were received from the Supervisor of Plans Review and Inspections stating that spatial separation could be an issue but will be dealt with at the building permit stage.

Public concerns were received from Mr. Tejas Shah, the owner of 5 Charles Street relating to the location of the lots adjacent to 5 Charles Street and property rear yard setbacks. Ms. Evans responded indicating the subject lots were part of the draft plan approval in 2019. The rear yard setback is a result of the unique shape of the lot.

The Committee had the following questions:

- 1) What is the rear yard setback for 5 Charles Street and is it fenced?
- 2) Condition 2. Why thirty-six (36) months to complete construction?
- 3) Will a deck be permitted in the future for this shallow lot and if there are differences in grades will a potential deck be an issue regarding privacy?
- 4) What was the intended use of these lots, which are part of the plan of subdivision?
- 5) The spelling of Randal Street.
- 6) Page 3 of 8 of the report. Ministers Zoning Order versus Local By-laws.
- 7) Ministers Zoning Order referred to on page 7 and 8 of the report be included in a condition. Ms. Barrie, Director of Development Services responded.
- 8) Page 8 of the report, clarification of minimum front yard setback.

Ms. Evans responded. Thirty-six months is requested for the condition due to the current status of the subdivision. A deck is not being proposed, and if a deck was proposed in the future, a Minor Variance would be required. The minimum front yard setback is established by the MZO.

The applicant, Ms. Klets, Junior Planner for DG Biddle and Associates was present and in person. Ms. Klets thanked staff for the report and spoke to the proposal.

Opposed to the application, Mr. Shah of 5 Charles Street was present and in person. He addressed the Committee with concerns to dust clouds, privacy, green space, grading and noise. Mr. Shah also confirmed he does not have a

fenced rear yard. The Chair reminded Mr. Shah to speak specifically to the minor variance. Ms. Evans referred to the 2019 draft plan approval and stated that it was never intended to be green space and that the area is not regulated by Kawartha Region Conservation Authority.

The Committee continued with questions concerning green space and architectural aspects, placement of windows for privacy etc. The Chair stated the Committee cannot enforce where owners can position a window on a structure. Ms. Barrie agreed with the Chair.

The Chair suggested to Mr. Shah of 5 Charles Street to connect with Ms. Klets of DG Biddle and Associates, the Planning Division and the Building and Septic Division if he has any further concerns.

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

**CA2024-113**

**Moved By** Councillor Yeo

**Seconded By** G. Erickson

**That** minor variance application D20-2024-078 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 COA2024-086, 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 thirty-six (36) 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 COA2024-086. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

Katherine Evans, Senior Planner  
File Number: D20-2024-079  
Location: Lot 71 Randal Street  
Part East 1/2 and Part West 1/2 of Lot 22, Concession 4 Ops  
Former Town of Lindsay  
Owner: Lindsay 2017  
Applicant: DG Biddle and Associates

Ms. Evans summarized Report COA2024-087. The purpose and effect is to facilitate the construction of a single detached dwelling. Relief sought: Section 8.2 f) of the Zoning By-law requires a minimum rear yard setback of 7.5 metres; the proposed setback is 1.2 metres.

After the writing of the report, comments were received from the Supervisor of Plans Review and Inspections stating the spatial separation could be an issue but can be dealt with at the building permit stage.

The Committee had the following questions:

- 1) Was consideration given to structuring the building so that it is fronted on Colborne Street to be consistent with 188 Colborne Street West. Ms. Evans referred to the 2019 draft plan approval. The proposal is to have the lot front on the future Randal Street, as Colborne Street West is a busy road.
- 2) Explanation of spatial separation. Mr. McKinnon responded.

The applicant, Ms. Klets, Junior Planner for DG Biddle and Associates was present in person and addressed the Committee.

Opposed to the application, Mr. Shah of 5 Charles Street was present in person. He spoke on behalf of the neighbour at 188 Colborne Street regarding loss of views, sun and airflow's and why this is not taken into consideration. Ms. Evans indicated that views are typically considered on waterfront properties but there is nothing in the Zoning By-law that speaks to views.

The Committee advised the public when buying property that backs onto vacant land to be aware that when the land is sold the use can change.

The Committee asked staff when reviewing the application if the possibility of shadowing would occur. Ms. Barrie, Director of Development Services stated that typically justification studies are only completed for subdivisions and condominiums, not for single detached buildings.

The Committee questioned why side yard setbacks for one and two storey buildings are taken into account but not for this application and the previous application. Ms. Evans responded that under the Zoning By-law there is no difference in the minimum side yard setbacks for a one or two storey dwelling.

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

**CA2024-114**

**Moved By** Councillor Yeo

**Seconded By** G. Erickson

**That** minor variance application D20-2024-079 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 COA2024-087, 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 thirty-six (36) 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 COA2024-087. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

3.1.8 COA2024-088

Ahmad Shahid, Planner II

File Number: D20-2024-080 and D03-2024-022

Location: 17 Victoria Street East

Lot 9, Plan 109; Part of Lot 1, Part of Lot 2, Part of Lot 3, Part of Lot 4 and Part of Lot 9, all on West Side of Colborne Street; also Part of Lot 9 on the South Side of Elm Street, Plan 109, as in R390409: Subject to R376035

Former Village of Omeme

Owners: Shelley Ferguson and Sylvia Vandam  
Applicant: TD Consulting Inc.

Mr. Shahid brought to the Committees attention that the original severance applied for and proposed required relief only for the size of the severed lot. It did not meet the size required of the applicable zone.

After the writing of the report, comments were received from Development Engineering, which determined a road widening was required. A 3 metre road widening was agreed to be sufficient. As a result, the lot size is reduced and additional reliefs are required. Mr. Shahid stated that the applicant did not alter the proposal. The reliefs changed today are a result of comments received from agency circulations. This changes were supported by the Director of Development Services. It was turned over to the Committee for their consideration to proceed. The Committee agreed to proceed.

Mr. Shahid summarized Report COA2024-088 for minor variance file D20-2024-080 and the consent file D03-2024-022. The purpose and effect is to facilitate the severance of the property to create one (1) new residential lot and retain a lot containing an existing single-detached dwelling. A single-detached dwelling with an attached garage is proposed on the lot to be severed. Relief sought: Section 8.2.1.1 b) of the Zoning By-law requires a minimum lot area of 830 square metres for a lot serviced by municipal sewers and private individual wells; the area of the proposed severed lot is 539.65 square metres. Section 8.2.1.3 a) of the Zoning By-law requires a minimum 7.5 metre front yard setback; the proposed front yard setback of the proposed severed lot is 5.0 metres. Section 8.2.1.4 of the Zoning By-law permits a maximum 30% lot coverage; the proposed lot coverage of the proposed severed lot is 32.6%.

Concerns were received from the owner of 24 Colborne Street North, East of the subject property with regards to drainage.

The Committee had the following questions:

- 1) Appendix D, size of lots compared to adjacent lots.
- 2) Is there municipal water services in Omemee?
- 3) Page 6 of the report, entrance. Should a condition be added?

The applicant, Ms. Archer of TD Consulting Inc. was present in person, thanked staff and spoke to the proposed minor variance.

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

**CA2024-115**

**Moved By** S. Strangway

**Seconded By** E. Finn

**That** minor variance application D20-2024-080 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**That** consent application D03-2024-022 be GRANTED, as the application represents good planning, and is in accordance with Section 53(1) of the Planning Act.

**Conditions of Approval for Minor Variance**

1. **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix D submitted as part of Report COA2024-088, 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 COA2024-088. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Revised Conditions of Provisional Consent**

Refer to Revised Appendix E for Conditions of Provisional Consent.

These approvals pertain to the application as described in report COA2024-088. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding and for the consents to be fulfilled.

**Carried**

The Chair called for a break at 3:41pm. Councillor Yeo left the meeting. The Chair called the meeting back to order at 3:47pm.

Katherine Evans, Senior Planner  
File Number: D20-2024-081 and D03-2024-023  
Location: 18 Deane Street North  
Lot 19 and Part of Lot 18, Plan 109 (being Parts 1 and 2 on Reference Plan 57R-1372)  
Former Village of Omemee  
Owners: Rob and Judy Edwards  
Applicants: Rob Edwards

Ms. Evans brought to the Committees attention that there were two separate circulations for the minor variance and consent. The location map mailed out with the consent public notice was correct. The location map mailed out with the minor variance public notice identified the wrong property, which pointed north to 67 King Street. Comments were received from the owner of 67 King Street regarding incorrect location map. Neither the consent nor the minor variance relate to 67 King Street. 18 Deane Street North is the subject property. The consent sign was posted 14 days before the meeting and the minor variance sign was posted 9 days before the meeting, whereas the minimum time for posting is 10 days. Discussions took place with the Director of Development Services and were comfortable with proceeding. Ms. Evans left it with the Committee to determine whether to proceed at today's meeting. The Committee agreed to proceed.

Ms. Evans summarized Report COA2024-089. The purpose and effect is to facilitate the severance of the property to create one (1) new residential lot with frontage on Walnut Street West to contain a future single detached dwelling. Relief sought: Section 8.2.1.1 b) of the Zoning By-law requires a minimum lot area of 830 square metres for a lot serviced by municipal sewers and private individual wells; the proposed lot areas are 665.5 square metres for the severed lot and 663.1 square metres for the retained lot; Part 2 of the Zoning By-law defines 'Accessory Building' as a detached building or structure on the same lot as the main building devoted exclusively to an accessory use; as a result of the severance, the three (3) accessory buildings (sheds) would temporarily remain on the severed lot as stand-alone structures without a main use (therefore primacy of use); and, Section 3.1.3.3 of the Zoning By-law provides that a maximum of two (2) accessory buildings or structures shall be permitted on a lot in any class of residential zone; the proposed severed lot is to contain three (3) accessory buildings (sheds).

The Committee had the following questions:

1) Referenced the report; the Zoning By-law indicates two accessory structures are permitted on a residential lot. Should Condition 3, read that within three (3) months, one shed has to be removed? Ms. Evans felt that three sheds could be supported whereas the setback issue could not be supported. In discussions with the owner, they are to sell off all sheds and agreed to relocate them temporarily to comply with the setbacks.

2) "Temporary" (referring to sheds), could the sheds stay indefinitely? Ms. Evans stated that they have to be removed by completion of the consent in 2 years unless a primary use is established within that time.

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

### **CA2024-116**

**Moved By** S. Strangway

**Seconded By** B. Archer

**That** minor variance application D20-2024-081 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**That** consent application D03-2024-023 be GRANTED, as the application represents good planning, and is in accordance with Section 53(1) of the Planning Act.

### **Conditions of Approval for Minor Variance**

1. **That** development related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2024-089, which shall be attached to and form part of the Committee's Decision;
2. **That** development 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; and,
3. **That** the three (3) sheds located on the proposed severed lot identified in Appendix E be relocated to comply with the minimum interior side and rear yard setbacks of 1.2 metres within a period of three (3) 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 sheds have been relocated.

This approval pertains to the application as described in report COA2024-089. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

### **Conditions of Provisional Consent**

See Appendix F

These approvals pertain to the application as described in report COA2024-089. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding and for the consents to be fulfilled.

**Carried**

#### 3.1.10 COA2024-090

Ahmad Shahid, Planner II  
File Number: D20-2024-082  
Location: 108 Crawford Road  
Part Lot 2, Concession 3, Lot 10, Plan 409  
Geographic Township of Carden  
Owner: Angelo Derango  
Applicant: Deepak Tyagi

Mr. Shahid summarized Report COA2024-090. The purpose and effect is to facilitate the construction of a 20.43 square metre addition onto the existing detached garage, as well as recognize the existing above-ground pool and gazebo. Relief sought: Section 2.2.g. of the Zoning By-law which requires a 20-metre water setback, the proposed water setback is 18.5 metres from the proposed addition of the garage. The existing water setbacks are 6.44 metres (pool) and 9.93 metres (gazebo).

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

The owner, Mr. Derango was present in person and available for questions.

There were no questions from the Committee or other persons.

**CA2024-117****Moved By** B. Archer**Seconded By** E. Finn

That minor variance application D20-2024-082 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 COA2024-090, 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 COA2024-090. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

## 3.1.11 COA2024-091

Ahmad Shahid, Planner II

File Number: D20-2024-083

Location: 2 Crimson Lane

Part Lot 15, Concession 5 (being Part 1 of Reference Plan 57R-687)

Geographic Township of Verulam

Owners: Michelle Chouinard-Kenney and Bryan Kenney

Applicants: Michelle Chouinard-Kenney and Bryan Kenney

Mr. Shahid summarized Report COA2024-091. The purpose and effect is to facilitate the partial demolition of the existing non-complying two-storey dwelling (foundation to remain) and construction of a new two-storey dwelling. Relief sought: Section 8.2.d. requires a minimum front yard setback of 7.5 metres, the proposed front yard setback is 1.8 metres; Section 8.2.g. requires a minimum rear yard setback of 7.5 metres, the proposed rear yard setbacks are 3 metres

(dwelling) and 2.11 metres (deck); Section 8.2.k. permits a maximum height of 10.5 metres, the proposed height of the dwelling is 10.74 metres; and, Section 8.2.n. requires a minimum water setback of 15 metres, the proposed water setback is 10.2 metres (dwelling) and 7.62 metres (deck).

After the writing of the report, comments were received from Kawartha Region Conservation Authority stating no concerns with the application and that the applicant must obtain a permit from their office. The Supervisor of Part 8 Sewage Systems stated they have no issue with the application and that the applicant has already submitted for a permit.

The Committee questioned if there was water on the North side of the property line. Mr. Shahid confirmed that there is only water on the east portion of the property.

The applicant, Larry Mintoff, Project Designer was present via electronic participation and thanked staff and was available for questions.

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

**CA2024-118**

**Moved By** S. Strangway

**Seconded By** G. Erickson

**That** minor variance application D20-2024-083 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 COA2024-091, 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 COA2024-091. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried****3.1.12 COA2024-092**

Katherine Evans, Senior Planner

File Number: D20-2024-084

Location: 26 Ridgewood Road

Part Lot 15, Concession 4; Part Lots 1 and 2 on Reference Plan 57R-299

Geographic Township of Ops

Owner: Kelly Murphy

Applicant: KMD Planning c/o Kevin Duguay

Ms. Evans summarized Report COA2024-092. The purpose and effect is to facilitate the use of the existing single detached dwelling as a group home for individuals with dementia and related cognitive challenges. Relief sought: Section 16.2 a) of the Zoning By-law provides that the minimum lot area for a group home is 4.0 hectares; the existing lot area is 0.29 hectares; Section 19.86 of the Zoning By-law defines 'Group Home' as a single housekeeping unit in a residential dwelling in which 3 to 6 unrelated residents excluding staff or receiving family, live as a family under responsible supervision consistent with the requirements of its residents; the proposed number of residents is 10; and, Section 2.29 iv) of the Zoning By-law provides that the minimum lot area for an Additional Residential Unit on a lot with private services is 4,000 square metres; the basement of the dwelling is to be registered as an Additional Residential Unit and the existing lot area is 2,943 square metres.

After the writing of the report comments were received from the Supervisor of Part 8 Sewage Systems stating they have no concerns with the minor variance proposal as private on-site septic disposal. Condition 3 has been removed as it has already been fulfilled. The Ministry of Transportation - Ministry approvals and permits are required for this proposal. A new condition has been added to ensure this occurs prior to issuance of a building permit. The updated list of conditions were provided to the Committee.

The Committee had the following questions:

- 1) Do group homes have requirements for the care of residents specifically those with Alzheimer's and Dementia? Ms. Evans responded that the definition of a group home says that the care is specific to the needs of the residents.
- 2) Is there a difference between group homes and nursing homes? Ms. Evans

deferred to the applicant.

3) Why is the Ministry of Transportation involved? Ms. Evans responded that the property is within the MTO permit control area.

The applicant Mr. Duguay was present via electronic participation. He thanked staff and agreed with staff's report. Mr. Duguay spoke to the requirements of a group home.

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

**CA2024-119**

**Moved By** S. Strangway

**Seconded By** E. Finn

**That** minor variance application D20-2024-084 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 COA2024-092, 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** approvals and/or permits required by the Ministry of Transportation are applied for and granted prior to the issuance of a Building Permit.

This approval pertains to the application as described in report COA2024-092. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

#### 3.1.13 COA2024-093

Katherine Evans, Senior Planner

File Number: D20-2024-085

Location: 24 Majestic Street  
Part Park Lot 11 on Plan 105; Reference Plan 57R-4079 Parts 1 and 2  
Geographic Township of Somerville  
Owner: City of Kawartha Lakes  
Applicant: Glenn Wilcox

Ms. Evans summarized Report COA2024-093. The purpose and effect is to facilitate the construction of an addition onto the existing fire hall. Relief sought: Section 8.2 c) of the Zoning By-law requires a minimum front yard setback of 7.5 metres; the proposed setback is 2.5 metres; and, Section 8.2 e) of the Zoning By-law requires a minimum side yard setback of 4.5 metres; the proposed setback is 3.2 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.

The applicant, Mr. Wilcox was present via electronic participation and spoke to the proposal.

There were no questions from the Committee or other persons.

**CA2024-120**

**Moved By** B. Archer

**Seconded By** S. Richardson

**That** minor variance application D20-2024-085 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 COA2024-093, 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 COA2024-093. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

**Carried**

### 3.1.14 COA2024-094

Katherine Evans, Senior Planner  
File Number: D20-2024-086  
Location: 43 Loon Street  
Part of Lot 1, Concession 1 (being Lot 3 on Plan 195)  
Geographic Township of Ops  
Owners: John and Mary Groetelaars  
Applicant: Brad Conway

Ms. Evans summarized Report COA2024-094. The purpose and effect is to facilitate the demolition of the existing dwelling and the construction of a new two storey single detached dwelling with a walkout basement. Relief sought: Section 6.2 of the Zoning By-law requires a minimum rear yard setback of 9 metres; the proposed setbacks are 1.67 metres from the dwelling and 0.61 metres from the porch; Section 6.2 of the Zoning By-law requires a minimum side yard setback of 3 metres; the proposed setback 1.27 metres; and, Section 2.25.1 b) of the Zoning By-law requires a minimum water setback of 15 metres; the proposed setback is 12.29 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 proposal. Kawartha Region Conservation Authority stating no concerns with the minor variance proposal and that a permit has been granted. The Supervisor of Plans Review and Inspection commented that spatial separation could be an issue and can be dealt with at the building permit stage.

The applicant, Brad Conway was present in person and available for questions.

There were no questions from the Committee or other persons.

**CA2024-121**

**Moved By** S. Richardson

**Seconded By** E. Finn

**That** minor variance application D20-2024-086 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 COA2024-094, 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 shipping container 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 shipping container has been removed.

This approval pertains to the application as described in report COA2024-094. 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**

Ms. Barrie began by thanking staff for today's meeting and recognized a professional achievement to Katherine Evans who has been promoted from Planner II to Senior Planner. Staff and the Committee congratulated Ms. Evans.

The Chair advised Staff and the Committee that he would be absent for the October 24th meeting and that Vice Chair Strangway would step in.

**6. Correspondence**

**7. Next Meeting**

The next meeting will be Thursday, October 24th at 1:00pm in Council Chambers, City hall.

**8. Adjournment**

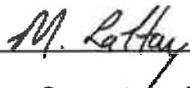
**CA2024-122**

**Moved By** S. Strangway

**Seconded By** E. Finn

**That** the meeting be adjourned at 4:42pm.

**Carried**

  
\_\_\_\_\_  
Mark LaHay, Secretary-Treasurer

to

**REVISED PROPOSED CONDITIONS OF  
PROVISIONAL CONSENT**REPORT COA2024-088FILE NO: D20-2024-080

1. Submit to the Secretary-Treasurer one copy of the preliminary reference plan of survey of the lot to be severed for review and endorsement and the subsequent registered reference plan of survey; or, alternatively, the applicant's solicitor or an Ontario Land Surveyor shall provide a legal description that can be tendered for registration and meets the intent of the consent as applied for.
2. Submit to the Secretary-Treasurer payment of all past due taxes and charges added to the tax roll, if any, at such time as the deeds are stamped.
3. A 3.0 metre road widening be conveyed to the City of Kawartha Lakes across the entire frontage of the parcel to be severed, free and clear of all encumbrances, to the satisfaction of the ECA – Development Engineering Division. The legal description shall include the words "RESERVING UNTO the Transferor(s) a right-of-way for ingress and egress until such time as the land is dedicated as public highway.
4. Payment to the City of Kawartha Lakes of the stamping fee prevailing at the time the deeds are stamped, for the review and clearance of these conditions. The current fee is \$500.00. Payment shall be by certified cheque, money order, or from a lawyers trust account.
5. Payment of the cash-in-lieu of the dedication of parkland, equal to 5% of the appraised value of the land to be severed, as determined by an experienced and qualified land appraiser (CRA or AACI) as of the day before the day the provisional consent was given. The appraisal report shall accompany the cash-in-lieu payment. The City is not required to accept the appraisal report and reserves the right to peer-review the appraisal report and negotiate the cash-in-lieu payment. Payment shall be made by certified cheque, money order, or from a lawyers trust account.
6. The owner shall apply for and pay the prescribed fee to obtain an Entrance Review Approval Letter for the proposed entrance and submit it to the Secretary-Treasurer as written confirmation from the City's Manager of Roads Operations (or his/her designate) that an entrance permit would be available for the lot to be severed in accordance to By-law 2017-151.
7. Submit to the Secretary-Treasurer a deed in triplicate for endorsement with the certificate of consent which deed shall contain a registerable description of the parcel of land described in the decision.
8. The owner's solicitor shall provide a written undertaking to the Secretary-Treasurer confirming, pursuant to Subsection 53(43) of the Planning Act, that the deed in respect of this transaction shall be registered in the proper land registry office within six months from the date that the Secretary-Treasurer's certificate is stamped on the deed, failing which the consent shall lapse.

to

REPORT COA2024-088

FILE NO: D20-2024-080

**REVISED PROPOSED CONDITIONS OF  
PROVISIONAL CONSENT CONTINUED**

9. The owner's solicitor shall also undertake to provide a copy of the registered Transfer to the Secretary-Treasurer as conclusive evidence of the fulfillment of the above-noted undertaking.
10. All of these conditions shall be fulfilled within a period of two years after the giving of the Notice of Decision, failing which, pursuant to Subsection 53(41) of the Planning Act, this consent shall be deemed to be refused.

to

REPORT COA2024-089FILE NO: D20-2024-081  
D03-2024-023**PROPOSED CONDITIONS OF PROVISIONAL CONSENT**

1. Submit to the Secretary-Treasurer one (1) copy of the preliminary reference plan of survey of the lot to be severed for review and endorsement and the subsequent registered reference plan of survey; or, alternatively, the applicant's solicitor or an Ontario Land Surveyor shall provide a legal description that can be tendered for registration and meets the intent of the consent as applied for.
2. Submit to the Secretary-Treasurer payment of all past due taxes and charges added to the tax roll, if any, at such time as the deeds are stamped.
3. Submit payment to the City of Kawartha Lakes of the stamping fee prevailing at the time the Transfer/deed are stamped, for the review and clearance of these conditions. The current fee is \$500.00. Payment shall be by certified cheque, money order, or from a lawyers trust account.
4. Payment of the cash-in-lieu of the dedication of parkland, equal to 5% of the appraised value of the land to be severed, as determined by an experienced and qualified land appraiser (CRA or AACI) as of the day before the day the provisional consent was given. The appraisal report shall accompany the cash-in-lieu payment. The City is not required to accept the appraisal report and reserves the right to peer-review the appraisal report and negotiate the cash-in-lieu payment. Payment shall be made by certified cheque, money order, or from a lawyers trust account.
5. The owner shall apply for and pay the prescribed fee to obtain an Entrance Review Approval Letter for all existing and proposed entrances and submit it to the Secretary-Treasurer as written confirmation from the City's Manager of Roads Operations (or his/her designate) to confirm that the existing entrance complies with By-Law 2017-151 and that an entrance permit would be available for the lot to be severed.
6. Submit to the Secretary-Treasurer a deed in triplicate for endorsement with the certificate of consent which deed shall contain a registerable description of the parcel of land described in the decision.
7. The owner's solicitor shall provide a written undertaking to the Secretary-Treasurer confirming, pursuant to Subsection 53(43) of the Planning Act, that the deed in respect of this transaction shall be registered in the proper land registry office within six months from the date that the Secretary-Treasurer's certificate is stamped on the deed, failing which the consent shall lapse.
8. The owner's solicitor shall also undertake to provide a copy of the registered Transfer to the Secretary-Treasurer as conclusive evidence of the fulfillment of the above-noted undertaking.

9. All of these conditions shall be fulfilled within a period of two (2) years after the giving of the Notice of Decision, failing which, pursuant to Subsection 53(41) of the Planning Act, this consent shall be deemed to be refused.