

Corporation of the Township of Selwyn

**Committee of Adjustment
Tuesday, May 24, 2022
Committee Meeting**

Present:

Sherry Senis (Chair)
Andy Mitchell (Vice-Chair)
Anita Locke
Gerry Herron
Donna Ballantyne

Staff Present:

Tania Goncalves, Deputy Clerk
Janice Lavalley, C.A.O.
Per Lundberg, Planner
Angela Chittick, Manager of Community and Corporate Services
Robert Kelly, Manager of Building and Planning

Due to the severe weather over the weekend, and a number of residents still without power, the Committee of Adjustment Meeting was held in person. Due to sporadic internet connections, there was no option for virtual participation. Correspondence was requested in advance of the meeting, to be read during the meeting and entered into public record.

Call To Order

The meeting was called to order by Committee Chair Sherry Senis at 5:00 p.m.

Declaration of Pecuniary Interest

None.

Deputations and/or Invited Persons and/or Public Meeting

None.

Minor Variance Applications and Staff Reports

Mr. Lundberg announced that the Committee of Adjustment is holding a public hearing in accordance with Section 45 of The Planning Act, R.S.O. 1990 as amended, to consider applications for relief from By-law 2009-021, being the Comprehensive Zoning By-law for the Township of Selwyn.

The Committee was advised that the prescribed notices of the public meetings were provided by prepaid first-class mail to all residents within a 60-metre radius of the subject properties. Ministries and agencies were circulated via email. The subject properties were posted with a sign advertising the public hearings. The notices were also available on the Township's website. The notice circulation complies with the requirements of the Planning Act.

- a) File No.: A-10-22**
Owner: Norman Phillips
Agent: N/A
Address: 766 Fifes Bay Marina Lane – Smith Ward

Norman Phillips made application to the Committee for the following:

The application seeks relief from the provisions of Zoning By-law No. 2009-021, as amended, in order to permit the relocation of the existing 875 ft² (81.29 m²) dwelling

including the construction of a new 207 ft² (19.24 ft²) breezeway and a 126.7 m² (1363.8 ft²) attached garage:

1. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 22.6 metres to a dwelling including a new breezeway and attached garage.

Mr. Lundberg provided a summary of the planning report as it related to the proposed variance. No one was present in support or in opposition of the application. Mr. Lundberg advised an Archeological Assessment is warranted. Curve Lake First Nation recommended an archeological assessment. Kawartha Pine Ridge District School Board had no concerns with the application. A concern was received from the neighbours at 768 Fife Bay Marina Lane, Dr. Megan Fulford and Andrew Davis, regarding tree removal, installation of a marine railway across the property, and the impact on their view and property value. Mr. Lundberg advised tree removal, installation of a marine railway, and the impact on view and property value are not within the purview of the Committee of Adjustment. No further comments were received in support or in opposition of the application.

Decision

That the report of the Secretary-Treasurer regarding Minor Variance Application No. A-10-22 related to lands described as being Part Lot 3, Con. 5 (766 Fife's Bay Marina Lane) in the Smith Ward be received for information; and

That Minor Variance Application No. A-10-22 related to lands described as being Part Lot 3, Con. 5 (766 Fife's Bay Marina Lane) in the Smith Ward be approved as follows:

1. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 22.6 metres to a dwelling including a new breezeway and attached garage.

Conditions

That the applicant(s) obtain the necessary building permit, which will be available following the twenty-day appeal period, for the proposed construction.

1. That the development be substantially in accordance with the sketch submitted with the application (any future development must comply with the applicable provisions of the by-law).
2. That the applicant provide the Township with a survey / surveyors report completed by an Ontario Licensed Land Surveyor at the foundation stage of construction.
3. That the applicant(s) be required to obtain approval from Peterborough Public Health.
4. That the applicant(s) be required to obtain approval from the Otonabee Region Conservation Authority. Further, that the applicant be required to submit a planting plan designed to establish, or increase the extent and width of, a vegetation protection zone along the shoreline to a minimum of 30 metres in order to be consistent with Section 2.1 of the Provincial Policy Statement and Section 4.2.4.5 b) and c) of the Growth Plan for the Greater Golden Horseshoe.
5. That if there is to be any soil disturbance or excavation, that the applicant be required to complete an archaeological assessment of the project area prior to excavation, which is to be provided to the Township and forwarded to Curve Lake First Nation for comment; and that the applicant be required to have a Curve Lake First Nation Liaison on-site for the archaeological assessment.

Reasons for Decision

It is the Committee's opinion that the requested variance is desirable for the appropriate development or use of land, building or structure, maintains the general intent and purpose of the Official Plan and Zoning By-law and that the variance is minor in nature.

b) File No.: A-17-22
Owner: Hailong Si
Agent: N/A
Address: 855 Chemongview Drive – Ennismore Ward

Hailong Si made application to the Committee for the following:

The application seeks relief from the provisions of Zoning By-law No. 2009-021, as amended, in order to permit the construction of a new ±550 ft² (51.1 m²) open deck as follows:

1. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 12.1 metres to an open deck

Mr. Lundberg provided a summary of the planning report as it related to the proposed variance. No one was present in support or in opposition of the application. Mr. Lundberg advised an Archeological Assessment is warranted. Kawartha Pine Ridge District School Board had no concerns with the application. Otonabee Region Conservation Authority had no concerns with the application, but advised an ORCA permit and a planting plan are required. No further comments were received in support or in opposition of the application.

Decision

That the report of the Secretary-Treasurer regarding Minor Variance Application No. A-17-22 related to lands described as being Part Lot 14, Con. 6 (855 Chemong View Drive) in the Ennismore Ward be received for information; and

That Minor Variance Application No. A-17-22 related to lands described as being Part Lot 14, Con. 6 (855 Chemong View Drive) in the Ennismore Ward be approved as follows:

1. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 12.1 metres to an open deck.

Conditions

1. That the applicant(s) obtain the necessary building permit, which will be available following the twenty-day appeal period, for the proposed construction.
2. That the development be substantially in accordance with the sketch submitted with the application (any future development must comply with the applicable provisions of the By-law).
3. That the applicant provide the Township with a survey / surveyors report completed by an Ontario Licensed Land Surveyor at the foundation stage of construction.
4. That the applicant(s) be required to obtain approval from Peterborough Public Health.
5. That the applicant(s) be required to obtain approval from the Otonabee Region Conservation Authority. Further, that the applicant be required to submit a landscaping plan designed to establish, or increase the extent and width of, a vegetation protection zone along the shoreline to a minimum of 30 metres in order to be consistent with Section 2.1 of the Provincial Policy Statement and Section 4.2.4.5 b) and c) of the Growth Plan for the Greater Golden Horseshoe.

6. That if there is to be any soil disturbance or excavation, that the applicant be required to complete an archaeological assessment of the project area prior to excavation, which is to be provided to the Township and forwarded to Curve Lake First Nation for comment; and that the applicant be required to have a Curve Lake First Nation Liaison on-site for the archaeological assessment.

Reasons for Decision

It is the Committee’s opinion that the requested variance is desirable for the appropriate development or use of land, building or structure, maintains the general intent and purpose of the Official Plan and Zoning By-law and that the variance is minor in nature.

- c) File No.: A-19-22**
Owner: Terry Mark & Carla Lowry
Agent: Ken Currie
Address: 314 Fife Avenue – Smith Ward

Terry Mark & Carla Lowry made application to the Committee for the following:

The application seeks relief from the provisions of Zoning By-law No. 2009-021, as amended, in order to permit the construction of a new 1181.9 ft² (109.8 m²) dwelling as follows:

1. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 21.2 metres to a new dwelling.
2. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 16.3 metres to a new open deck.

Mr. Lundberg provided a summary of the planning report as it related to the proposed variance. No one was present in support or in opposition of the application. Mr. Lundberg advised an Archeological Assessment is not warranted. Otonabee Region Conservation Authority had no concerns with the application, but advised an ORCA permit, a planting plan, and sediment control plan are required. Kawartha Pine Ridge District School Board had no concerns with the application. Letters in support were received from the Applicant and Agent, Ken Currie, as well as neighbours Annamarie Castrilli and David Carmichael. No further comments were received in support or in opposition of the application.

Decision

That the report of the Secretary-Treasurer regarding Minor Variance Application No. A-19-22 related to lands described as being Part Lot 5, Con. 5 (314 Fife Avenue) in the Smith Ward be received for information; and

That Minor Variance Application No. A-19-22 related to lands described as being Part Lot 5, Con. 5 (314 Fife Avenue) in the Smith Ward be approved as follows:

1. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 21.2 metres to a new dwelling.
2. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 16.3 metres to a new open deck.

Conditions

1. That the applicant(s) obtain the necessary building permit, which will be available following the twenty-day appeal period, for the proposed construction.
2. That the development be substantially in accordance with the sketch submitted with the application (any future development must comply with the applicable provisions of the By-law).
3. That the applicant provide the Township with a survey / surveyors report completed by an Ontario Licensed Land Surveyor at the foundation stage of construction.
4. That the applicant(s) be required to obtain approval from Peterborough Public Health.
5. That the applicant(s) be required to obtain approval from the Otonabee Region Conservation Authority. Further, that the applicant be required to submit a planting plan designed to establish, or increase the extent and width of, a vegetation protection zone along the shoreline to a minimum of 30 metres in order to be consistent with Section 2.1 of the Provincial Policy Statement and Section 4.2.4.5 b) and c) of the Growth Plan for the Greater Golden Horseshoe. Further, that sedimentation and erosion control be implemented, where appropriate, prior to, during and after construction until all unstable soil is vegetated.

Reasons for Decision

It is the Committee’s opinion that the requested variances are desirable for the appropriate development or use of land, building or structure, maintain the general intent and purpose of the Official Plan and Zoning By-law and that the variances are minor in nature.

d) File No.: A-20-22
Owner: Dominic & Sylvie Morgan
Agent: Thomas Collins
Address: 670 Hatton Avenue – Smith Ward

Dominic & Sylvie Morgan made application to the Committee for the following:

The application seeks relief from the provisions of Zoning By-law No. 2009-021, as amended, in order to permit the construction of a new ±2508 ft² (±233 m²) dwelling including a ±712.4 ft² (±66.18 m²) garage and a 7.44 m² covered front entry as well as a new ±613.4 ft² (±56.99 m²) open deck as follows:

1. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 14.84 metres to a new dwelling.
2. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 11.6 metres to a new open deck.
3. With reference to Section 4.13.2(vii) – Lakeshore Residential (LR) Zone Regulations - to reduce the minimum required interior side yard setback from 3 metres to 1.3 metres to a dwelling.
4. With reference to Section 4.13.2(xi) – Lakeshore Residential (LR) Zone Regulations - to increase the maximum lot coverage (all buildings and structures) from 20% to 22.6%

Mr. Lundberg provided a summary of the planning report as it related to the proposed variance. No one was present in support or in opposition of the application. Mr. Lundberg advised an Archeological Assessment is warranted. Otonabee Region

Conservation Authority had no concerns with the application, but advised an ORCA permit and a sedimentation erosion control plan during construction are required. Kawartha Pine Ridge District School Board had no concerns with the application. No further comments were received in support or in opposition of the application.

Decision

That the report of the Secretary-Treasurer regarding Minor Variance Application No. A-20-22 related to lands described as being Part Lot 12, Con. WCR (670 Hatton Ave.) in the Smith Ward be received for information; and

That Minor Variance Application No. A-20-22 related to lands described as being Part Lot 12 Con. WCR (670 Hatton Ave.) in the Smith Ward be approved as follows:

1. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 14.84 metres to a new dwelling.
2. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 11.6 metres to a new open deck.
3. With reference to Section 4.13.2(vii) – Lakeshore Residential (LR) Zone Regulations - to reduce the minimum required interior side yard setback from 3 metres to 1.3 metres to a dwelling.
4. With reference to Section 4.13.2(xi) – Lakeshore Residential (LR) Zone Regulations - to increase the maximum lot coverage (all buildings and structures) from 20% to 22.6%

Conditions

1. That the applicant(s) obtain the necessary building permit, which will be available following the twenty-day appeal period, for the proposed construction.
2. That the development be substantially in accordance with the sketch submitted with the application (any future development must comply with the applicable provisions of the By-law).
3. That the applicant provide the Township with a survey / surveyors report completed by an Ontario Licensed Land Surveyor at the foundation stage of construction.
4. That the applicant(s) be required to obtain approval from Peterborough Public Health.
5. That the applicant(s) be required to obtain approval from the Otonabee Region Conservation Authority. Further, that the applicant be required to submit a landscaping plan designed to establish, or increase the extent and width of, a vegetation protection zone along the shoreline to a minimum of 30 metres in order to be consistent with Section 2.1 of the Provincial Policy Statement and Section 4.2.4.5 b) and c) of the Growth Plan for the Greater Golden Horseshoe. Lastly, that sedimentation and erosion control be implemented, where appropriate, prior to, during and after construction until all unstable soil is vegetated.
6. That if there is to be any soil disturbance or excavation, that the applicant be required to complete an archaeological assessment of the project area prior to excavation, which is to be provided to the Township and forwarded to Curve Lake First Nation for comment; and that the applicant be required to have a Curve Lake First Nation Liaison on-site for the archaeological assessment.

Reasons for Decision

It is the Committee's opinion that the requested variances are desirable for the appropriate development or use of land, building or structure, maintain the general

intent and purpose of the Official Plan and Zoning By-law and that the variances are minor in nature.

e) File No.: A-21-22
Owner: Elinor & David Petrie
Agent: N/A
Address: 2402 Victoria Springs Lane East – Smith Ward

Elinor & David Petrie made application to the Committee for the following:

The application seeks relief from the provisions of Zoning By-law No. 2009-021, as amended, in order to permit the construction of a new 795 ft² (73.9 m²) dwelling including a ±43.7 ft² (±4 m²) front open deck and a 192 ft² (17.8 m²) side yard open deck, as follows:

1. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 17.3 metres to a new dwelling including new front open deck.
2. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to ±13.1 metres to a new open deck (side yard).
3. With reference to Section 4.13.3(v) - Lakeshore Residential Zone Regulations – to reduce the front yard setback from 7.5 metres to 2.18 metres from the edge or a gravel roadway to a new dwelling.
4. With reference to Section 4.13.3(v) - Lakeshore Residential Zone Regulations – to reduce the front yard setback from 7.5 metres to 1.52 metres from the edge or a gravel roadway to a new front open deck.

Mr. Lundberg provided a summary of the planning report as it related to the proposed variance. This is a vacant lot of record with a steep slope; this is the reasoning for the location of the proposed dwelling on the lot. No one was present in support or in opposition of the application. Otonabee Region Conservation Authority had no concerns with the application, but advised an ORCA permit, a planting plan, and sediment erosion control plan during construction are required. Kawartha Pine Ridge District School Board had no concerns with the application. No further comments were received in support or in opposition of the application.

Decision

That the report of the Secretary-Treasurer regarding Minor Variance Application No. A-21-22 related to lands described as being Part Lot 32, Con. 18 (2402 Victoria Springs Lane E.) in the Smith Ward be received for information; and

That Minor Variance Application No. A-21-22 related to lands described as being Part Lot 32 Con. 18 (2402 Victoria Springs Lane E.) in the Smith Ward be approved as follows:

1. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to 17.3 metres to a new dwelling including new front open deck.
2. With reference to Section 3.15 – High Water Mark Setback Provisions - to reduce the minimum high-water setback from 30 metres to ±13.1 metres to a new open deck (side yard).
3. With reference to Section 4.13.3(v) - Lakeshore Residential Zone Regulations – to reduce the front yard setback from 7.5 metres to 2.18 metres from the edge of a gravel roadway to a new dwelling.

4. With reference to Section 4.13.3(v) - Lakeshore Residential Zone Regulations – to reduce the front yard setback from 7.5 metres to 1.52 metres from the edge of a gravel roadway to a new front open deck.

Conditions

1. That the applicant(s) obtain the necessary building permit, for the proposed construction.
2. That the applicant(s) enter into a site plan agreement with the Township of Selwyn for the development.
3. That the development be substantially in accordance with the sketch submitted with the application (any future development must comply with the applicable provisions of the by-law).
4. That the applicant provide the Township with a survey / surveyors report completed by an Ontario Licensed Land Surveyor at the foundation stage of construction.
5. That the applicant(s) be required to obtain approval from Peterborough Public Health.
6. That the applicant(s) be required to obtain approval from the Otonabee Region Conservation Authority (ORCA) including an erosion hazard limit and slope stability study as well as a lot grading and drainage plan. Further, that the applicant be required to submit a planting plan designed to establish, or increase the extent and width of, a vegetation protection zone along the shoreline to a minimum of 30 metres in order to be consistent with Section 2.1 of the Provincial Policy Statement and Section 4.2.4.5 b) and c) of the Growth Plan for the Greater Golden Horseshoe. Lastly, that sedimentation and erosion control be implemented, where appropriate, prior to, during and after construction until all unstable soil is vegetated.
7. That if there is to be any soil disturbance or excavation, that the applicant be required to complete an archaeological assessment of the project area prior to excavation, which is to be provided to the Township and forwarded to Curve Lake First Nation for comment; and that the applicant be required to have a Curve Lake First Nation Liaison on-site for the archaeological assessment.

Reasons for Decision

It is the Committee’s opinion that the requested variances are desirable for the appropriate development or use of land, building or structure, maintain the general intent and purpose of the Official Plan and Zoning By-law and that the variances are minor in nature.

f)	File No.:	A-22-22
	Owner:	Lawrence MacDuff
	Agent:	N/A
	Address:	2797 Lakefield Road – Smith Ward

Lawrence MacDuff made application to the Committee for the following:

The application seeks relief from the provisions of Zoning By-law No. 2009-021, as amended, in order to permit the construction of a new 2400 ft² (223 m²) detached garage, as follows:

1. With reference to Section 3.1.4 – Lot Coverage and Height - to increase the maximum height of a detached garage from 4 metres to 7 metres.
2. With reference to Section 3.1.4 – Lot Coverage and Height – to increase the maximum accessory structure lot coverage from 5% to 6.1%.

Mr. Lundberg provided a summary of the planning report as it related to the proposed variance. No one was present in support or in opposition of the application. Mr. Lundberg advised an Archeological Assessment is warranted. Otonabee Region Conservation Authority had no concerns with the application, and an ORCA permit is not required. Kawartha Pine Ridge District School Board had no concerns with the application. No further comments were received in support or in opposition of the application.

Decision

That the report of the Secretary-Treasurer regarding Minor Variance Application No. A-22-22 related to lands described as being Part Lot 23, Con. 5 (2797 Lakefield Road) in the Smith Ward be received for information; and

That Minor Variance Application No. A-22-22 related to lands described as being Part Lot 23 Con. 5 (2797 Lakefield Road) in the Smith Ward be approved as follows:

- 1. With reference to Section 3.1.4 – Lot Coverage and Height - to increase the maximum height of a detached garage from 4 metres to 7 metres.

Conditions

- 1. That the applicant(s) obtain the necessary building permit, which will be available following the twenty-day appeal period, for the proposed construction.
- 2. That the development be substantially in accordance with the sketch submitted with the application (any future development must comply with the applicable provisions of the by-law).
- 3. That the applicant provide the Township with a survey / surveyors report completed by an Ontario Licensed Land Surveyor at the foundation stage of construction.
- 4. That the applicant(s) be required to obtain approval from Peterborough Public Health.
- 5. That the applicant(s) be required to obtain approval from the Otonabee Region Conservation Authority. Further, that sedimentation and erosion control be implemented, where appropriate, prior to, during and after construction until all unstable soil is vegetated.
- 6. That if there is to be any soil disturbance or excavation, that the applicant be required to complete an archaeological assessment of the project area prior to excavation, which is to be provided to the Township and forwarded to Curve Lake First Nation for comment; and that the applicant be required to have a Curve Lake First Nation Liaison on-site for the archaeological assessment.

Reasons for Decision

It is the Committee’s opinion that the requested variance is desirable for the appropriate development or use of land, building or structure, maintains the general intent and purpose of the Official Plan and Zoning By-law and that the variance is minor in nature.

g) File No.: A-23-22
Owner: Benn Atkins
Agent: N/A
Address: 1831 6th Line – Smith Ward

Benn Atkins made application to the Committee for the following:

The application seeks relief from the provisions of Zoning By-law No. 2009-021, as amended, in order to permit the construction of a new 2400 ft² (223 m²) detached garage, as follows:

1. With reference to Section 3.1.4 – Lot Coverage and Height - to increase the maximum height of a detached garage from 4 metres to 7 metres.
2. With reference to Section 3.1.4 – Lot Coverage and Height – to increase the maximum accessory structure lot coverage from 5% to 6.1%.

Mr. Lundberg provided a summary of the planning report as it related to the proposed variance. No one was present in support or in opposition of the application. Mr. Lundberg advised an Archeological Assessment is warranted. Otonabee Region Conservation Authority had no concerns with the application, and an ORCA permit is not required. The Ministry of Transportation (MTO) commented the subject lands are close to the proposed Peterborough Bypass, and will need MTO permits. Kawartha Pine Ridge District School Board had no concerns with the application. No further comments were received in support or in opposition of the application.

Decision

That the report of the Secretary-Treasurer regarding Minor Variance Application No. A-23-22 related to lands described as being Part Lot 24, Con. 5 (1831 Sixth Line) in the Smith Ward be received for information; and

That Minor Variance Application No. A-23-22 related to lands described as being Part Lot 24 Con. 5 (1831 Sixth Line) in the Smith Ward be approved as follows:

1. With reference to Section 3.1.4 – Lot Coverage and Height - to increase the maximum height of a detached garage from 4 metres to 7 metres.
2. With reference to Section 3.1.4 – Lot Coverage and Height – to increase the maximum accessory structure lot coverage from 5% to 6.1%.

Conditions

1. That the applicant(s) obtain the necessary building permit, which will be available following the twenty-day appeal period, for the proposed construction.
2. That the development be substantially in accordance with the sketch submitted with the application (any future development must comply with the applicable provisions of the by-law).
3. That the applicant provide the Township with a survey / surveyors report completed by an Ontario Licensed Land Surveyor at the foundation stage of construction.
4. That the applicant(s) be required to obtain approval from Peterborough Public Health.
5. That the applicant(s) be required to obtain approval from the Otonabee Region Conservation Authority. Further, that sedimentation and erosion control be implemented, where appropriate, prior to, during and after construction until all unstable soil is vegetated.
6. That if there is to be any soil disturbance or excavation, that the applicant be required to complete an archaeological assessment of the project area prior to excavation, which is to be provided to the Township and forwarded to Curve Lake First Nation for comment; and that the applicant be required to have a Curve Lake First Nation Liaison on-site for the archaeological assessment.

7. That a Ministry of Transportation permit be obtained prior to the issuance of a municipal building permit as per Ministry of Transportation comments regarding this application dated May 11, 2022.

Reasons for Decision

It is the Committee's opinion that the requested variances are desirable for the appropriate development or use of land, building or structure, maintain the general intent and purpose of the Official Plan and Zoning By-law and that the variances are minor in nature.

h) File No.: A-24-22
Owner: Doug Lukinuk
Agent: Key Design Inc.
Address: 2731 Tedford Road – Smith Ward

Doug Lukinuk made application to the Committee for the following:

The application seeks relief from the provisions of Zoning By-law No. 2009-021, as amended, in order to permit the construction of a new 918 ft² (85.3 m²) detached garage, as follows:

1. With reference to Section 3.1.4 – Lot Coverage and Height - to increase the maximum height of a detached garage from 4 metres to 6.06 metres.
2. With reference to Section 4.13.3(v) – Lakeshore Residential Zone Regulations – to reduce the minimum front yard setback from 7.5 metres to 2.77 metres to a garage.
3. With reference to Section 3.34 – Planned Width of Road – to reduce the sum of the applicable front yard setback plus 10 m from the right of way centre line of a municipal public road from 17.5 metres to 12.77 metres.

Mr. Lundberg provided a summary of the planning report as it related to the proposed variance. No one was present in support or in opposition of the application. Otonabee Region Conservation Authority had no concerns with the application, but advised an ORCA permit and planting plan are required. Kawartha Pine Ridge District School Board had no concerns with the application. A support letter was received from the agent, Krista from Key Design Inc. No further comments were received in support or in opposition of the application.

Decision

That the report of the Secretary-Treasurer regarding Minor Variance Application No. A-24-22 related to lands described as being Part Lot 46, Con. 15 (2731 Tedford Drive) in the Smith Ward be received for information; and

That Minor Variance Application No. A-24-22 related to lands described as being Part Lot 46 Con. 15 (2731 Tedford Drive) in the Smith Ward be approved as follows:

1. With reference to Section 3.1.4 – Lot Coverage and Height - to increase the maximum height of a detached garage from 4 metres to 6.06 metres.
2. With reference to Section 4.13.3(v) – Lakeshore Residential Zone Regulations – to reduce the minimum front yard setback from 7.5 metres to 2.77 metres to a garage.
3. With reference to Section 3.34 – Planned Width of Road – to reduce the sum of the applicable front yard setback plus 10 m from the right of way centre line of a municipal public road from 17.5 metres to 12.77 metres.

Conditions

1. That the applicant(s) obtain the necessary building permit, which will be available following the twenty-day appeal period, for the proposed construction.
2. That the development be substantially in accordance with the sketch submitted with the application (any future development must comply with the applicable provisions of the by-law).
3. That the applicant provide the Township with a survey / surveyors report completed by an Ontario Licensed Land Surveyor at the foundation stage of construction.
4. That the applicant(s) be required to obtain approval from Peterborough Public Health.
5. That the applicant(s) be required to obtain approval from the Otonabee Region Conservation Authority. Further, that sedimentation and erosion control be implemented, where appropriate, prior to, during and after construction until all unstable soil is vegetated.
6. That if there is to be any soil disturbance or excavation, that the applicant be required to complete an archaeological assessment of the project area prior to excavation, which is to be provided to the Township and forwarded to Curve Lake First Nation for comment; and that the applicant be required to have a Curve Lake First Nation Liaison on-site for the archaeological assessment.

Reasons for Decision

It is the Committee's opinion that the requested variances are desirable for the appropriate development or use of land, building or structure, maintain the general intent and purpose of the Official Plan and Zoning By-law and that the variances are minor in nature.

Resolution No. CA-13-22

Committee Member Gerry Herron – Committee Member Donna Ballantyne –
That Minor Variances A-10-22, A-17-22, A-19-22, A-20-22, A-21-22, A-22-22, A-23-22
and A-24-22, be approved in accordance with all of the conditions noted therein.

Carried.

Deferred Matters & New Business

None.

Information

None.

Minutes

Resolution No. CA-14-22 – Minutes

Vice-Chair Andy Mitchell – Committee Member Anita Locke –
That the minutes of the April 26, 2022 meeting No.04-22 be adopted.

Carried.

Adjournment

Resolution No. CA-15-22 - Adjournment

Committee Member Gerry Herron – Committee Member Donna Ballantyne

That the meeting be adjourned at 5:27 p.m.

Carried.

The next Committee of Adjustment meeting will be scheduled for June 28, 2022.

Per Lundberg, Secretary-Treasurer