

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – C & J Fairbairn
Report Number COA2018-008

Public Meeting

Meeting Date: January 18, 2018
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 4 – Mariposa

Subject: An application to authorize minor variances to:

1. reduce the minimum rear yard setback for an accessory building from a flanking street from 7.5 metres to 3 metres;
2. to increase the maximum lot coverage for all accessory buildings and structures from 100 square metres to 119.5 square metres; and
3. to increase the maximum number of accessory buildings or structures from 2 to 3

in order for a detached garage to be constructed on property located at 25 Doble Drive in Oakwood, geographic Township of Mariposa (File D20-2018-010).

Author: Janet Wong, Planner II

Signature: 

Recommendation:

RESOLVED THAT Report COA2018-008 C & J Fairbairn, be received;

THAT minor variance application D20-2018-010 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **THAT** the construction of the garage related to this approval shall proceed generally in accordance with the sketch in Appendix "C" and elevations in Appendix "D" submitted as part of Report COA2018-008, which shall be attached to and form part of the Committee's Decision;
- 2) **THAT** the cladding be in a red-tone colour similar to the dwelling;

- 3) **THAT** there be two windows similar to those illustrated on Appendix “D” spaced within 7 metres from the front of the garage on the south facade;
- 4) **THAT** prior to the issuance of a building permit for the proposed garage, a building permit be obtained for the shed with porch to the satisfaction of the Chief Building Official; and
- 5) **THAT** the building construction related to the minor variances shall be completed 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 completion of the first Building Inspection.

This approval pertains to the application as described in report COA2018-008. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background:	This application was deemed complete December 8, 2017.
Proposal:	<p>To construct a 104 square metre (1,119 square foot) detached garage relief is sought from:</p> <ol style="list-style-type: none">1. Section 10.2.1.3(a) to reduce the minimum yard setback from a flanking street from 7.5 metres to 3 metres (24.6 feet to 9.8 feet);2. Section 3.1.3.1(a) to increase the maximum lot coverage for all accessory buildings and structures from 100 square metres to 119.5 square metres (1,076 square feet to 1,286 square feet); and3. Section 3.1.3.3 to increase the maximum number of accessory buildings or structures from 2 to 3.
Owner:	Chris & Julie Fairbairn
Applicant:	Chris Fairbairn
Legal Description:	Lot 16, Concession 8, Lot 41, Registered Plan 570, geographic Township of Mariposa, City of Kawartha Lakes
Official Plan:	“Hamlet Settlement” – City of Kawartha Lakes Official Plan
Zone:	“Hamlet Residential Exception One (HR-1) Zone” – Township of Mariposa Zoning By-law 94-07

Site Size: 1625.8 square metres (0.4 acres) - MPAC
Site Servicing: Municipal water and private individual septic system
Existing Uses: Residential
Adjacent Uses: North, East, South, and West: Residential

Rationale:

1) Are the variances minor in nature? Yes

And

2) Is the proposal desirable and appropriate for the use of the land? Yes

There is an existing shed with a porch and small, 1.6 square metre, triangular roofed section over the deck for the barbecue. While the deck is close to existing grade and thus is considered to be landscaping, the roof is considered a structure and needs to be included in the number of structures for the site. As the shed includes a porch, the 13.3 square metre structure should have received a building permit prior to construction. To legalize the structure, a condition for a building permit has been recommended.

The garage will be used for boat and vintage car storage along with a workshop. The three structures provide different functions. There have been no concerns raised with decreased infiltration from the increased lot coverage. Access to the garage will not be from Doble Drive, thus the required flankage yard depth is not necessary for safe ingress and egress. There have been no safety concerns raised with the reduced flankage side yard.

The applicant has designed a garage that will have a residential appearance through the use of colour, windows, siding and stonework. The intention is to use the same or similar red-tone brick veneer as that used for the dwelling and a red-tone siding. This will integrate the garage with the dwelling and residential character of the lot. There is a mature cedar hedge that will screen the rear 5.2 metres (approximate) of the Doble Drive facade side of the garage. Given the proximity of the building to the property line, two windows are recommended in the first seven (7) metres of the garage front on the Doble Drive facade to ameliorate the visual mass of a building face on the public realm and contribute to the residential character of the neighbourhood. This is illustrated in Appendix "D".

Based on this, the variances are minor as well as desirable and appropriate for the use of the land.

3) Do the variances maintain the intent and purpose of the Zoning By-law? Yes

One of the three accessory structures is very small. There are no safety or infiltration concerns anticipated from the proposed development. Therefore, the variances maintain the general intent and purpose of the Zoning By-Law.

4) Do the variances maintain the intent and purpose of the Official Plan?**Yes**

The property is designated “Hamlet Settlement” in the City of Kawartha Lakes Official Plan. Residential dwellings and accessory buildings are anticipated within this designation. The proposal maintains the general intent and purpose of the City’s Official Plan.

Other Alternatives Considered:

The proposal has been modified from an attached garage to a detached garage to address septic system separation requirements. The structure has a smaller footprint than originally proposed. As well, the owner has modified the south facade fronting on Doble Drive to enhance the streetscape facade.

Servicing Comments:

The property will be serviced by municipal water and private individual septic system.

Consultations:

Notice of this application was circulated in accordance with the requirements of the *Planning Act*. Comments have been received from:

Agency Comments:

Building Division – Building Inspection (December 5, 2017): No concerns

Building Division - Sewage System (December 18, 2017): No concerns. See comments.

Development Engineering Division (January 8, 2018): No concerns

Planning Division – The proposed garage will not have water connection as no human habitation is permitted by the Zoning By-law. Thus there will be no additional sewage flow.

Public Comments:

No comments as of January 9, 2018.

Attachments:

Appendix A-E.pdf

Appendix “A” – Location Map

Appendix “B” – Aerial Photo

Appendix “C” – Applicant’s Sketch

Appendix “D” – Supplementary Sketches

Appendix “E” – Department and Agency Comments

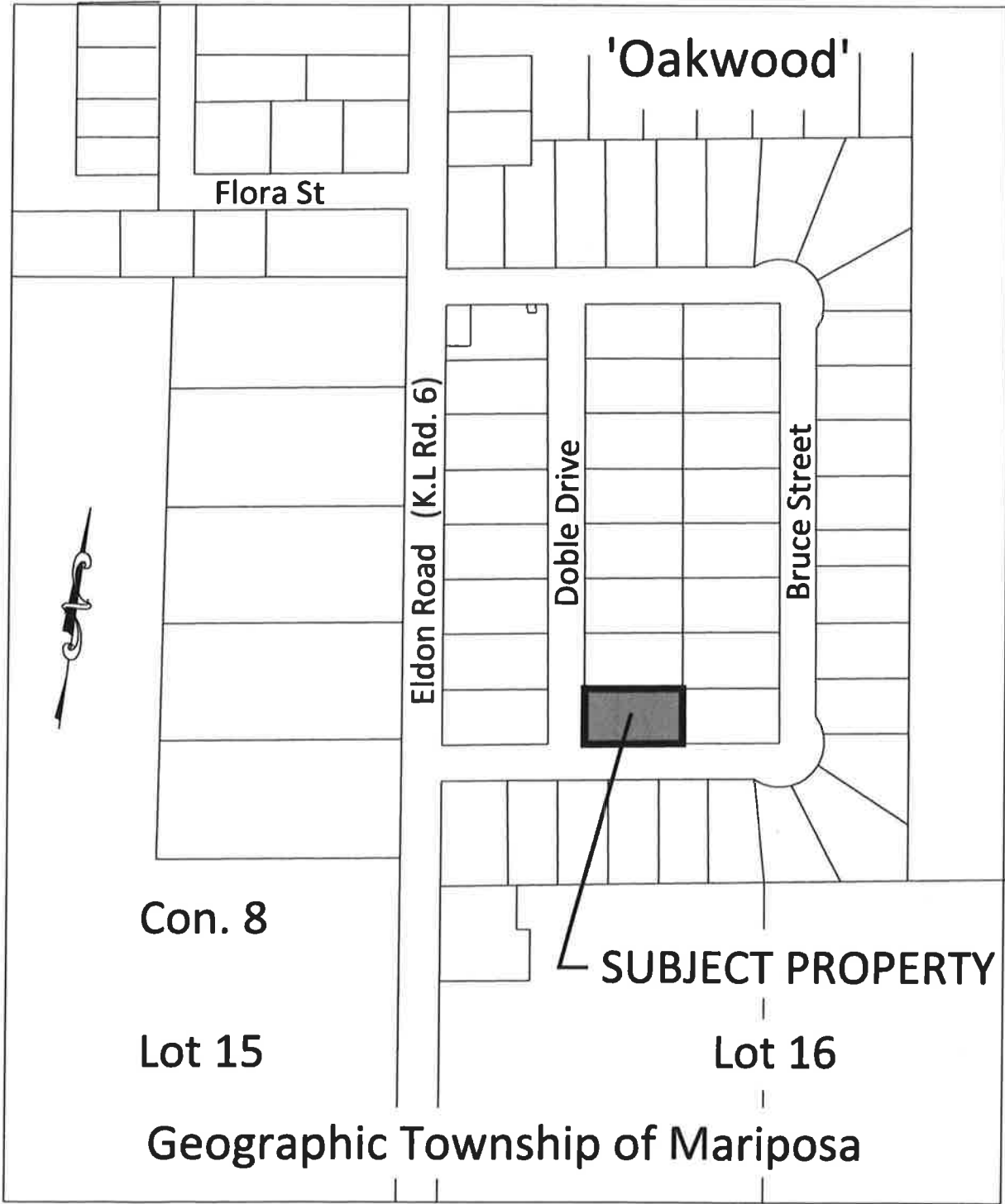
Phone: 705-324-9411 ext. 1331
E-Mail: jwong@kawarthalakes.ca
Department Head: Chris Marshall
Department File: D20-2018-010

to

REPORT COA2018-008

FILE NO: D20-2018-010

D20-2018-010





GEOMATICS
MAPPING

25 Doble Dr., geographic Twp Mariposa



- Legend**
- Road Centreline
 - Upper Municipalities
 - Lower Tier Municipalities
 - Property ROLL#
 - Lots and Concessions

APPENDIX " B "

to

REPORT COA2018-008

FILE NO: D20-2018-010

Notes

Notes



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate. current, or otherwise reliable
THIS MAP IS NOT TO BE USED FOR COMMERCIAL OR LEGAL PURPOSES



0.09 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes

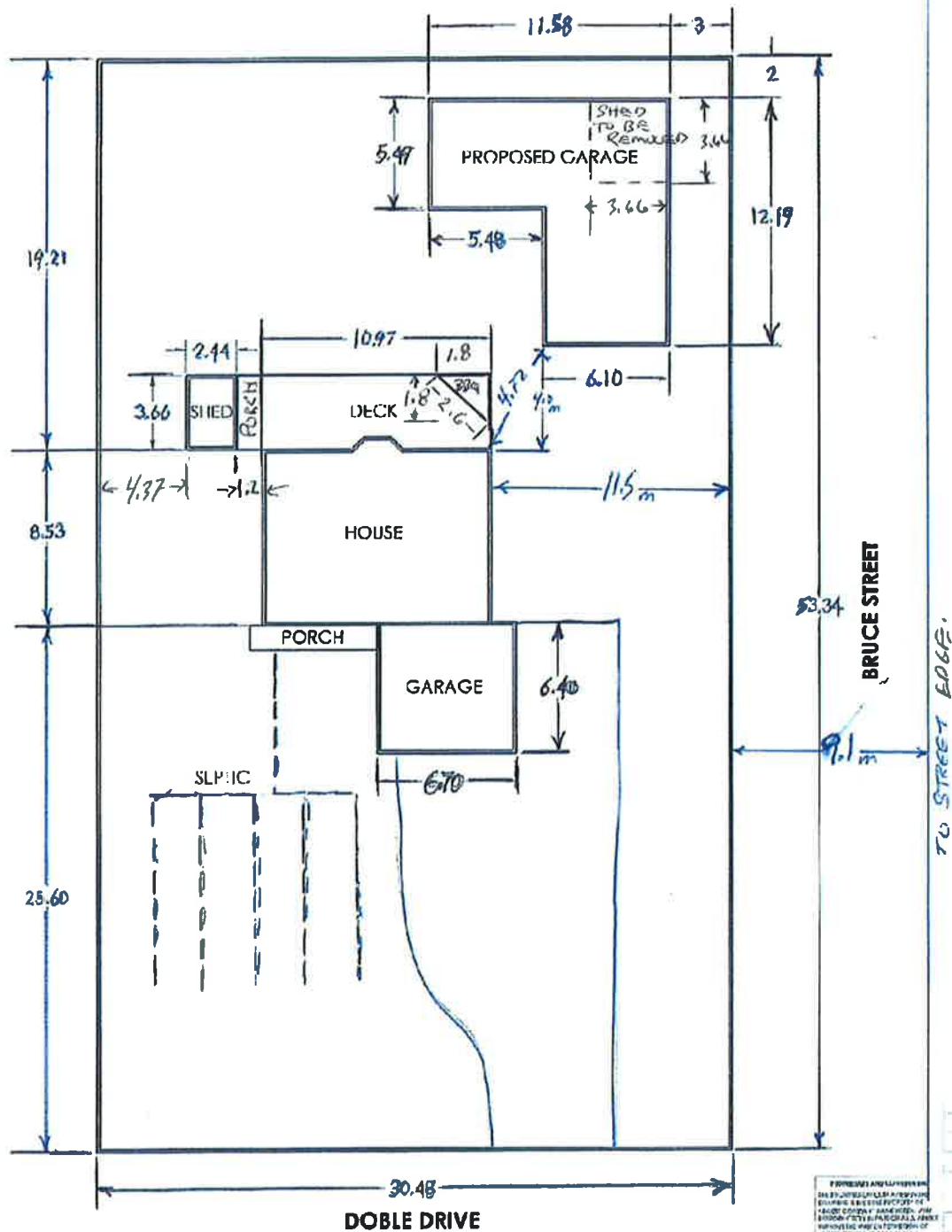
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ALL MEASUREMENTS IN METERS.

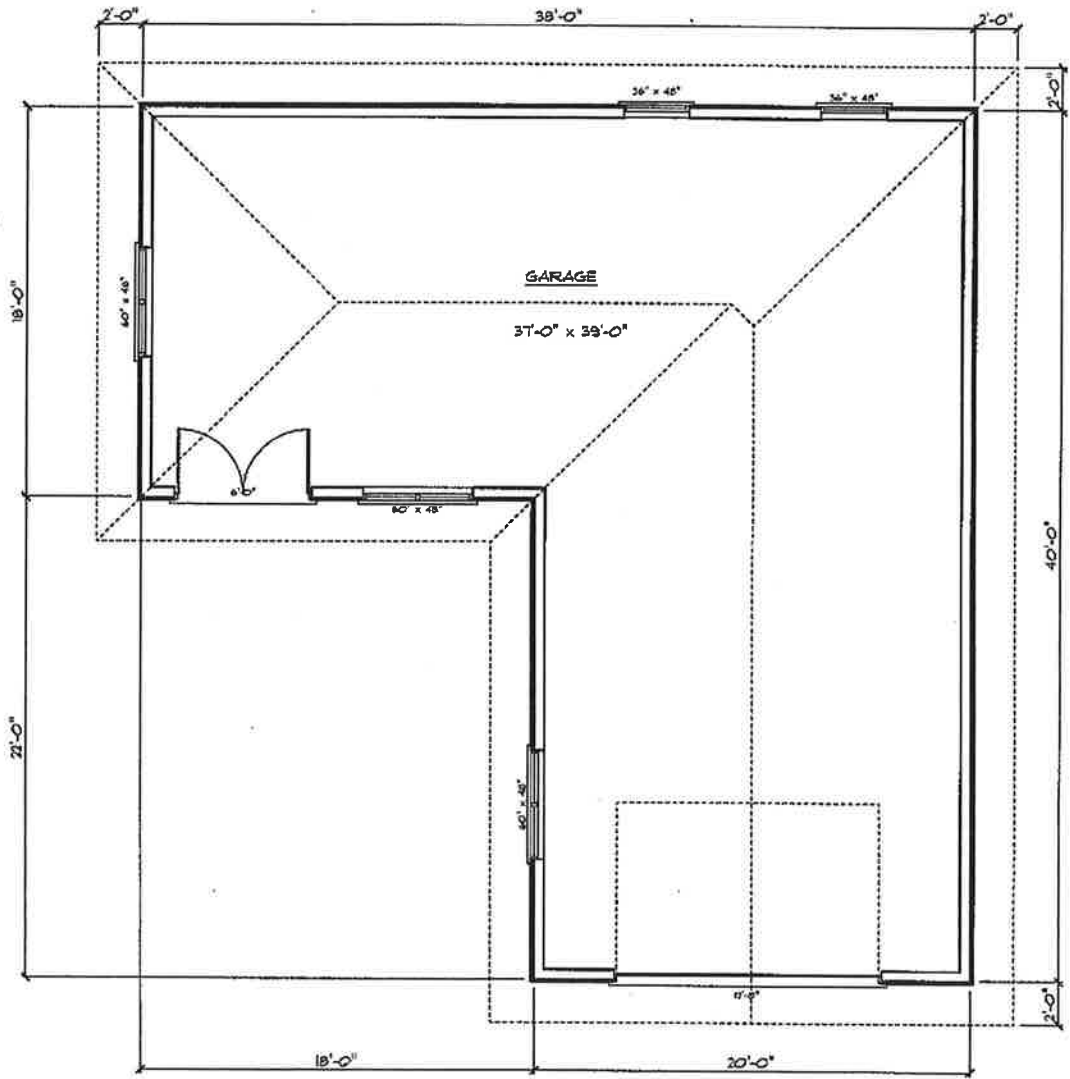


APPENDIX " D "

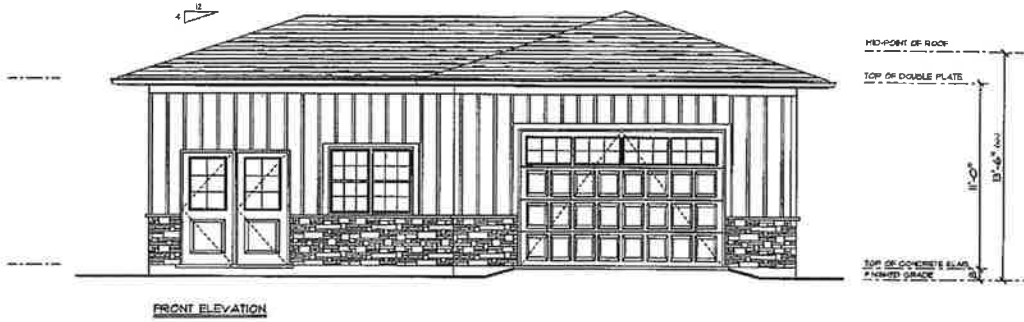
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MAIN FLOOR PLAN

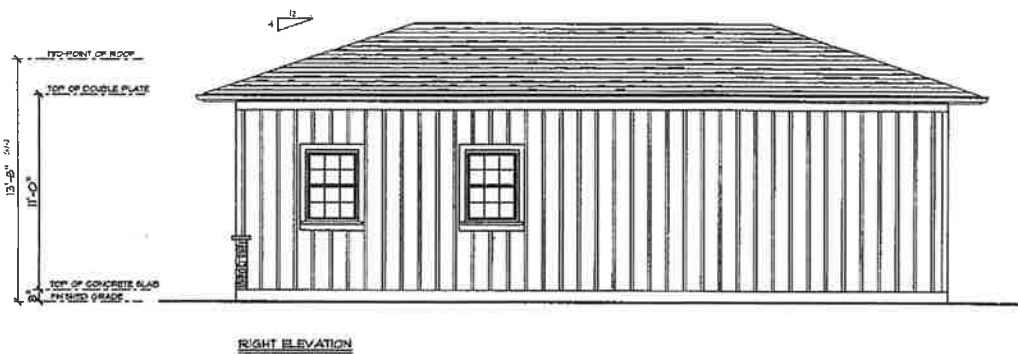
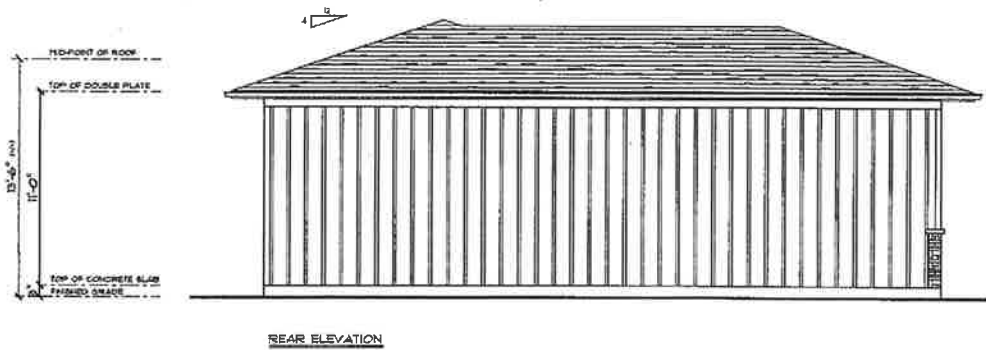
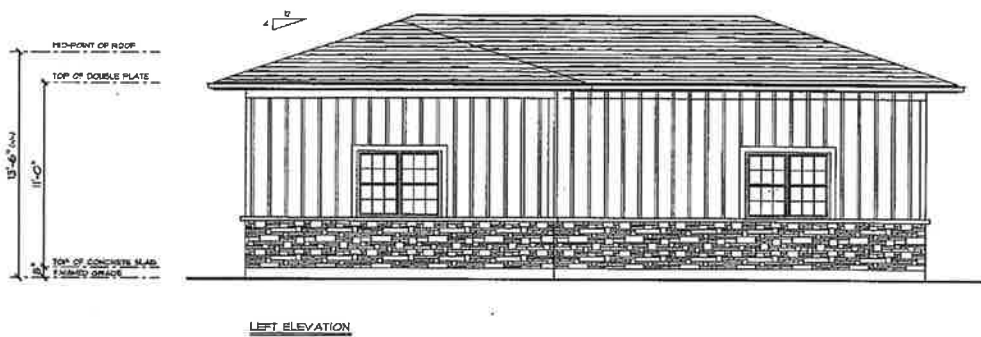


APPENDIX " D "

to

REPORT COA2018-008

FILE NO: D20-2018-010



APPENDIX " E "

to

REPORT COA2018-008

FILE NO: D20-2018-010

Subject	D20-2018-008, D20-2018-010
From	Derryk Wolven
To	Erica Hallett
Sent	Monday, December 11, 2017 3:51 PM

Please be advised the building division has no concerns with the above noted applications.

Derryk Wolven, CBCO

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

705-324-9411 ext. 1273 www.kawarthalakes.ca



Subject	D20-2018-010 - 25 Doble Dr
From	Anne Elmhirst
To	Erica Hallett
Sent	Monday, December 18, 2017 11:48 AM

APPENDIX " E "

to

REPORT COA2018-008

FILE NO: D20-2018-010

Hello Erica,

RE: Minor Variance Application D20-2018-010
 25 Doble Street, Former Mariposa Township, City of Kawartha Lakes
 Conc. 8, Lot 16, Plan 570, Lot 41
 Roll No. 165111003022143
 Owner: Chris & Julie Fairbairn

I have received and reviewed the application for minor variance to allow the construction of an accessory structure (garage) in the rear side yard on the above-mentioned property. A site visit was also completed as part of the assessment.

The property is serviced by an on-site sewage systems under the approval M-13-84. The location of the proposed detached garage will not encroach within the required setbacks of the existing sewage system. Nor will it reduce the ability of the property to be serviced by on-site sewage systems in the future.

Please be advised this assessment has not included a review for any additional sewage flow for the accessory structure.

As such, the Building Division – Sewage System Program has no objections the proposed minor variance.

Best Regards,

Anne Elmhirst C.P.H.I.(C), B.A.Sc., B.Sc.
 Supervisor – Part 8 Sewage Systems
 Development Services - Building Division, City of Kawartha Lakes
 705-324-9411 ext. 1882 www.kawarthalakes.ca



Subject	D20-18-010 -25 Doble Drive, Mariposa
From	Kirk Timms
To	Erica Hallett
Cc	Mark LaHay; Christina Sisson; Kim Rhodes
Sent	Monday, January 08, 2018 2:52 PM

APPENDIX " E "
to
REPORT COA2018-008
FILE NO: D20-2018-010

Good Afternoon Erica,

Further to our review of the above noted application to permit construction of a new detached garage, Development Engineering confirms we have no objection to the proposed minor variance for Zoning By-Law;

- Section 10.2.1.3. c) to reduce the minimum exterior side yard setback from 7.5 m to 3.0 m
- Section 3.1.3.1. a) to increase the maximum accessory building lot coverage from 100 sq. m to 119.5 sq. m
- Section 3.1.3.3. to increase maximum number of accessory structures from 2 to 3.

We respectfully request that if additional information brought forward through the commenting period that changes the intent of the minor variance application and the corresponding report by Planning, that Engineering be circulated for technical review on behalf of the City. Please provide Engineering the Notice of Decision for our confirmation.

Thanks,

Kirk Timms, C.E.T.

Engineering Technician
Engineering & Corporate Assets Department
City of Kawartha Lakes
P.O. Box 9000
12 Peel Street
Lindsay, ON
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(705) 324-9411 Ext. 1119

