

**The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – S & C Dugas**

Report Number COA2018-010

Public Meeting

Meeting Date: February 15, 2018

Time: 1:00 pm

Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 8 – Geographic Township of Mariposa

Subject: The purpose and effect is to permit the construction of a single detached dwelling with garage and deck on the subject property by requesting relief from:

1. Section 14.2.1.4 to reduce the minimum water setback required from 30 metres to 21.5 metres.

The property is located at 154 Ball Point Road , geographic Township of Mariposa (File D20-2018-009).

Author: Quadri Adebayo, Planner II

Signature:

Recommendation:

RESOLVED THAT Report COA2018-010 Serge & Catheron Dugas, be received;

THAT minor variance application D20-2018-009 be DEFERRED for one more month, until the next scheduled Committee of Adjustment meeting in March so that the additional relief sought by the owner/applicant to this current variance application may be re-advertised.

Background: The application proposes to construct a single detached residential dwelling with a walkout basement, deck and garage. The Committee of Adjustment previously granted a 15 metre water setback as variance to construct the residential dwelling on May 19, 2016, (application D20-16-021), and provided two years to complete the first building inspection. The owner recently communicated that they will not be able satisfy the condition before the required two year time frame lapses on May 18, 2018. The applicant has advised that they intend to proceed with construction immediately after half-load restrictions on Ball Point Road are lifted in Spring of 2018

should the Committee reinstate the approval. This application was deemed complete December 7, 2017.

Proposal: To construct an approximately 146.04 square metres (1,572 square feet) single detached dwelling with walkout basement, deck and garage.

Owner: Serge Dugas and Catheron Dugas

Applicant: Serge Dugas

Legal Description: Concession C, Part Lot 18, Plan 425, Lot 37, geographic Township of Mariposa, City of Kawartha Lakes

Official Plan: "Waterfront" – City of Kawartha Lakes Official Plan

Zone: "Rural Residential Type Three (RR3) Zone" – Township of Mariposa Zoning By-law 94-07

Site Size: 1128.54 square metres (12,147.50 square feet)

Site Servicing: Private individual holding tank and well

Existing Uses: Vacant

Adjacent Uses: North & South: Residential
East: Residential
West: Lake Scugog

Rationale:

- 1) Are the variances minor in nature? **Undetermined at this time**
- 2) Is the proposal desirable and appropriate for the use of the land? **Undetermined at this time**
- 3) Do the variances maintain the intent and purpose of the Zoning By-law? **Undetermined at this time**
- 4) Do the variances maintain the intent and purpose of the Official Plan? **Undetermined at this time**

Planning Comments:

Upon review of the grading plan submitted by the applicant, staff determined that the initial 15 metre water setback relief requested by the applicant did not correspond with the 24 metre setback shown in the drawing as the distance between the water's edge and the upper deck. On January 25, 2018, staff requested a confirmation of the accurate setback measurement between the water's edge and the stairs instead, as review of the elevation drawings suggested the steps appear to be of sufficient height.

The applicant indicated that the revised setback taking into account the stairs will be approximately 22.5 metres, and following staff direction, the applicant opted for

a 1 metre reduction to the 22.5 metres distance, for tolerance in the event that the foundation of the home is poured in a different direction than as pinned by the surveyor and to account for the variation in the summer water level of Lake Scugog. Hence, the revised 21.5 metre water setback also needs to be advertised through this revised application.

On February 1, 2018, the City of Kawartha Lakes Building Department staff determined that the house plan submitted by the applicant did not meet the Township of Mariposa By-Law stipulated minimums for gross floor area in a "Rural Residential Type Three (RR3) Zone". The proposed single detached dwelling was reviewed to be approximately 10.77 square metres (116 square feet) smaller than the 93 square metre (1,001.04 square feet) minimum required in the corresponding Zoning By-Law. This may have resulted from the current grading plan being different from the initial sketch that was submitted through minor variance application D20-16-021 in 2016.

Subsequently, planning staff conferred with the Secretary Treasurer, and it was determined that an additional relief for the reduced minimum gross floor area could not be included for the Committee's consideration at the February 15 meeting because the 21.5 metres water setback had already been advertised at the time of the new findings.

Due to the nature of the relief required, Planning Staff respectfully recommend that the application proceed through a re-advertisement process and would come back to the Committee for consideration at its March 15 meeting.

Other Alternatives Considered:

In a letter dated February 5, 2018, the applicant has formally requested that the Committee and Planning Staff consider their application for a one month deferral in order to allow them seek an additional variance from Section 14.2.1.7 to reduce the minimum gross floor area of a dwelling unit from 93 square metres to approximately 78.70 square metres.

Servicing Comments:

The property will be serviced by a private individual well and holding tank.

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 18, 2017 & February 5, 2018):
No concerns.

Building Division - Sewage System (December 20, 2017 & February 5, 2018): No concerns.

Engineering & Corporate Assets (February 7, 2018): No objection to the proposed variance.

Kawartha Conservation Authority (February 5, 2018): No objection to the proposed variance.

Public Comments:

No comments as of February 6, 2018.

Attachments:



Appendices A-F to
Report COA2018-010

- Appendix "A" – Location Map
- Appendix "B" – Aerial Photo
- Appendix "C" – Applicant's Sketch
- Appendix "D" – Elevations
- Appendix "E" – Department and Agency Comments
- Appendix "F" – Applicant Deferral Request Letter

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