

# The Corporation of the City of Kawartha Lakes

## Committee of Adjustment Report – Gibson

Report Number COA2018-035

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### Public Meeting

**Meeting Date:** June 21, 2018

**Time:** 1:00 pm

**Location:** Council Chambers, City Hall, 26 Francis St., Lindsay

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### Ward: 13 – Geographic Township of Verulam

**Subject:** The purpose and effect is to request relief from Section 10.2(f) to reduce the interior side yard setback from 1.8 metres to 1.4 metres to recognize an addition to a single detached dwelling.

The variances are requested on property identified as 21 Loon Lane, geographic Township of Verulam (File D20-2018-025).

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**Author:** David Harding, Planner II

**Signature:**

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### Recommendations:

**RESOLVED THAT** Report COA2018-035 Joanna and David Gibson, be received;

**THAT** minor variance application D20-2018-025 for 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 addition to the single detached dwelling related to this approval shall proceed substantially in accordance with the sketch in Appendix “C” and elevations in Appendix “D” submitted as part of Report COA2018-035, which shall be attached to and form part of the Committee’s Decision.

**This approval pertains to the application as described in report COA2018-035. Fulfillment of the condition is required for the Minor Variance to be considered final and binding.**

**Background:** The single storey addition was constructed onto the single storey cottage. A survey determined that a portion of the addition encroached into the minimum interior side yard setback. A Planning Justification Report prepared by Kevin M. Duguay Community Planning and Consulting Inc. dated March 16, 2018 was submitted with the application. The document analyses the appropriateness of permitting the proposed variance for the reduced interior side yard setback.

This application was deemed complete May 4, 2018.

- Proposal: To recognize an approximately 20.5 square metre (220.78 square foot) addition to a cottage.
- Owner: Joanna and David Gibson
- Applicant: Kevin Duguay, Kevin M. Duguay Community Planning and Consulting Inc.
- Legal Description: Part Lot 8, Concession 1, geographic Township of Verulam, City of Kawartha Lakes
- Official Plan: "Waterfront" in the City of Kawartha Lakes Official Plan
- Zone: "Limited Service Residential (LSR) Zone" in the Township of Verulam Zoning By-law 6-87
- Site Size: 2,411 square metres (0.6 acres)
- Site Servicing: Private individual sewage system and well
- Existing Uses: Shoreline Residential
- Adjacent Uses: North: Sturgeon Lake  
East, West: Shoreline Residential  
South: Forest/Rural

**Rationale:** As the property is accessed by the easement (right-of-way) of Loon Lane, the front lot line is defined as the shoreline, and thus the area between the shoreline and northern wall of the dwelling the front yard.

**1) Is the variance minor in nature? Yes**

**And**

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

The majority of the addition is outside of the required 1.8 metre side yard setback. A setback slightly greater than 1.4 metres is proposed. Sufficient spatial separation remains within the reduced interior side yard for access and maintenance purposes. A larger interior side yard setback of approximately 6.77 metres remains on the southwestern side of the cottage to facilitate the passage of larger items between the front and rear of the dwelling.

The abutting lot, 23 Loon Lane, is a two storey dwelling with a walk-out basement. Due to its greater height, no adverse massing impacts are anticipated to that lot.

The variance is considered minor as well as desirable and appropriate for the use of the land.

**3) Does the variance maintain the intent and purpose of the Zoning By-law?**

**Yes**

The subject property is zoned “Limited Service Residential (LSR) Zone” within the Township of Verulam Zoning By-law 6-87.

The zoning by-law intends for one larger interior side yard in order to provide sufficient space for parking and/or the passage of larger items between the front and rear of the dwelling.

In this circumstance, parking is provided in the rear yard, south of Loon Lane. There is also a sizeable interior side yard (6.77 metres) running along the southwestern walls of the cottage that provides sufficient width for larger items to pass between the front and rear of the cottage.

The spatial separation identified within the smaller side yard setback is intended for lot grading and drainage, and maintenance purposes. The proposed setback of 1.4 metres is sufficient to continue to provide adequate maintenance, and the Engineering and Corporate Assets Department has raised no concerns with respect to the proposed reduced setback.

Therefore, the variance maintains the general intent and purpose of the Zoning By-Law.

**4) Does the variance maintain the intent and purpose of the Official Plan?**

**Yes**

The property is designated “Waterfront” in the City of Kawartha Lakes Official Plan. The designation anticipates residential uses. The proposal also satisfies policy 3.11, as the addition is proposed greater than 30 metres from the shoreline.

Therefore, the variance maintains the general intent and purpose of the Official Plan.

**Other Alternatives Considered:**

No other alternatives were examined.

**Servicing Comments:**

The property is serviced by a private well and 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 (June 7, 2018): No concerns.

Kawartha Region Conservation Authority (May 31, 2018): No concerns.

**Public Comments:**

No comments as of June 12, 2018.

**Attachments:**



Appendices A-E to  
Report COA2018-035.

- Appendix "A" – Location Map
  - Appendix "B" – Aerial Photo
  - Appendix "C" – Applicant's sketch
  - Appendix "D" – Elevations
  - Appendix "E" – Department and Agency Comments
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**Department File:** D20-2018-025