

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Bates

Report Number COA2018-043

Public Meeting

Meeting Date: July 19, 2018

Time: 1:00 pm

Location: Victoria Room, City Hall, 26 Francis Street, Lindsay

Ward: 10 – Former Town of Lindsay

Subject: The purpose and effect is to reduce the minimum rear yard setback from 7.5 metres to 6.5 metres and increase the maximum lot coverage from 40% to 41% in order to permit the construction of a sunroom and deck with stairs.

The property is located at 18 Ellis Crescent, former Town of Lindsay (File D20-2018-032).

Author: David Harding, Planner II

Signature:

Recommendation:

RESOLVED THAT Report COA2018-043 Bates, be received;

THAT minor variance application D20-2018-032 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 sunroom and deck with stairs 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 COA2018-043, which shall be attached to and form part of the Committee's Decision; and
- 2) **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 COA2018-043. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background:

Proposal: To construct an approximately 13.38 square metre (144 square foot) sunroom with stairs and deck (landing).

Owner: William and Karen Bates

Applicant: Christine Patterson – Lifestyle Sunrooms Inc.

Legal Description: Lot 9, Plan 57M-782, former Town of Lindsay, City of Kawartha Lakes

Official Plan: Residential – Town of Lindsay Official Plan

Zone: Residential Three Special Two (R3-S2) Zone – Town of Lindsay Zoning By-law 2000-75

Site Size: 504.14 square metres (5,426.5 square feet)

Site Servicing: Water, sanitary sewer and storm water sewer systems

Existing Uses: Residential

Adjacent Uses: North: Residential
East: Residential
South: Residential
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**

The proposal will replace the footprint of an existing deck with a sunroom. A small landing along with stairs is proposed to the west to provide access to the rear yard from the house. There will be no reduction to the landscaped open space within the rear yard as the sunroom will be upon the deck's old footprint. While the sunroom is considered an extension of the dwelling, it is a seasonal space. As such, it will maintain a function similar to that of the existing uncovered deck. It is anticipated that as a sheltered amenity space, it may be used more often, increasing the use of this portion of the dwelling.

As the majority of the eastern sunroom wall is proposed to be made of solid metal/vinyl rather than glass panels, privacy between the sunroom's occupants and the dwelling to the east, 20 Ellis Crescent, will be maintained.

The 1% (5 square metre) increase in lot coverage is not anticipated to be perceptible.

Therefore, the variances are considered minor in nature and desirable and appropriate for the use of the land.

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

Yes

The property is zoned Residential Three Special Two (R3-S2) Zone within the Town of Lindsay Zoning By-law 2000-75. The intent of the rear yard setback is to maintain adequate vegetated rear yard amenity space for recreational and storm water infiltration purposes and to provide a buffer space between rear yards that are directly across from one another to avoid adverse land use conflicts such as massing and privacy. The dwelling on the lot to the north, 55 Parkside Drive, is located some distance to the northeast of the rear lot line of the subject property. No adverse land use conflicts are anticipated between the two lots due to the spatial separation between the two dwellings.

The sunroom is not proposed within the storm water easements along the rear and western interior side lot lines.

As the footprint of the sunroom is small in relation to the remainder of the rear yard, and the footprint is already occupied by a deck, there is no perceptible loss to the area of rear yard amenity space.

Therefore, the variances are in keeping with the general intent and purpose of the zoning by-law.

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

Yes

As the Lindsay Secondary Plan is under appeal, the Town of Lindsay Official Plan applies. The Official Plan permits a wide variety of residential uses.

The variances maintain the general intent and purpose of the Official Plan.

Other Alternatives Considered:

No alternatives have been examined at this time.

Servicing Comments:

The property is serviced by full municipal services.

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 – (July 6, 2018): No concerns.

Engineering and Corporate Assets Department (July 11, 2018): No concerns.

Public Comments:

No comments as of July 10, 2018.

Attachments:



Appendices A-E to
Report COA2018-043.j

- 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: D20-2018-032