

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – William Ball and Heather Clarke-Ball**  
**Report Number COA2018-069**

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**Public Meeting**

**Meeting Date:** October 18th, 2018  
**Time:** 1:00 pm  
**Location:** Victoria Room, City Hall, 26 Francis St., Lindsay

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**Ward: 2 – Geographic Township of Bexley**

**Background:**

The statutory Public Meeting was held by the Committee of Adjustment on September 20, 2018 report COA2018-060. The Committee questioned the status of Lake Street and whether the subject lands comprised a single lot of record or two (2) separate lots, and deferred the application to enable further discussions per the title status.

**Update:**

Staff have confirmed the following: Lake Street is a municipal unassumed road. The subject lands are identified by a single tax assessment roll number and are comprised of two (2) PIN numbers:

- 1) **63116 – 0712** being the parcel west of Lake Street (site of proposed detached garage to replace existing frame shed); and,
- 2) **63116 – 0713** being the parcel east of Lake Street abutting Balsam Lake (site of existing dwelling).

The legal descriptions for both PIN numbers are tied together and therefore cannot be conveyed separately. The Zoning By-law defines a “Lot” as a parcel or tract of land, the title of which is legally conveyable. As such the subject parcels on either side of Lake Street are treated as a single lot of record.

No further changes have been made to report COA2018-060 regarding staff analysis and evaluation; the Recommendation stands; and, the following section has been revised to clarify the conditions of approval:

**Subject:** The purpose and effect is to request relief from the following provisions in order to permit the construction of a detached garage:

- (i) Part 2 – Definitions, to add to the definition of Accessory Building to include one detached building on that portion of the lot separated from the main building by a street that is within 30 metres of the subject property;
- (ii) Part 2 – Definitions, to add to the definition of ‘Lot Line, Front’ to

include for the purposes of the proposed detached garage that the lot line abutting Lake Street be deemed to be the Lot Line, Front;

Relief is also sought from the following General Provisions for accessory buildings to clarify and facilitate the proposed height and placement, of the garage:

- (iii) Section 3.1.2.2 - that for the purposes of the proposed detached garage, the minimum front yard setback be no less than 8.0 metres;
- (iv) Section 3.1.2.2 - that for the purposes of the proposed detached garage, the minimum north interior side yard setback be no less than 5.6 metres, and the minimum south interior side yard setback be no less than 3.3 metres;
- (v) Section 3.1.2.2 - that for the purposes of the proposed detached garage, the minimum rear yard setback be no less than 43.12 metres; and
- (vi) Section 3.1.3.2 - to increase the maximum height of the detached garage from 5 metres to 6 metres.

The variance is requested at 10 Lake Street, geographic Township of Bexley (File D20-2018-046).

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**Author: Quadri Adebayo, Planner II**

**Signature:**

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**Recommendations:**

**RESOLVED THAT** Report COA2018-069 William Ball and Heather Clarke-Ball, be received;

**THAT** minor variance application D20-2018-046 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 detached garage related to this approval shall proceed generally in accordance with the sketch in Appendix “D” and elevations in Appendix “E” submitted as part of Report COA2018-069, which shall be attached to and form part of the Committee’s Decision. Any deviation from these specifications will require review by the City and may necessitate further approvals to be granted by the City and/or any other governing agency, body or authority, where applicable;
- 2) **THAT** the owner acknowledge through the granting of this approval that the detached garage shall not be used for human habitation, nor shall it be connected to water or septic facilities. Similar wording shall be placed on the required building permit; and

- 3) **THAT** the building construction related to the minor variance shall be completed within a period of twenty-four (24) 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 COA2018-069. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.**

**Attachments:**



Appendices A-F to  
Report COA2018-069

Appendix A – Report COA2018-060  
Appendix B – Location Map  
Appendix C – Aerial Photo  
Appendix D – Applicant's Sketch  
Appendix E – Elevations  
Appendix F – Agency Comments

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<b>Department File:</b>	D20-2018-046