

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Bryan and Diana Houston
Report Number COA2018-067

Public Meeting

Meeting Date: October 18, 2018
Time: 1:00 pm
Location: Victoria Room, City Hall, 26 Francis Street, Lindsay

Ward: 8 – geographic Township of Mariposa

Subject: The purpose and effect is to request relief from Section 3.1.2.1 in order to permit the construction of an accessory building (detached garage) within the front yard.

The variance is requested at 39 Pleasant View Crescent, geographic Township of Mariposa (File D20-2018-051).

Author: David Harding, Planner II

Signature:

Recommendations:

RESOLVED THAT Report COA2018-067 Bryan and Diana Houston, be received;

THAT minor variance application D20-2018-051 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 substantially in accordance with the sketch and drawings in Appendices “C” and “D” submitted as part of Report COA2018-067, which shall be attached to and form part of the Committee’s Decision; and
- 2) **THAT** the building construction related to the minor variance 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 COA2018-067. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

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| Background: | Relief is being sought as the proposed detached garage cannot meet the required septic system setback and retain the interior side yard at the same time. This application was last amended September 28, 2018. |
| Proposal: | To permit the construction of a 7.3 metre (23.9 foot) x 10.3 metre (33.7 foot) detached garage, a portion of which is within the front yard. |
| Owners: | Bryan and Diana Houston |
| Legal Description: | Lot 140, Plan 499, geographic Township of Mariposa, City of Kawartha Lakes |
| Official Plan: | Waterfront within the City of Kawartha Lakes Official Plan |
| Zone: | Rural Residential Type Three (RR3) Zone within the Township of Mariposa Zoning By-law 94-07 |
| Site Size: | 2,832 square metres (0.7 acres) |
| Site Servicing: | Municipal water, private individual septic system |
| Existing Uses: | Residential |
| Adjacent Uses: | North: Residential East: Residential South: Residential West: Shoreline Residential |

Rationale:

1) Is the variance minor in nature? Yes
And

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

The subject property is situated within the Washburn Island community. The neighbourhood within this portion of the community consists of moderately sized homes surrounded by a great degree of landscaped open space. This causes the lots to appear much larger. The lots are also screened from one another by vegetative buffers. These qualities, when combined, create an estate residential character to the neighbourhood.

The dwelling on the subject property is a raised bungalow and has a hip and gable roof design. The gable faces the Pleasant View Crescent. The garage proposes a gable design that also faces the street, which will architecturally tie the garage to the dwelling. The garage is also proposed directly beside the existing attached single bay garage, ensuring vehicular activity remains clustered in an existing location. This clustering also allows for the utilisation of the existing driveway instead of creating a separate and distinct driveway in

another location, which would alter the estate residential feel by reducing the area of available landscaped open space.

The garage will project approximately 3.3 metres in-front of the dwelling. Pleasant View Crescent curves and runs at a southwest angle in-front of the subject property, causing the dwelling to be at an angle to the road. Therefore, stepping the garage out in-front of the dwelling's front wall is not anticipated to cause adverse massing impacts within the front yard as the majority of the garage's built form remains behind the dwelling's front wall and what does project appears to be following the angle of the road. No adverse impacts to the neighbourhood's character are anticipated.

Therefore, the variance is minor in nature and 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 Rural Residential Type Three (RR3) Zone within the Township of Mariposa Zoning By-law 94-07, which is the residential zone category found within shoreline and waterfront backlot areas.

The General Provisions of the Zoning By-law intend for accessory buildings and thus storage uses, to be relegated to the interior side and rear yards. In this case, the majority of the garage will remain within the interior side yard. The portion that does project in-front of the dwelling maintains a front yard setback greater than that of the dwelling due to the angle of the road. As such, the proposed garage location will not cause the garage to appear as the primary and/or most prominent building on the lot when viewed from the road, nor is the clustering of the vehicular and storage use beside the existing attached garage anticipated to adversely impact the use of the lot or the abutting and adjacent lots.

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 subject property is within the Waterfront designation of the City of Kawartha Lakes Official Plan (Official Plan). Residential uses, including accessory uses, are anticipated within this designation.

In consideration of the above, the variance maintains the general intent and purpose of the Official Plan.

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

The property is serviced by municipal water and a 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 (October 4, 2018): No concerns.

Kawartha Region Conservation Authority (October 5, 2018): No concerns.

Engineering and Corporate Assets Department (October 9, 2018): No concerns.

Public Comments:

No comments as of October 10, 2018.

Attachments:

Appendices A-E to
COA2018-067.pdf

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: D20-2018-051