

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Travers

Report Number COA2019-005

Public Meeting

Meeting Date: January 17, 2019

Time: 1:00 pm

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

Ward: 6 – Geographic Township of Verulam

Subject: The purpose and effect is to request relief from the following provisions in order to permit a dwelling to be raised and construct an uncovered porch and stairs to access the raised main level:

1. Section 8.2(d) to reduce the minimum front yard setback from 7.5 metres to 2.9 metres for the dwelling,
2. Section 5.18.3 to reduce the street centreline setback from 17.5 metres to 13.3 metres for the dwelling,
3. Section 5.18.3 to reduce the street centreline setback from 17.5 metres to 10.9 metres for the uncovered porch and stairs; and
4. Section 5.22.2 to permit the uncovered porch and stairs to project into the front yard up to a distance of 0.6 metres from the front lot line.

The variance is requested at 155 Hazel Street, geographic Township of Verulam (File D20-2018-067).

Author: David Harding, Planner II

Signature:

Recommendations:

RESOLVED THAT Report COA2019-005 Travers, be received;

THAT minor variance application D20-2018-067 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **THAT** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C submitted as part of Report COA2019-005, which shall be attached to and form part of the Committee's Decision.
- 2) **THAT** prior to the issuance of a building permit, the location of the sewage system's distribution lines shall be confirmed. To fulfill this condition the owners shall:

- a. Submit a report from a professional scoping company to the satisfaction of the Building Division – Part 8 Sewage Systems; or
 - b. Excavate the distribution lines for visual inspection by Building Division – Part 8 Sewage Systems staff.
- 3) **THAT** the building construction related to the minor variances 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 COA2019-005. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background

Proposal: To raise a single detached dwelling to construct a basement. A raised open porch and steps is required to access the raised front entrance.

This application was last amended and deemed complete on December 18, 2018.

Owners: Paul and Kimberley Travers

Applicant: Paul Travers

Legal Description: Part Lot 9, Concession 2, Geographic Township of Verulam, City of Kawartha Lakes

Official Plan: Waterfront within the City of Kawartha Lakes Official Plan

Zone: Residential Type One (R1) Zone within the Township of Verulam Zoning By-law 6-87

Site Size: 621.9 square metres (6,694 square feet)

Site Servicing: Private individual sewage system and lake-based water supply

Existing Uses: Shoreline Residential

Adjacent Uses: North: Boathouses, Sturgeon Lake
South, East, and 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 subject property is situated in an established shoreline residential neighbourhood within the community of Greenhurst-Thurstonia. Along this portion of Hazel Street, the majority of the dwellings are single storey, though there is a 1.5 storey dwelling to the immediate east and a bungalow with a raised basement 2 lots to the west. The majority of the dwellings are situated close to the street.

The existing dwelling is being raised approximately 1.22 metres to accommodate a basement. The proposed construction will assist in the rehabilitation of the building and provide additional space. The height increase is not anticipated to adversely impact the character of the neighbourhood as the building will continue to appear as a single storey but with a raised basement. The built form along this portion of the street is already close to the road.

The addition of an open porch on the front wall to access the dwelling is not anticipated to adversely impact the character of the neighbourhood as the porch would have a small footprint and not be covered, presenting a modest change to the built form of the streetscape. It is also not anticipated to adversely impact the function of the travelled portion of the road or sidewalk as both are several metres back from the travelled portion of the road.

Given the above, the variances are minor as well as 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 Type One (R1) Zone within the Township of Verulam Zoning By-law 6-87.

The function of a front yard setback is to provide adequate spatial separation between the road allowance and dwelling for: road operations such as snow storage, maintaining sight lines for vehicles, separation between the road uses and residential uses, vehicular parking in the front yard, and landscaped open space for storm water infiltration.

The function of a street centreline setback is to provide adequate spatial separation between the road allowance and dwelling for: road operations such as snow storage, maintain sight lines for vehicles, and separation between the transportation and residential uses.

The majority of dwellings along this portion of Hazel Street were built in the 1930s and 1940s, and are located close to their respective front lot lines. The dwelling's increased height in the same location will not change the long-established sight lines nor will it further impede or impact road operations. Parking is provided in the interior side yard rather than the front yard. Hazel

Street is a narrow, winding road where traffic is not anticipated to be travelling at great speed.

The front yard will continue to maintain the same area of landscaped open space once the dwelling is raised, minus the small portion required for the open porch.

The long-established residential uses within this portion of the neighbourhood demonstrate that the increased proximity of the dwelling to the road does not adversely impact the function of the road or residential use of the abutting properties.

Therefore, the variances maintain the general intent and purpose of the Zoning By-Law.

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

Yes

The property is located within the Waterfront designation within the City of Kawartha Lakes Official Plan. As such, residential uses are anticipated within this designation.

In consideration of the above the variances maintain 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 a private individual sewage system and lake-based water supply.

Consultations:

Notice of this application was circulated in accordance with the requirements of the Planning Act. Comments have been received from:

Agency Comments:

Engineering and Corporate Assets Department (January 8, 2019): No concerns.

Community Services Department (January 8, 2019): No concerns.

Building Division – Part 8 Sewage Systems (January 8, 2019): The property is served by a Part 4 Sewage System, not a holding tank as identified within the application. Confirmation of the location of the distribution lines is required to ensure the foundation maintains adequate spatial separation. A condition is requested to confirm location of sewage system distribution lines. See Appendix D for additional comments.

Building Division (January 7, 2019): No concerns. Building permits are required for the foundation and porch/steps.

Public Comments:

No comments as of January 8, 2019.

Attachments:



Appendices A-D to
Report COA2019-005.i

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant’s Sketch

Appendix D – Department and Agency Comments

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Department Head: Chris Marshall, Director of Development Services
Department File: D20-2018-067