

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Davidson and Walker
Report Number COA2019-026

Public Meeting

Meeting Date: April 18, 2019
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 7 – Geographic Township of Manvers

Subject: The purpose and effect is to request relief from Section 5.2(f) to reduce the minimum side yard requirement from 3 metres to 1.3 metres in order to permit the construction of an attached garage to a dwelling.

The variance is requested at 52 McGill Drive, geographic Township of Manvers (File D20-2019-018).

Author: Quadri Adebayo, Planning II **Signature:**

Recommendations:

Resolved That Report COA2019-026 Davidson and Walker, be received;

That minor variance application D20-2019-018 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 attached garage to the dwelling related to this approval shall proceed generally in accordance with the sketch in Appendix C and elevations in Appendix D submitted as part of Report COA2019-026, 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** as part of the building permitting process for the proposed attached garage, the frame shed located in the rear yard directly behind the location of the proposed development be relocated on the property in a compliant manner at a minimum setback of 1.3 metres from the southerly lot line to the satisfaction of the Chief Building Official; 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 COA2019-026. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: This application proposes to construct an attached garage onto an existing one-storey single detached residential dwelling. The proposed development is to replace a carport that was dismantled by inclement weather. The attached garage will increase the size of the house with a reconfigured footprint. This application was deemed complete March 1, 2019.

Proposal: To construct an approximately 35 square metre (114 square foot) attached garage onto an approximately 110 square metre (360.8 square foot) dwelling.

Owners: Scott Davidson and Avril Walker

Applicant: Alan Bartlett, Bartlett Family Construction

Legal Description: Part Lot 1, Concession 14, Lot 40, Plan 46, geographic Township of Manvers, now City of Kawartha Lakes

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

Zone: Residential Residential Type Three (RR3) Zone within the Township of Manvers Zoning By-law 87-06

Site Size: 0.32 acres (1,280 square metres)

Site Servicing: Private individual well and septic systems

Existing Uses: Residential

Adjacent Uses: North: Residential, Mc Gill Road
West: McGill Road, Residential, Lake Scugog
South: Residential, Commercial (Wolf Run Golf Club)
East: Commercial (Wolf Run Golf Club)

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 former carport had a setback of approximately 0.5 metre from the southerly side lot line. The attached garage is proposed in the same location with an improved side yard setback of 1.3 metres. The 0.8 metre improvement in the southerly side yard is anticipated enable sufficient amenity space to navigate between the front and the rear yards respectively, and for surface water run-offs. As well, the limits of the addition is not anticipated to create any spatial separation issues with the southerly abutting property.

In terms of scale, the massing of the proposed addition aided by the site topography is not anticipated to detract away from the residential character of the neighbourhood. The front wall limits of the addition will not project further than the limits established by the front wall of the house, and the proposed location is at a suitable distance from the abutting road.

Based on the above analysis, the variance is 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 1.7 metre relief sought from the 3 metres allowed, proposed for the addition to the dwelling is not anticipated to impact its function as the scale of the reduction, if granted, are not anticipated to be perceptible.

The limits of the proposed attached garage has also been demonstrated not to pose any potential impact to existing servicing utility (i.e. the septic system in the front yard).

Considering the fact that the proposal has not fully exercised the zoning provision privileges, utilizing a lot coverage of 16% from a possible 25% maximum, a 4.8 metre building height from a possible 11 metre maximum, the applicant has reasonably demonstrated that it is possible to develop the lot within the confines of the RR3 Zone provisions.

As such, 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 within the City of Kawartha Lakes Official Plan. The designation anticipates residential uses and ancillary accessory uses.

Although the property does not directly abut a waterbody, the proposal follows the Official Plan policies regarding density and massing in the Waterfront

designation. The proposed building will presumably maintain a low profile and blend with the natural surroundings.

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 will be serviced by a private individual septic and well water systems.

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 – Part 8 Sewage Systems (April 3, 2019): No concerns. See comments.

Building Division – Plans Examiner (April 4, 2019): No concerns.

Kawartha Conservation Authority (April 4, 2019): No objections provided the proposal is constructed as per the plans submitted under requisite permit P2018-355. See comments.

Engineering & Corporate Assets (April 8, 2019): No objections to the proposed variance.

Community Services Department (April 9, 2019): No comments or concerns.

Public Comments:

No comments as of April 9, 2019.

Attachments:



Appendices A-F to
Report COA2019-026

- Appendix A – Location Map
 - Appendix B – Aerial Photo
 - Appendix C – Applicant’s Sketch
 - Appendix D – Elevation Drawings
 - Appendix E – Department and Agency Comments
 - Appendix F – Picture of Former Carport (Lean-to)
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Department File: D20-2019-018