

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Holtze

Report Number COA2019-030

Public Meeting

Meeting Date: May 16, 2019

Time: 1:00 pm

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

Ward: 1 – Geographic Township of Digby

Subject: The purpose and effect is to request relief from the following zone provisions in order to permit the construction of additions to a single-storey detached dwelling thus:

1. Section 4.2(k) to reduce the minimum side yard requirement from 3 metres to 2.1 metres on one side of the lot (south side) in order to permit the construction of supplementary living space; and
2. Section 4.2(k) to reduce the minimum side yard requirement from 1.3 metres to 1.2 metres on the opposite side of the lot (north side) in order to permit the construction of an attached garage.

The variances are requested at 18 Baker Boulevard, geographic Township of Digby (File D20-2019-021).

Author: Quadri Adebayo, Planner II

Signature:

Recommendations:

Resolved That Report COA2019-030 Holtze, be received;

That minor variance application D20-2019-021 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 additions 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 COA2019-030, 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 dwelling, the shed located in the northerly side yard between the front wall of the dwelling

and the front lot line be removed from the property 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 COA2019-030. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The proposal seeks to construct additions to a 1-storey detached dwelling built circa 1970 (MPAC) that comprises of an attached garage and supplementary living space.

This application was deemed complete April 4, 2019.

Proposal: To construct approximately 126.85 square metre (1,364.90 square feet) of additions onto an existing 101.99 square metre (1,097.41 square feet) single-storey detached dwelling. The additions comprises the following:

- North side or Left side: 49.15 square metre (528.85 square feet) for a 2-door attached garage;
- West side or Front: 14.15 square metre (152 square feet) for covered porch with stairs;
- South side or Rightside: 13.88 square metre (143.96 square feet) for supplementary bedroom space and main floor washroom; and
- East side or Rear: 28.99 square metre (311.93 square feet) for a master bedroom, family room, kitchen and laundry facilities. Including 21.18 square metre (227.89 square feet) for a covered porch with ancillary deck.

Owners: Stephan and Deborah Holtze

Applicant: Stephan Holtze

Legal Description: Part of Lots 22 and 23, Concession 1, Part Shore Road Allowance, Part 4, RP 57R-3775, geographic Township of Digby, now City of Kawartha Lakes

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

Zone: Rural residential Type Two (RR2) Zone within the United Townships of Laxton-Digby-Longford Zoning By-law 32-82

Site Size: Approximately 0.75 acres (2,995 square metres)

Site Servicing: Private individual well and septic systems

Existing Uses: Residential

Adjacent Uses: North & South: Residential; East: Head Lake; and West: Agricultural

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 proposed dwelling will translate into an improvement of a 49-year old building with a larger footprint which is not anticipated to detract from the rural residential character of the immediate neighbourhood.

A 0.1 metre reduction to the minimum requirement on the northerly side yard is considered minor as the proposed setback of 1.2 metres in the said yard is anticipated to adequately function for lot drainage purposes. As well, the 0.9 metres reduction to the minimum requirement on the southerly side yard is not anticipated to be perceptible as sufficient room would still be available to navigate between the front and rear yards respectively. The limits of the footprint for the proposed additions to the southerly side yard are not anticipated to negatively impact the septic bed area.

In terms of massing, the proposed built form is not anticipated to present any negative visual impact at human scale nor is it anticipated to present any land use compatibility issues with the abutting properties to the north and south respectively, and from the road. There appears to be sufficient vegetation around the property to adequately mask the appearance of the eventual built form. The existing garage in the front yard is also anticipated to help buffer the appearance of the proposed development.

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

The decrease in the yard requirements is not anticipated to impact its function as the scale of the reduction, if granted, is not anticipated to be perceptible.

Sufficient space will remain within the side yards to facilitate access between the rear and front yards.

Further, the overall footprint of the proposal will ensure adequate spatial separation from the septic location in the front yard limiting any potential impact to existing servicing utility.

Considering the fact that the proposal has not fully exercised the zoning provision privileges, utilizing a maximum lot coverage of approximately 9.15% from a possible 30% maximum, and maintaining a 26 metre water setback where 15 metres is the minimum allowed, the applicant has reasonably demonstrated that it is possible to develop the lot.

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 designated Waterfront within the City of Kawartha Lakes Official Plan. The designation anticipates residential uses.

The proposed side yard reductions would still function as naturalization space that can retain and infiltrate surface water run-off before discharging it into the abutting waterbody, thereby facilitating the protection of the integrity of Head Lake.

As well, the compliant lot coverage requirement that would result from the proposed development meets the intent and purpose of the Official Plan as low density residential development is contemplated within the Waterfront designation.

In consideration of the above the variances maintain the general intent and purpose of the Official Plan.

Other Alternatives Considered:

None at this time.

Servicing Comments:

The property will be serviced by a private individual well and septic 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 - Sewage System (April 29, 2018): No concerns. A septic system review process has already been initiated.

Building Division – Plans Examiner (May 6, 2019): No concerns.

Engineering & Corporate Assets (May 6, 2019): No objections or concerns to the proposed variance.

Kawartha Conservation – KRCA (May 6, 2019): No concerns provided the applicant adheres to tree removal requirements under the *Migratory Bird Act* as well as the *Fish and Wildlife Conservation Act*, and provided the applicant adopts proper sediment control measures during construction.

Planning staff note through observation during site inspection that some trees appear to have been removed from the property already. However, it is recommended that the applicant work closely with KRCA in order ensure that any Natural Heritage System requirements are respected.

Public Comments:

None as of May 7, 2019.

Attachments:

A pdf document is embedded into this document. Please contact Quadri Adebayo, Planner II at 705-324-9411 extension 1367 to request an alternative format.



Appendices A-E to
Report COA2019-030

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch
Appendix D – Elevation Drawings
Appendix E – Department and Agency Comments

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Department File:	D20-2019-021