

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Hastie**  
Report Number COA2019-037

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**Public Meeting**

**Meeting Date:** June 20, 2019  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward: 1 – Geographic Township of Fenelon**

**Subject:** The purpose and effect is to request relief from Section 13.2.1.3 to reduce the minimum side yard requirement from 2.3 metres to 1.9 metres in order to permit the construction of an addition (an attached garage) onto a two-storey dwelling.

The variance are requested at 64 Sturgeon Crescent, geographic Township of Fenelon (File D20-2019-026).

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**Author:** Quadri Adebayo, Planner II

**Signature:**

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**Recommendations:**

**Resolved That** Report COA2019-037 Hastie, be received;

**That** minor variance application D20-2019-026 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 addition 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 COA2019-037, 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; and
- 2) **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 COA2019-037. 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 two-storey single detached residential dwelling. The proposed development will add a third-bay to the existing two-bay attached garage.

The applicant has advised that one of the existing bays is partially occupied by the laundry room/laundry facilities which leaves only one bay space for parking, and that a third bay will function to accommodate supplementary parking space for one of the dwelling occupants due to their physical accessibility needs.

The proposed attached garage will increase the size of the house with a reconfigured footprint. This application was deemed complete May 15, 2019.

**Proposal:** To construct an approximately 26 square metre (85 square foot) attached garage onto an approximately 265.5 square metre (871 square foot) dwelling.

**Owners:** William and Charlotte Hastie

**Applicant:** Garry Newhook – Garfield Design

**Legal Description:** Part Lot 3, Concession 8, Plan 593, Lot 12, geographic Township of Fenelon, now City of Kawartha Lakes

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

**Zone:** Residential Type Three Exception Two (RR3-2) Zone within the Township of Manvers Zoning By-law 12-95

**Site Size:** 0.58 acres (2,327 square metres)

**Site Servicing:** Private individual well and septic systems

**Existing Uses:** Residential

**Adjacent Uses:** North: Residential, Agricultural

West: Sturgeon Crescent, Residential

South: Residential

East: Agricultural

**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 in an established residential neighbourhood on the east side of Sturgeon Lake. Dwellings within this neighbourhood generally have attached garages as a characteristic design similar to the subject property.

The location of the proposed addition has already been developed with concrete pavement and the driveway also extends to this area. Therefore, the footprint limits of the proposed addition is not anticipated to create a negative impact since the area has already been hard-surfaced. Comments received from the Sewage Systems Supervisor also advised that the proposal will not encroach within the boundaries of the existing sewage system.

In terms of scale, the massing of the proposed addition aided by the site topography and building design 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 southerly neighbouring house, and the proposed location is at a suitable distance from the abutting road. As such, no land use compatibility issues are anticipated.

Based on the above analysis, 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 0.4 metre relief sought from the 2.3 metres allowed, proposed for the addition to the dwelling is not anticipated to impact its function as the scale of the reduction, if granted, is not anticipated to be perceptible.

The property carries a Residential Type Three Exception Two (RR3-2) Zone category within the Township of Fenelon Zoning By-law. The Exception Zone category on the property allows for a minimum lot area of 1,998 square metres whereas the property exceeds this requirement with a lot area of 2,327 square metres. Considering the fact that the proposal has not fully exercised the zoning provision privileges, utilizing a lot coverage of 10% from a possible 30% maximum for all buildings on the property, the applicant has reasonably demonstrated that it is possible to develop the lot within the confines of the RR3-2 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 is serviced by 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 – Part 8 Sewage Systems (May 8, 2019): No concerns. See comments.

**Public Comments:**

No comments as of June 6, 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 COA2019-037

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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<b>Department File:</b>	D20-2019-026