

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report –Alldridge
Report Number COA2019-035

Public Meeting

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

Ward: 2 – Geographic Township of Somerville

Subject: The purpose and effect is to request relief from Section 5.2(e) to reduce the minimum flankage yard from 7.5 metres to 1.5 metres to permit an addition to a single detached dwelling.

The variance is requested at 202 Moorings Drive, geographic Township of Somerville (File D20-2019-024).

Author: David Harding, Planner II

Signature:

Recommendation:

Resolved That Report COA2019-035 Alldridge, be received;

That minor variance application D20-2019-024 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 substantially in accordance with the sketch in Appendix C of Report COA2019-035, 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 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 COA2019-035. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: The application was deemed complete on May 7, 2019.

Proposal: To construct an addition measuring approximately 2.44 x 3.81 metres (8' x 12'6") to a cottage.

Owners: Wayne and Brian Alldridge

Applicant: Doug Van Halteren, Van Halteren Brothers Corporation Ltd.

Legal Description: Part West Half of Lot 24, Concession 1, Part 1, 57R-5054 geographic Township of Somerville, now City of Kawartha Lakes

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

Zone: Limited Service Residential – Floodplain (LSR(F)) Zone within the Township of Somerville Zoning By-law 78-45.

Site Size: 1,618.7 square metres

Site Servicing: Private Individual Well and Sewage System

Existing Uses: Shoreline Residential

Adjacent Uses: North, South: Shoreline Residential
East: Forest/Wetland
West: Burnt River

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 lot is located within an established shoreline residential neighbourhood at the base of the Burnt River. The neighbourhood contains a mix of seasonal and permanent dwellings.

The dwelling on the subject property is located near and at an angle to the south lot line. The south lot line abuts the unopened road allowance separating the former Townships of Somerville and Fenelon. This road allowance is forested.

The addition will allow for a modest expansion to the dwelling on the portion of the southern wall furthest away from the south lot line.

The flankage yard functions as an interior side yard since the road allowance the yard abuts is not travelled. An interior side yard functions primarily as a place to store/place items to assist in the function of the home and/or lot, provide for passage between the front and rear yards, and serve as a space

where maintenance can be conducted on the dwelling. There remains sufficient space for the yard to provide for these more utilitarian functions.

The addition is proposed in a space that appears little-used. The proposed addition will allow for the better utilisation of space within this area.

Due to the above analysis, the variance is considered 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 lot is zoned Limited Service Residential (LSR) Zone and has a floodplain (F) symbol. The F symbol stipulates additional flood proofing requirements.

As the lot abuts two road allowances, it is considered a corner lot. A flankage yard setback provides for the protection of land for road widenings for the installation/expansion of services, by shaping the streetscape by regulating the placement of buildings, and to maintain sight lines.

In this case, the flankage yard functions as an interior side yard as the road allowance it abuts is unopened and cannot be travelled by the public due to the presence of thick vegetation. As such, and in light of the comments provided, there is no reason to protect for a greater setback from the unopened road allowance.

An interior side yard serves primarily as a space for utilitarian functions, such as providing for lot and building maintenance, and to facilitate access between the rear and front yards. Sufficient space remains within the south yard for the flankage yard to serve this role.

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. Residential uses are anticipated within this designation. 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 a private individual well and septic system.

Consultations:

Agency Comments:

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

Community Services Department (June 10, 2019): No concerns.

Engineering and Corporate Assets Department (June 10, 2019): No concerns.

Building Division – Part 8 Sewage Systems (June 10, 2019): No concerns.

Building Division (June 5, 2019): Spatial separation requirements of the Ontario Building Code may restrict the amount of glazing.

Kawartha Region Conservation Authority (June 7, 2019): No concerns. Finished floor elevation for the addition should be 256 mASL.

Public Comments:

No comments received as of June 10, 2019.

Attachments:



Appendices A-D to
Report COA2019-035.

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 Head: Chris Marshall, Director of Development Services

Department File: D20-2019-024