

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Currie

Report Number COA2019-058

Public Meeting

Meeting Date: September 19, 2019
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 4 – Geographic Township of Mariposa

Subject: The purpose and effect is to permit the replacement of a derelict single-storey dwelling with a new single-storey detached bungalow on a reconfigured footprint that will comprise a basement area and a covered deck on the main level by requesting relief from the following provisions:

1. Section 10.2.1.3(c) to reduce the minimum exterior side yard setback from 7.5 metres to 4.3 metres along Church Street; and
2. Section 10.2.1.3(d) to reduce the minimum rear yard setback from 7.5 metres to 5.5 metres.

The variance is requested at 18 Church Street, Manilla, geographic Township of Mariposa (File D20-2019-041).

Author: Quadri Adebayo, Planner II

Signature:



Recommendations:

Resolved That Report COA2019-058 Ruth Currie be received;

That minor variance application D20-2019-041 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 dwelling related to this approval shall proceed substantially in accordance with the sketch in Appendix C2 and generally in accordance with the elevation in Appendix D submitted as part of report COA2019-058, 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; 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 COA2019-058. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: This application is proposing to replace a derelict single-storey detached dwelling built circa 1900 (MPAC). The replacement dwelling is proposed to be on a reconfigured footprint. The application was deemed complete August 21, 2019.

Proposal: To construct an approximately 114.46 square metre (1,231.6 square foot) single-storey detached bungalow. The proposed dwelling is to replace an existing 108 square metre (1,162.08 square foot) house on a reconfigured footprint.

Owners: Ruth Currie

Applicant: Arturs Begg

Legal Description: Part Lot 9 and 11, Plan 42, geographic Township of Mariposa, now City of Kawartha Lakes

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

Zone: Hamlet Residential (HR) Zone within the Township of Mariposa Zoning By-law 94-07

Site Size: 0.36 acres (1,444.73 square metres)

Site Servicing: Private individual well and sewage system.

Existing Uses: Residential

Adjacent Uses: North: Edward Street, Residential, Community Facility (Manilla Cemetery)
East: Church Street, Residential, Community Facility
South: Residential, Commercial
West: Residential, Simcoe Street (Durham Region Boundary Road)

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 located in the City's side of the hamlet of Manilla in an established residential neighbourhood that contains a mix of historic and modern residential buildings. Given that it is customary for newer developments

to transition into an aging neighbourhood over time, the proposed dwelling will replace a derelict structure, which is not anticipated to detract away from the general neighbourhood character.

The property is bounded by Church Street to the east and Edward Street to the north respectively. Highway 7 is located further north of Edward Street. Edward Street collects vehicular traffic directly from Simcoe Street while Church Street conveys traffic directly from Highway 7 including local vehicular traffic from Edward Street to the residential dwellings in the area. The existing building setback along Church Street is approximately 2.5 metres (66.7% deficiency) while the proposed dwelling will be setback at 4.5 metres (40% deficiency). As a single-storey dwelling design is being proposed, the massing of the development and the reduction to the exterior side yard requirement along Church Street from the required 7.5 metres is not anticipated to be easily discernible at a human scale.

The property is an irregular L-shaped lot that is further constrained by spatial separation requirements from neighbouring wells. The proposed location of the dwelling further ensures that a septic system can be adequately accommodated, hence the proposed reduction to the rear and exterior side yard requirements. The 2 metre reduction to the rear yard requirement is also not anticipated to pose any land use compatibility issues with the neighbouring property to the south. Sufficient room will be available for a driveway and for other amenity uses. Some vegetation also exists along the southerly lot line to buffer the bulk of the proposed dwelling.

The placement of the proposed dwelling is also considered appropriate as it would not obscure the sightline of vehicles turning at the intersection of Edward Street and Church Street.

Given the above analysis, the variances are considered to be minor in nature and 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 Hamlet Residential (HR) Zone within the Township of Mariposa Zoning By-law.

An intent of the yard setback standards in the By-law is to reduce massing and land use conflicts that may arise between abutting lots or streets when buildings are placed. The reductions proposed for the rear and exterior side yards are considered appropriate since the conflicts the zoning by-law is controlling for are not perceptible. The servicing constraints identified in Rationale 1 and 2 above provides an increased front yard setback of 19.82 metres over the minimum 7.5 metres allowed.

As the proposed dwelling meets or exceeds all other applicable zone provisions (such as interior side yard, height and lot coverage requirement) the proposal is considered to 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 Hamlet within the City of Kawartha Lakes Official Plan, which permits residential development. The variances maintain the general intent and purpose of the Official Plan

Other Alternatives Considered:

None considered at this time.

Servicing Comments:

The property is proposed to be serviced by a private individual well and septic system.

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 (September 6, 2019): No objections.

Building Division (September 9, 2019): No concerns.

Public Comments:

No comments received as of September 10, 2019.

Attachments:

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

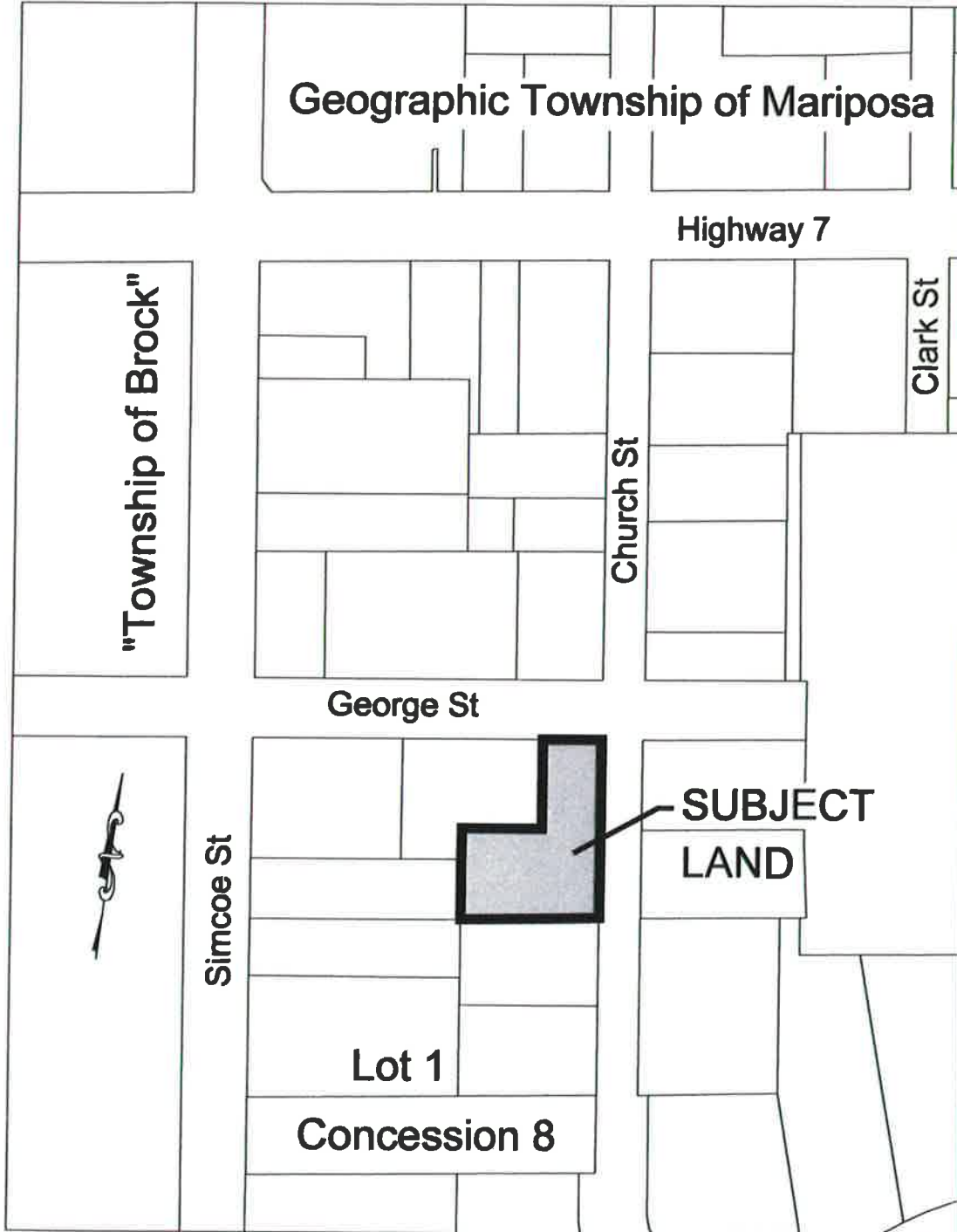


Appendices A-E to
Report COA2019-058

- Appendix A – Location Map
 - Appendix B – Aerial Photo
 - Appendix C – Applicant's Sketch
 - Appendix D – Conceptual Elevation
 - Appendix E – Department and Agency Comments
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Phone:	705-324-9411 extension 1367
E-Mail:	qadebayo@kawarthalakes.ca
Department Head:	Chris Marshall, Director of Development Services
Department File:	D20-2019-041

D20-2019-041



18 Church Street, geographic Township of Mariposa



0.23

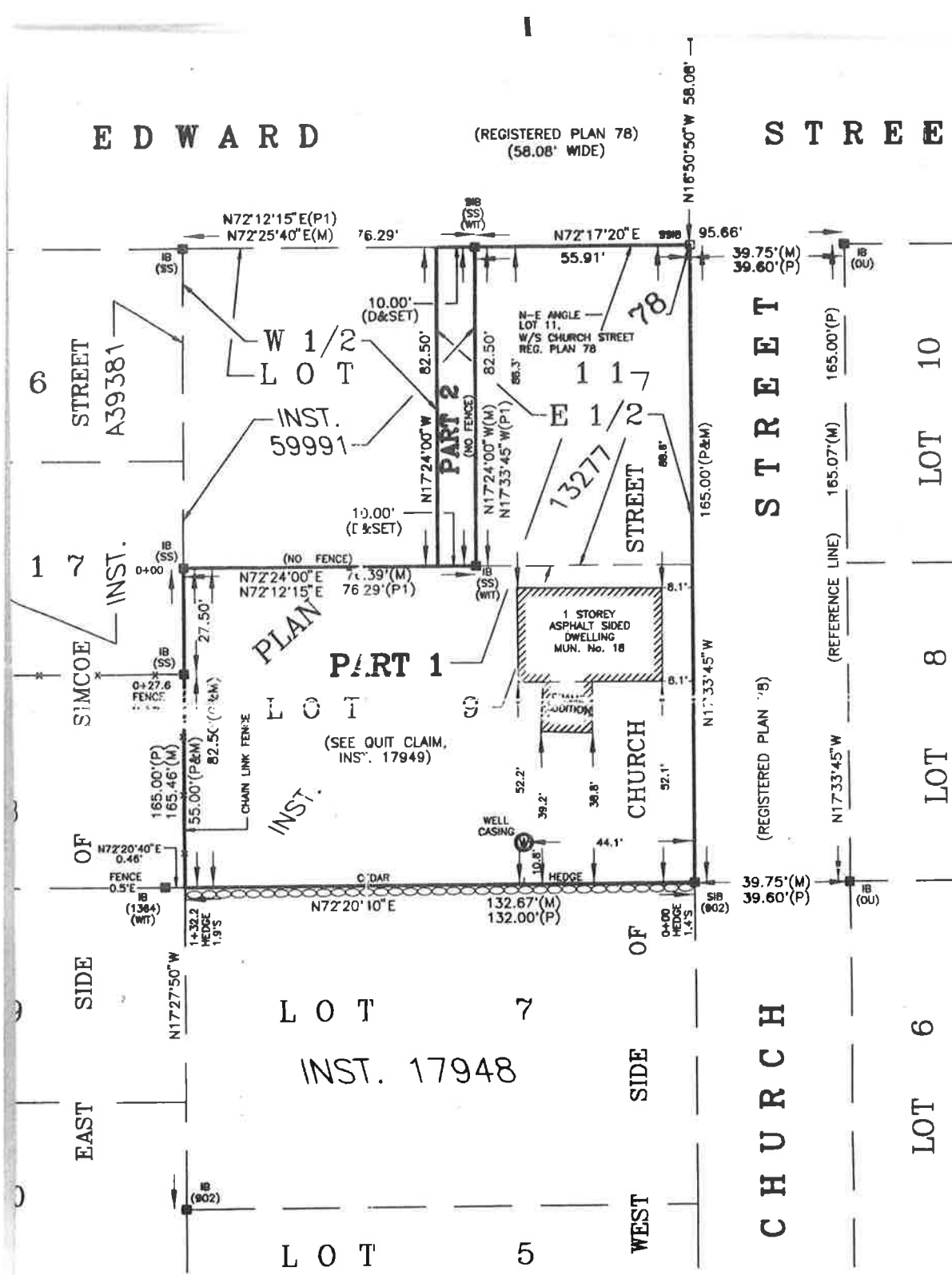
Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable
THIS MAP IS NOT TO BE USED FOR COMMERCIAL OR LEGAL PUPOSES

Site Plan Sketch - Existing



to

Site Plan Sketch - Proposed

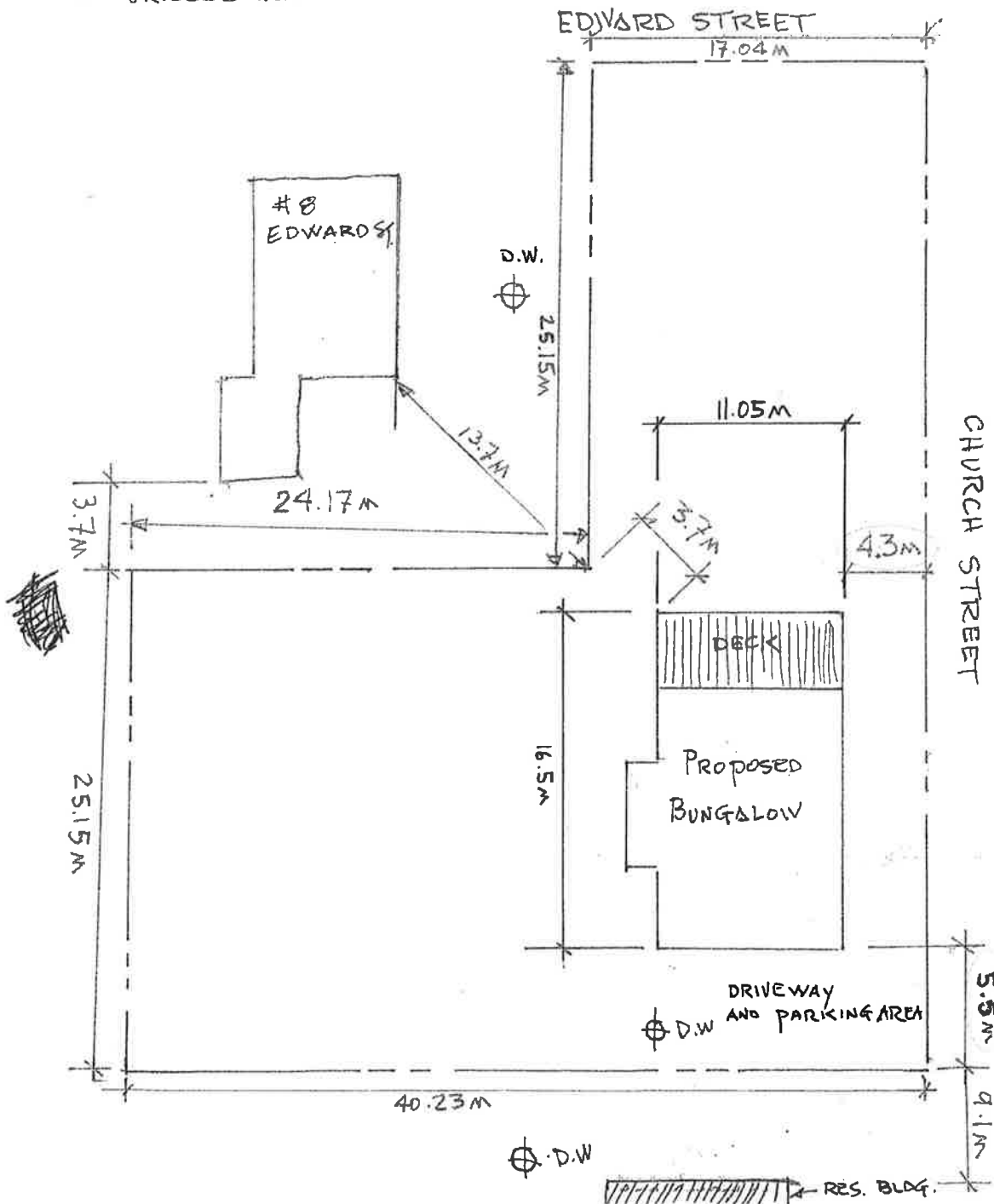
$\frac{3}{4}'' = 1'-0''$

18 CHURCH STREET
PROPOSAL

6/26/2019

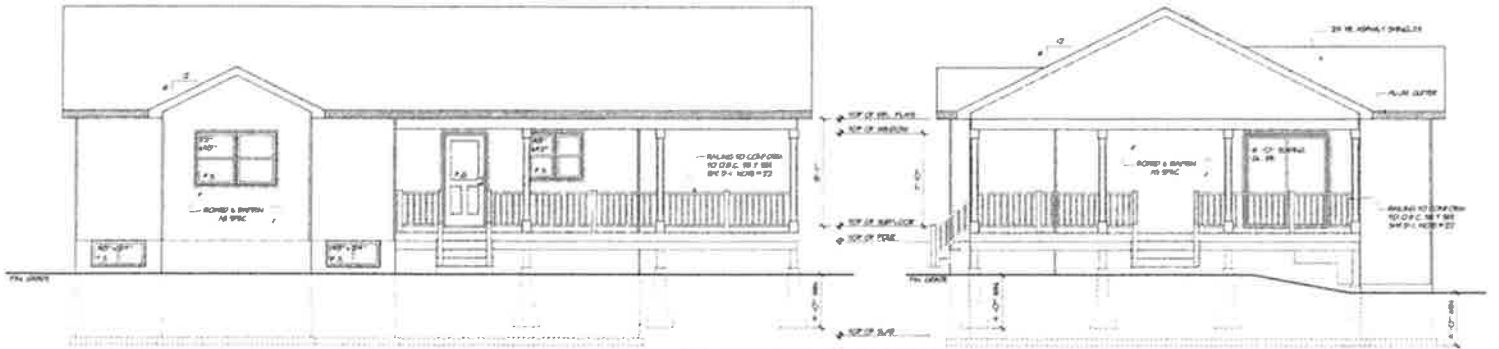


D.W. - DRILLED WELL



to

Elevation Drawings



FRONT ELEVATION
(East Facing)

RIGHT SIDE ELEVATION
(North Facing)

NOTES:

- WINDOWS SHOWN AS PER SET ON V.P.S.
- WINDOWS CASING MATERIALS TO BE SPECIFIED BY OWNER
- ALL WINDOWS AND DOORS REQUIRED AND SCHEDULED TO BE INSTALLED TO CORNER BUSH
- WINDOWS SHALL CONFORM TO CAN/CSA-A545 AND CAN/CSA-A540 (USE REDUCED GLASS BRIDGES TO CAN/CSA-A540-03 WINDOWS AS PER O.S.C. SECTION 5.1.2)
- WINDOWS SHALL ALLOW TO PROVIDE PROTECTIVE COVER PROTECTION



REAR ELEVATION
(West Facing)

LEFT SIDE ELEVATION
(South Facing)

Quadri Adebayo

APPENDIX " E "
to

From: Christina Sisson
Sent: Friday, September 06, 2019 3:28 PM
To: Mark LaHay
Cc: Kirk Timms; Kim Rhodes; Charlotte Crockford-Toomey
Subject: 20190906 D20-2019-041 Engineering Review

Importance: High

REPORT COA2019-058
FILE NO. D20-2019-041

Please see the message below from Christina Sisson:

Good Afternoon Mark - further to our engineering review of the following:

Minor Variance – D20-2019-041
18 Church Street
Part Lot 9 & 11, Plan 42
Geographic Township of Mariposa

It is the understanding by Engineering that the purpose and effect is to request relief from Section 45(1) of the Planning Act from the following provisions:

- to reduce the minimum exterior side yard setback from 7.5 metres to 4.3 metres along Church Street
- to reduce the minimum rear yard setback from 7.5 metres to 5.5 metres

From an engineering perspective, we have no objection to the proposed Minor Variance to permit the replacement of a derelict single-storey dwelling with a new single-storey detached bungalow.

Please do not hesitate to contact our office if you have any questions.

Thanks,

CHRISTINA

Christina Sisson, P.Eng.
Supervisor, Development Engineering
Engineering & Corporate Assets, City of Kawartha Lakes
705-324-9411 ext. 1152 www.kawarthalakes.ca



Quadri Adebayo

APPENDIX " E "
to

From: Derryk Wolven
Sent: Monday, September 09, 2019 3:44 PM
To: Charlotte Crockford-Toomey
Subject: Cof A

REPORT COA2019-058
FILE NO. D20-2019-041

Please be advised building division has the following comments.

D20-2019-038 No concerns

D20-2019-039 No concerns

D20-2019-040 Surface runoff to be managed to the satisfaction of the Chief Building Official

D20-2019-041 No Concerns

Kind regards,

Derryk Wolven, CBCO

Plans Examiner

Development Services, Building Division, City of Kawartha Lakes

705-324-9411 ext. 1273 www.kawarthalakes.ca

