

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Rendall
Report Number COA2020-018

Public Meeting

Meeting Date: July 16, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 1 – Geographic Township of Carden

Subject: The purpose and effect is to request relief from Section 14.1 (b) to permit the construction of an accessory building (detached garage) in the front yard of the subject property.

The variance is requested at 134-136 Lake Dalrymple Road, former Township of Carden (File D20-2020-014).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2020-018 Craig and Caroline Rendall be received;

That minor variance application D20-2020-014 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the detached garage related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2020-018, 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** notwithstanding the definition of front yard, the granting of the variance will not be interpreted to permit the placement of any other structure or accessory building between the front wall of the dwelling and the front lot line; 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 COA2020-018. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background:	This application proposes to construct a 80.99 square metre (871.77 square feet) detached garage within a front yard. This application was deemed complete on March 20, 2020.
Proposal:	The proposal involves the demolition of multiple dwelling units in order to facilitate the construction of a new 162.37 square metre (1747.74 square feet) one-storey cottage (bungalow) and detached garage.
Owners:	Craig and Caroline Rendall
Applicant:	Craig Rendall
Legal Description:	134-136 Lake Dalrymple Road, Part Lots 16 and 17, Plan 173, Parts 1 and 2, RP57R-8723, geographic Township of Carden, Ward 1, now in the City of Kawartha Lakes
Official Plan:	Waterfront Designation within the City of Kawartha Lakes Official Plan (2012)
Zone:	Rural Residential Type Two (RR2) Zone in the Township of Carden Zoning By-Law No. 79-02
Site Size:	2031.92 square metres (21,871.40 square feet)
Site Servicing:	Private Well and Private Sanitary System
Existing Uses:	Residential
Adjacent Uses:	North: Residential, East: Vacant woodlot, agricultural, South: Residential, West: Lake Dalrymple

Rationale:

Is the variance minor in nature? Yes And

1) Is the proposal desirable and appropriate for the use of the land? Yes

The subject property is situated within a neighbourhood bordering the western shore of Lake Dalrymple. The stretch of Lake Dalrymple Road consists primarily of rural residential and cottage lots of varying size. The neighbourhood as a whole contains a mixture of seasonal and year-round residential dwellings.

The subject property consists of a stepped topography with the steepest grades located to the east (rear) of the site. Situating the garage to the rear of the dwelling would present veritable accessibility issues to the site, particularly within the Winter months. The elevation challenges render the front yard as a more suitable location with a grade of less than 10%.

While selective cutting has taken place to facilitate the footprint and access to the proposed detached garage and single detached dwelling, a vegetative buffer of cedar trees along the northern lot line provides screening between the proposed location of the garage and the detached dwelling on the abutting parcel. By situating the garage closer to the road, vegetative disturbance is minimized thereby improving stormwater drainage from the site through minimizing the amount of impervious cover.

The dwelling will be located within the middle of the site and southern lot line. The location of the replacement septic system will occupy the area in front of the dwelling, which is also the site of the existing septic system. The current access to the site is immediately west of the septic system, relegating the proposed garage to be situated to the north of the septic system. Due to the physical constraints of the property combined with the location of the proposed dwelling and septic system, the most appropriate building envelope for a detached garage is within the front yard.

While the garage is proposed within the front yard, it is anticipated that the garage use will complement the character of the property and streetscape by providing enclosed storage for vehicles and other items that would otherwise be stored outside within the front yard. Through conducting a site visit, it was determined that the property at 140 Lake Dalrymple Road (2 lots to the north of the subject property) also has a detached garage within the front yard.

The two bay doors are proposed on the western wall of the garage. The proposed garage is a significant aesthetic improvement over the existing dwelling units and blends in well with the design and massing of the proposed detached dwelling. The positioning of the garage and compact built-form in relation to the existing dwelling units ensures no further encroachment into the front yard. A considerable spatial separation is proposed between the garage and the street (13.15 metres), as no adverse massing impacts are anticipated by permitting the garage in the proposed location.

Due to the above analysis, the variance is minor in nature and desirable and appropriate for the use of the land.

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

The subject property is zoned Rural Residential Type Two (RR2) in the Township of Carden Zoning By-Law No. 79-02.

The intent of the zoning by-law is to restrict the placement of accessory buildings within a front yard, relegating them to side or rear yards. Side and rear yards are usually less visually prominent locations in comparison to a front yard. As it is usually the most visible yard from the street, front yards have the greatest ability to shape the character of the street through their appearance and use. One of the intents of the location provision is to ensure accessory buildings and uses do not dominate the streetscape. The proposed 13.15 metre setback from the front lot line further assists in mitigating the prominence of the building.

As a result of the steep grade increasing from the road to the rear of the property, the front yard on this property is the most visible yard from the road. As the garage is not proposed directly in front of the dwelling, but off to the side, the dwelling will continue to appear as the principal use when viewed from the road. The west wall of the garage will be the most visually prominent of the garage walls, as the driveway entrance is located west of the proposed garage. Two bay doors and two exterior wall-mounted lights work to break up the face of the wall by adding visual interest and complimenting the overall streetscape.

In this case, the garage is proposed in a location which functions and appears as something other than a front yard. Therefore, the variance maintains the general intent and purpose of the Zoning By-Law.

3) 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. Low density residential uses, along with accessory uses, are anticipated within this designation.

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 a private individual well and private 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:

Development Engineering Division (July 6, 2020): No concerns.

Building Division (May 19, 2020): The owner has submitted an application for a sewage system permit to replace the existing system. The application for the sewage system indicates the placement of the system in the area indicated on the site plan. The garage will be established with the required clearance distances to the sewage system and will not impede the ability of the system to be located on the property. No concerns

Public Comments:

No comments have been received as of July 6, 2020.

Attachments:



Appendices A-E for
Report COA2020-018

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

Phone:	705-324-9411 extension 1367
E-Mail:	kstainton@kawarthalakes.ca
Department Head:	Chris Marshall, Director of Development Services
Department File:	D20-2020-014

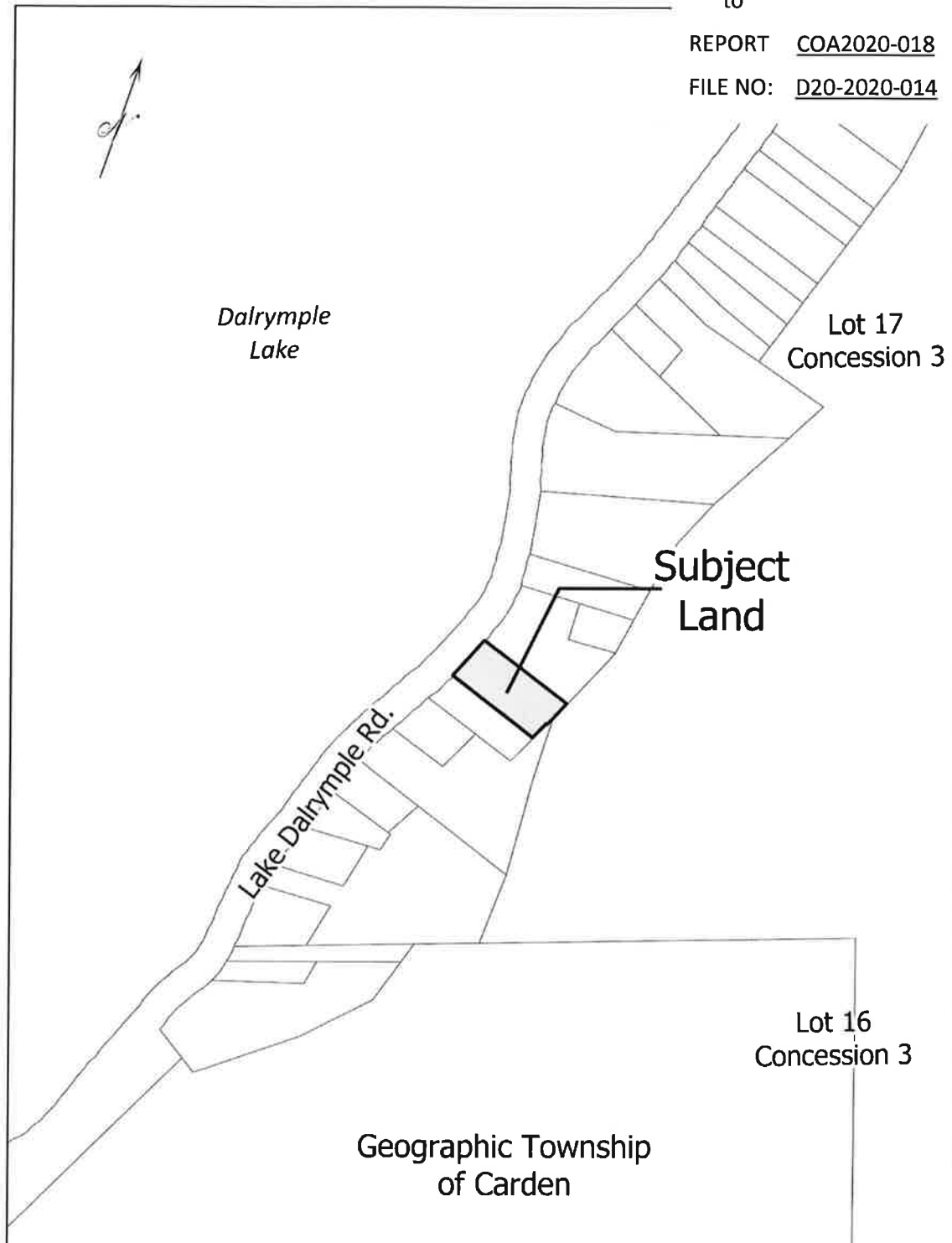
D20-2020-014

APPENDIX " A "

to

REPORT COA2020-018

FILE NO: D20-2020-014



134-136 Lake Dalrymple Road, Geographic Township of Carden



Legend

- ☐ Property Roll Number
- ☒ Lots and Concessions
- ☒ Road Centreline (2016 Needs)
- ☐ Upper Municipalities
- ☐ Lower Tier Municipalities

Notes

APPENDIX " B "

to

REPORT COA2020-018

FILE NO: D20-2020-014

0.11 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere

© City Of Kawartha Lakes



This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.

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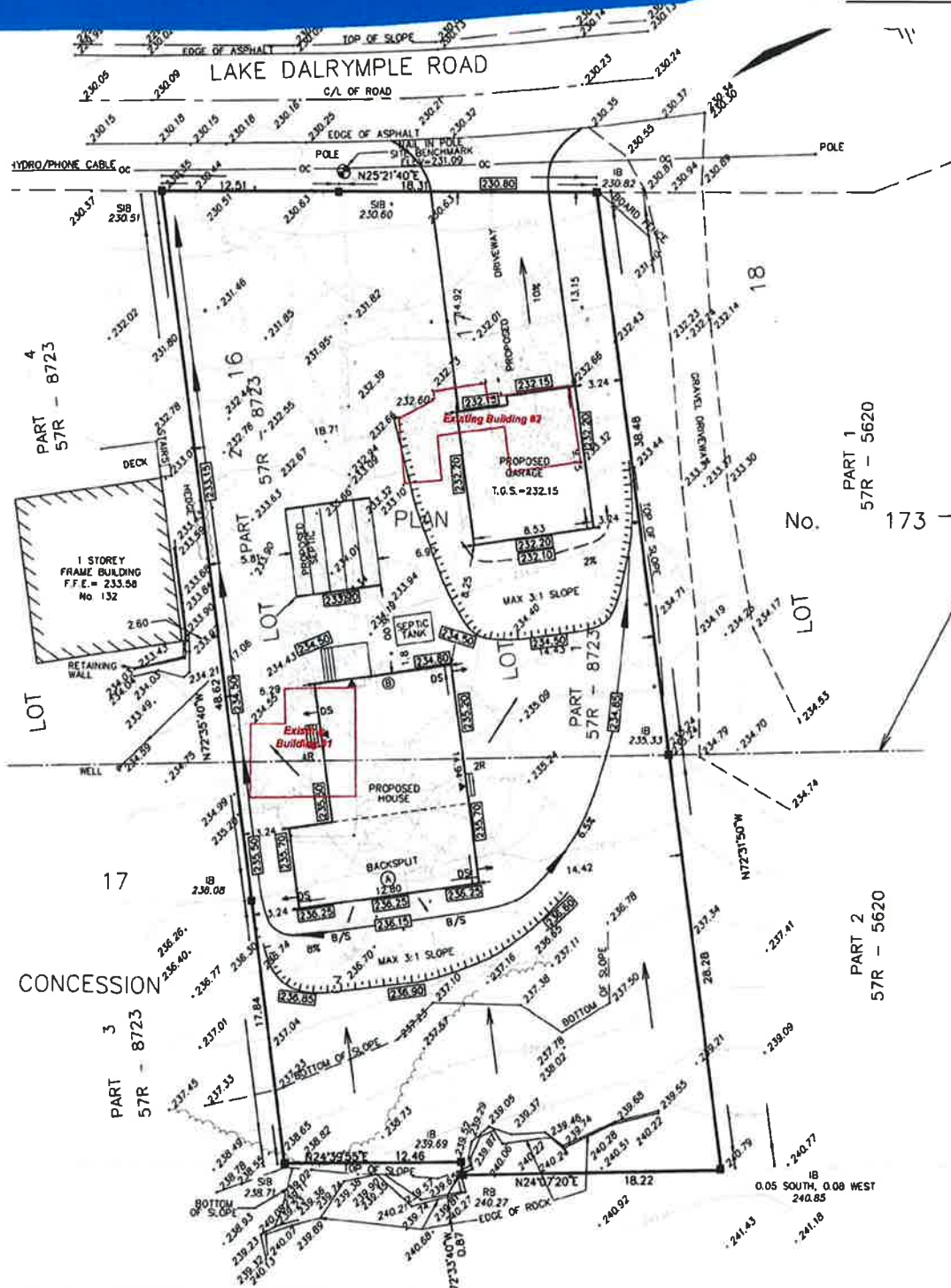
APPENDIX " C "

to

REPORT COA2020-018

FILE NO: D20-2020-014

Lake Dalrymple



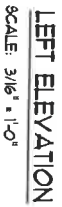
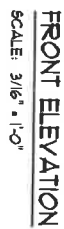
No. 173 -


PART 1
57R - 5620

PART 2
57R - 5620



FILE NO: D20-2020-014



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Charlotte Crockford-Toomey

From: Anne Elmhirst
Sent: Tuesday, May 19, 2020 11:32 AM
To: Charlotte Crockford-Toomey
Subject: D20-2020-014 - 134 & 136 Lake Dalrymple Rd

APPENDIX " E
to
REPORT COA 2020-018

Follow Up Flag: Follow up
Flag Status: Flagged

FILE NO. D20-2020-014

Hello Charlotte,

I have received and reviewed the request for Minor Variance for 134 & 136 Lake Dalrymple Road and a site visit has been performed.

The owner has submitted an application for a sewage system permit to replace the sewage system. The application for the sewage system indicates the placement of the system in the area indicated on the site plan. The garage will be established with the required clearance distances to the sewage system and will not impede the ability of the system to be located on the property.

As such, I have no concerns with the minor variance request.

Best Regards,

Anne Elmhirst C.P.H.I.(C), B.A.Sc., B.Sc.
Supervisor – Part 8 Sewage Systems
Development Services - Building Division, City of Kawartha Lakes
705-324-9411 ext. 1882 www.kawarthalakes.ca



Kent Stainton

From: Kim Rhodes
Sent: Monday, July 6, 2020 1:41 PM
To: Mark LaHay
Cc: Christina Sisson; Kirk Timms
Subject: 20200706 D20-2020-014 - Engineering review

Please see the message below from Christina Sisson:

Good afternoon Mark – further to our engineering review of the following:

Minor Variance – D20-2020-014
134-136 Lake Dalrymple Road
Part Lot 16 and 17, Plan 173, Parts 1 and 2, RP57R-8723
Geographic Township of Carden, Ward 1

It is the understanding by Engineering that the purpose and effect is to consider relief to permit the construction of an accessory building (detached garage) in the front yard of the subject property.

From an engineering perspective, we have no objection to the proposed Minor Variance.

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

