

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Martinsons and Turylo
Report Number COA2020-020

Public Meeting

Meeting Date: August 19, 2020
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 6 – Geographic Township of Fenelon

Subject: The purpose and effect is to request relief from the following provisions in order to permit the construction of a detached garage:

1. Section 13.2.1.3(a) to reduce the minimum front yard setback from 7.5 metres to 2.68 metres; and
2. Section 3.1.4.1(b) to increase the distance eaves and gutters are permitted to project into a required yard from 0.6 metres to 0.92 metres. The result being that the garage eaves will be 1.7 metres from the front lot line.

The variances are requested at 17 Gardiner Shore Avenue, geographic Township of Fenelon (File D20-2020-016).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2020-020 Valdis Martinsons and Catharine Turylo be received;

That minor variance application D20-2020-016 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 detached garage related to this approval shall proceed substantially in accordance with the sketch in Appendix C and elevation in Appendix D submitted as part of Report COA2020-020, 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 COA2020-020. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The application was deemed complete May 15, 2020.

Proposal: To construct an approximately 14.02 x 7.92 metre (46' x 26') detached garage within the front yard. The garage is proposed to have eaves deeper than 0.6 metres.

Owners: Valdis Martinsons and Catharine Turylo

Applicant: Gerald Hood - Integrity Home and Cottage

Legal Description: Plan 295, Lot 12

Official Plan: Waterfront within the City of Kawartha Lakes Official Plan (2012).

Zone: Rural Residential Type Three (RR3) Zone within the Township of Fenelon Zoning By-law 12-95.

Site Size: 1,777 square metres

Site Servicing: Private individual sewage system and lake-based water supply

Existing Uses: Vacant Land

Adjacent Uses: North – Cameron Lake
South – Vacant Rural Land
East and West – Shoreline Residential

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 within a shoreline residential neighbourhood on the southern shores of Cameron Lake.

A dwelling spanning most of the width of the lot is proposed closer to the shoreline, with a sewage system to the immediate south of the dwelling's footprint. The garage is proposed in the yard area that remains after the appropriate setbacks to the proposed sewage system are applied.

The proposed garage will provide additional storage and workshop space on the property.

The placement of the garage will not impede the ability to provide maintenance to its east and southern walls nor the yard abutting these walls.

Staff understands that the eave projections are proposed for architectural reasons, and do not increase the functionality of the outside of the building along the south and eastern faces where the eave reductions are sought.

Due to the above analysis, the variances are 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 Rural Residential Type Three (RR3) Zone within the Township of Fenelon Zoning By-law 12-95.

The General Provisions section permits a detached garage within the front yard of a shoreline lot provided it complies with the setback provisions of the RR3 Zone. The intent of the by-law is to ensure the detached garage does not adversely impact the character of the neighbourhood, impact sight lines, or snow storage.

The garage door is proposed to face west, perpendicular to the road. As such no vehicle will be backing out onto the road directly from the garage. The orientation of the garage also permits snow storage along the majority of the lot's road frontage, save and except the small width where the driveway entrance connects with the road.

While the garage wall facing the road is long (~14 metres), the lot is quite wide at about 28 metres. This leaves 11.14 metres between the garage face and the west lot line. The wide frontage allows a longer building face to be absorbed on the lot. Façade work is proposed to the south-facing wall to add visual interest and ensure a more residential rather than utilitarian appearance for the purposes of maintaining the residential character of the neighbourhood. Cultured stone is proposed on approximately 60% of the lower part of the wall, with vinyl cladding above. The two materials break up the façade to add visual interest to the wall. Two frosted windows are also proposed to add further visual interest and residential character.

The garage will compliment the residential streetscape of the neighbourhood and no adverse massing impacts are anticipated as a result of its construction.

The eaves, while projecting further into the front and eastern interior side yard, are not anticipated to cause any adverse massing impacts or maintenance issues as 1.77 and 2.11 metres respectively remains within each yard between the eave and respective lot lines.

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 within the Waterfront designation of the City of Kawartha Lakes Official Plan. Within this designation, shoreline residential uses along with their accessory uses are anticipated.

In consideration of the above the variances maintain 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 proposed to be serviced by a private sewage system and lake-based water supply.

Consultations:

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

Agency Comments:

Development Engineering Division (August 11, 2020): No objections.

Kawartha Region Conservation Authority (August 7, 2020): No concerns.

Building Division, Part 8 Sewage Systems (July 1, 2020): No concerns with the application. The proposed Class 4 sewage system cannot be placed in an alternative location and maintain the required clearance distance to the lake.

Public Comments:

No comments were received as of August 11, 2020.

Attachments:



Appendices A-E to
Report COA2020-020

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

Phone: 705-324-9411 extension 1206

E-Mail: dharding@kawarthalakes.ca

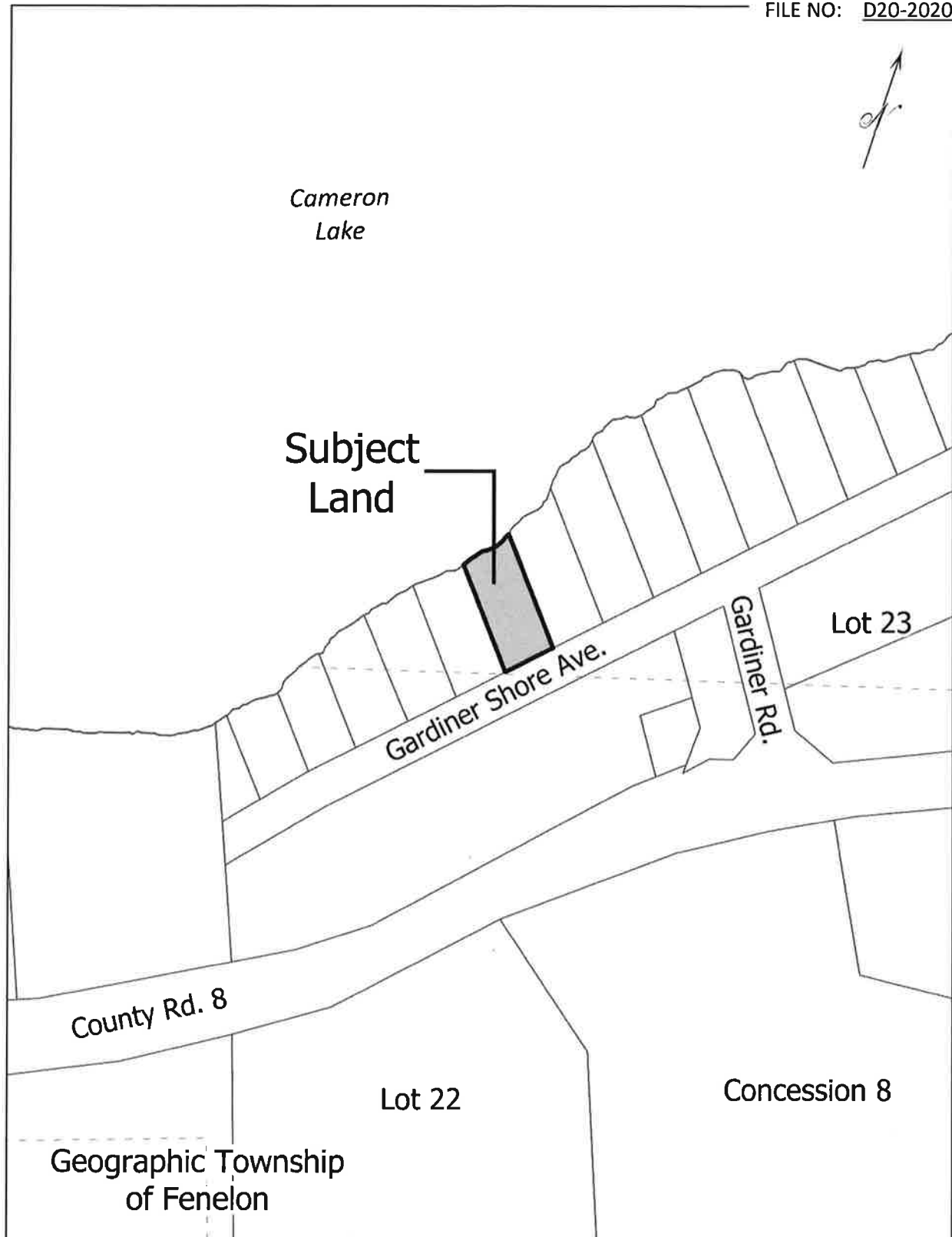
Department Head: Chris Marshall, Director of Development Services
Department File: D20-2020-016

to

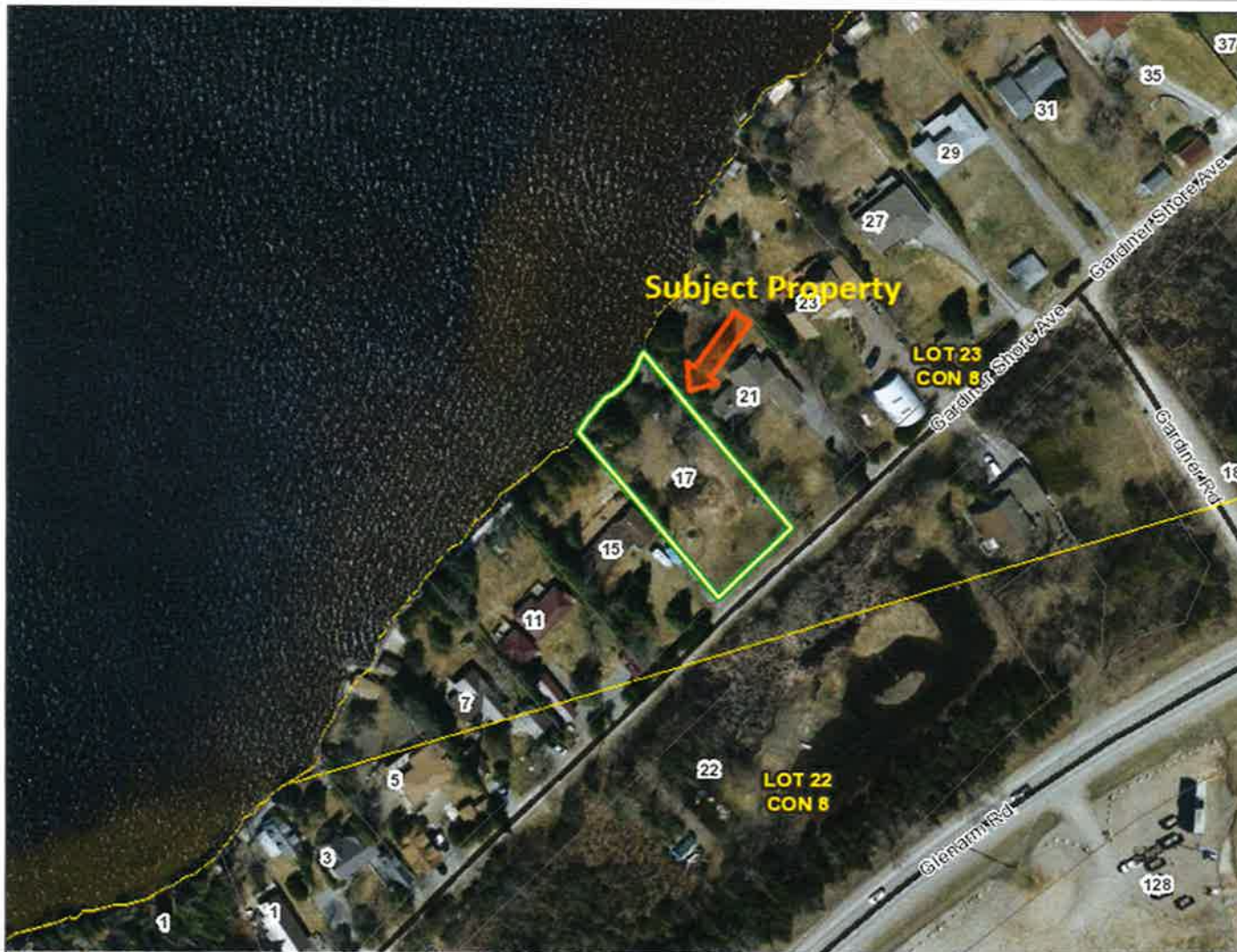
REPORT COA2020-020

FILE NO: D20-2020-016

D20-2020-016



17 Gardiner Shore Avenue, Geographic Township of Fenelon



Legend

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

Notes

Notes

APPENDIX " B "

to

REPORT COA2020-020

FILE NO: D20-2020-016

0.11

Kilometers

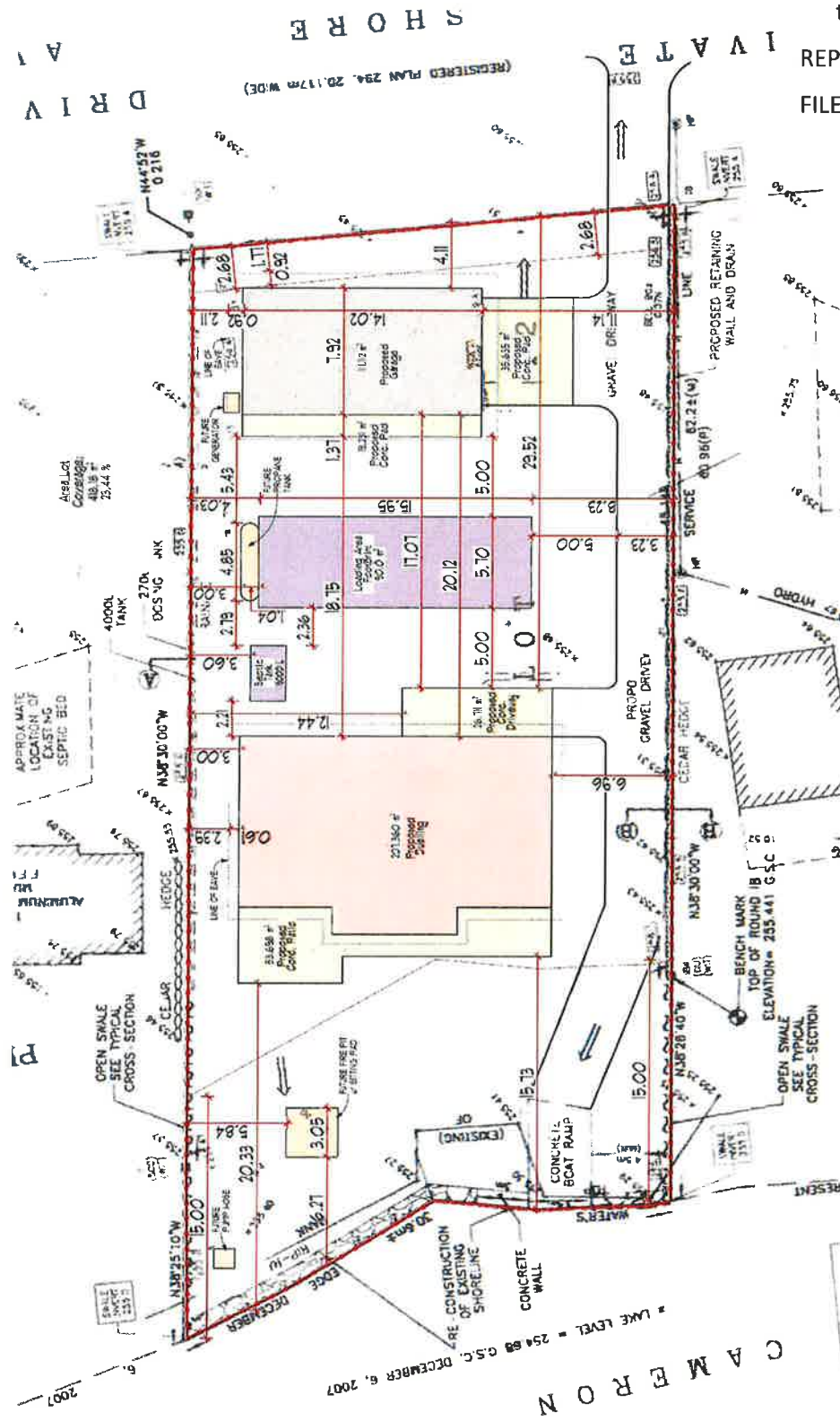
WGS_1984_Web_Mercator_Auxiliary_Sphere
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This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.

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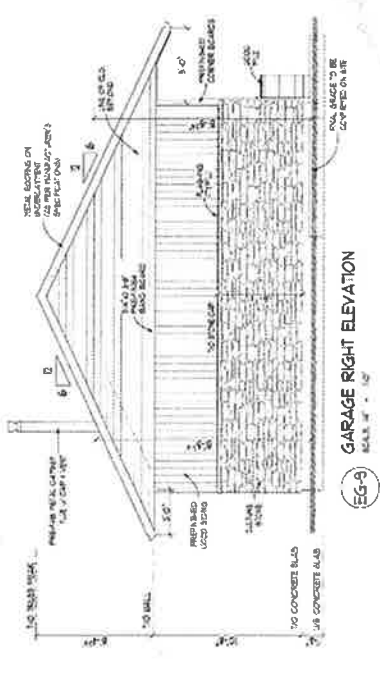
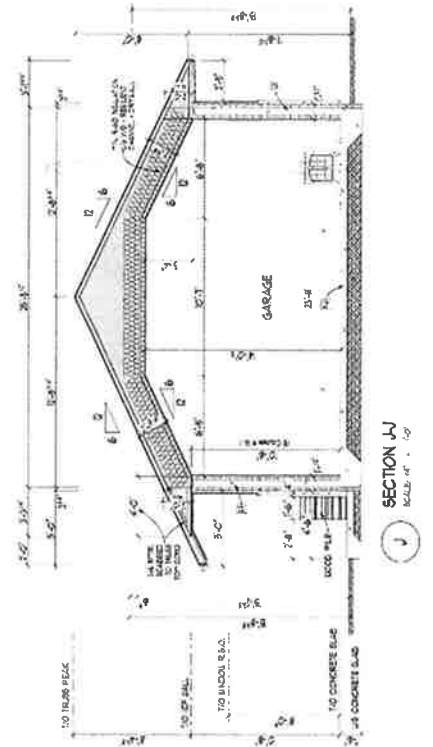
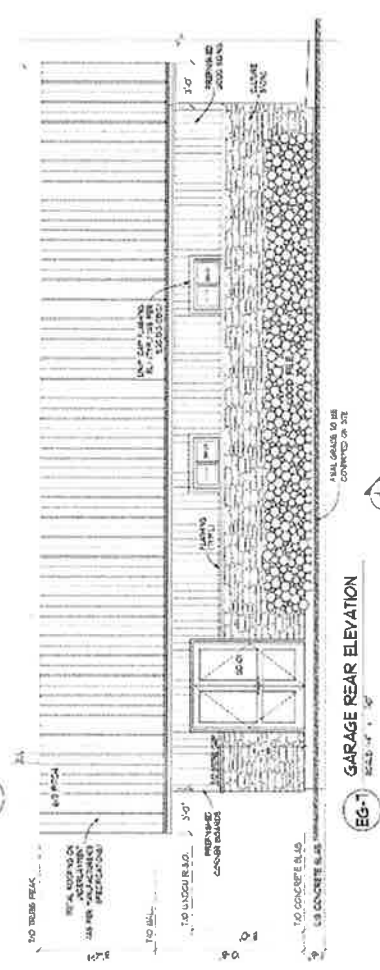
to
REPORT COA2020-020
FILE NO: D20-2020-016



SITE PLAN

Project Name: WATERWORKS
Project Number: 15000
Customer Name: WATERWORKS
Drawn By: WZ

- (B) **- WALL ASSEMBLY**
 1/2" GALV. STEEL STUDS @ 16" O.C.
 5/8" CORN. BOLTS PLUS 1/2" GALV. W/ 1/2" CORN. BOLTS
 CONCRETE BLOCKS 16" WIDE @ 8" O.C.
 1/2" CORN. BOLTS @ 16" O.C. ALONG E.D.
 2" X 4" ON TOP OF WALL @ 16" O.C.
 1/2" X 4" ON TOP OF WALL @ 16" O.C.
 1/2" X 4" ON TOP OF WALL @ 16" O.C.
- (H) **- FLOOR ASSEMBLY**
 2" X 4" GALV. STUDS @ 16" O.C.
 1/2" CORN. BOLTS PLUS 1/2" GALV. W/ 1/2" CORN. BOLTS
 CONCRETE BLOCKS 16" WIDE @ 8" O.C.
 1/2" CORN. BOLTS @ 16" O.C. ALONG E.D.
 2" X 4" ON TOP OF WALL @ 16" O.C.
 1/2" X 4" ON TOP OF WALL @ 16" O.C.
 1/2" X 4" ON TOP OF WALL @ 16" O.C.
- (I) **- ROOF ASSEMBLY**
 2" X 4" GALV. STUDS @ 16" O.C.
 1/2" CORN. BOLTS PLUS 1/2" GALV. W/ 1/2" CORN. BOLTS
 CONCRETE BLOCKS 16" WIDE @ 8" O.C.
 1/2" CORN. BOLTS @ 16" O.C. ALONG E.D.
 2" X 4" ON TOP OF WALL @ 16" O.C.
 1/2" X 4" ON TOP OF WALL @ 16" O.C.
 1/2" X 4" ON TOP OF WALL @ 16" O.C.



Kent Stainton

From: Erin McGregor <emcgregor@kawarthaconservation.com>
Sent: Friday, August 7, 2020 9:13 AM
To: Charlotte Crockford-Toomey
Subject: Comments for D20-2020-016 and D20-2020-021 KRCA

APPENDIX E
to
REPORT COA2020-020
FILE NO. D20-2020-016

Good Morning Charlotte,

I'm working remotely with reduced hours still, so I hope you can accept this email in lieu of the letter we would normally send.

D20-2020-016 – 17 Gardiner Shore Rd
No concern
D20-2020-021 – 15 Rockaway Trail
No concern

Erin McGregor
Resources Planner Technician
KAWARTHA CONSERVATION
277 Kenrei Road
Lindsay, ON K9V 4R1

Tel: 705.328.2271 ext. 232
Fax: 705.328.2286

IMPORTANT COVID-19 NOTICE: In light of health concerns related to the Covid-19 virus, the Kawartha Conservation Administrative office will be closed to the public until further notice. Events and meetings will be postponed until further notice. Residents can reach the office by calling 705.328.2271 or by emailing geninfo@kawarthaconservation.com.

KawarthaConservation.com



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CONSERVATION**

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D20-2020-021 - 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,
Kirk

Kirk Timms, C.E.T., CAN-CISEC

Senior Engineering Technician

Engineering & Corporate Assets Department, City of Kawartha Lakes

705-324-9411 ext. 1119 www.kawarthalakes.ca



Due to COVID-19, all City Municipal buildings are closed to the public and some service levels have been affected. Please note all courier packages and mail must be directed to City Hall, 26 Francis Street, Box 9000, Lindsay, ON, K9V 5R8. For COVID-19 information including service levels and how to access services, call 705-324-9411 extension 4000 or visit www.kawarthalakes.ca/covid19.

Kent Stainton

From: Anne Elmhirst
Sent: Wednesday, July 1, 2020 11:42 PM
To: Charlotte Crockford-Toomey
Subject: D20-2020-016 - 17 Gardiner Shore Road

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Charlotte,

I have received and reviewed the application for minor variance to request allowances for the construction of the garage in closer proximity to the road and side yard property lines.

I have received an application for a sewage system permit to install a Class 4 Alternative Sewage System to service the proposed dwelling. The site plan included with the application demonstrates the required size for the proposed system. As well, the sewage system cannot be placed in an alternate location and maintain the required clearance distances to the lake.

As such, the Building Division – Sewage System Program has no concerns with the minor variance proposal.

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



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