

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Duff**  
Report Number COA2020-021

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**Public Meeting**

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

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**Ward 3 – Geographic Township of Verulam**

**Subject:** The purpose and effect of the application is to request relief from:

1. Section 5.1.3 (b) to permit the construction of an accessory building (detached garage) in the front yard of the subject property;
2. Section 19.2 (c)(ii) to reduce the minimum front yard depth from 10 metres to 7.62 metres to facilitate the construction of an accessory building (detached garage).

The variance is requested at 216 Hickory Beach Road, former Township of Verulam (File D20-2020-017).

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**Author:** Kent Stainton, Planner II

**Signature:**



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**Recommendations:**

**Resolved That** Report COA2020-021 Brent Duff be received;

**That** minor variance application D20-2020-017 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 sketches in Appendices C and D submitted as part of Report COA2020-021, 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 COA2020-021. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.**

Background:	This application proposes to construct a 111.48 square metre (1200 square feet) detached garage within a front yard. This application was deemed complete on July 2, 2020.
Proposal:	The proposal involves the construction of a new 111.48 square metre (1200 square feet) three-car detached garage.
Owners:	Brent Duff
Applicant:	Brent Duff
Legal Description:	216 Hickory Beach Road, Part Lot 20, Concession 1, Part 1, RP57R-3042, geographic Township of Verulam, City of Kawartha Lakes
Official Plan:	Rural Designation within the City of Kawartha Lakes Official Plan (2012)
Zone:	General Rural (A1) Zone in the Township of Verulam Zoning By-Law 6-87
Site Size:	Approximately 4,048.4 square metres (0.99 acres)
Site Servicing:	Private Well and Private Sanitary System
Existing Uses:	Residential
Adjacent Uses:	North: Residential & Agricultural East: Agricultural South: Residential & Agricultural West: Agricultural

**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 situated within a predominantly agricultural neighbourhood located southeast of the Village of Fenelon Falls. The subject property is bordered by two other rural residential lots approximately

one acre in size to the north and south. The majority of the surrounding neighbourhood is under agricultural production. A watercourse is located to the west of the three rural residential lots.

The detached garage will be located to the north of the existing residential dwelling. The location of the existing septic system is in the southeastern section of the front yard preventing the garage from being situated in said location. By situating the garage within the front yard, rear yard amenity space is preserved. Moreover, the presence of a watercourse in the rear of the property presents environmental constraints with respect to locating the garage within the rear yard. The proposed location minimizes any impacts to water quality through additional buffer space between the watercourse and the development. Due to the constraints of the property, 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. The location of the garage also minimizes alterations to the landscape, which would be required to accommodate access to the garage in the side or rear of the property.

The three bay doors are proposed on the southern wall of the garage. The proposed garage blends in well with the design and massing of the existing detached dwelling. A considerable spatial separation is proposed between the garage and the front property line (7.62 metres), as no adverse massing impacts are anticipated by permitting the garage in the proposed location. A cedar hedge and wood fence with flower beds detracts from the presence of the proposed location of the garage. New plantings of boxwood and crimson maple have been placed along the front lot line in addition to the fence. Once established, further privacy will be gained through the vegetative screening.

Due to the above analysis, the variance is 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 subject property is zoned General Rural (A1) in the Township of Verulam Zoning By-Law 6-87.

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.

Notwithstanding the placement of the garage, a new wooden fence and plantings have been established along the front property line further screening the prominence of the detached garage.

Given the spatial separation of buildings and structures between the adjacent rural residential lots, the lower density development maintains the intent of a rural residential lot. Any visual impacts to the southern residential lot are mitigated through the presence of a mature cedar hedge along the southern property boundary.

As the garage is not proposed directly in front of the dwelling, the dwelling will continue to appear as the principal use when viewed from the road. The east wall of the garage will be the most visually prominent of the garage walls, as the driveway entrance to the three bay doors is located on the southern wall of the garage. Two windows on the eastern face of the garage work to break up the face of the wall from what can be seen over the aforementioned front yard fence.

In this case, the garage is proposed in a complimentary location with respect to the existing detached dwelling, 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.

**4) Do the variances maintain the intent and purpose of the Official Plan?**

**Yes**

The property is designated Rural 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:**

Kawartha Region Conservation Authority: Permit No. 2019-377 was issued on November 14, 2019 for the proposed detached garage.

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

Building Division (August 11, 2020): No Concerns

Building Division – Part 8 Sewage Systems (January 20, 2020): 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 August 11, 2020.

**Attachments:**



Appendices A-E for  
Report COA2020-02

- 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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**Phone:** 705-324-9411 extension 1367  
**E-Mail:** [kstainton@kawarthlakes.ca](mailto:kstainton@kawarthlakes.ca)  
**Department Head:** Chris Marshall, Director of Development Services  
**Department File:** D20-2020-017

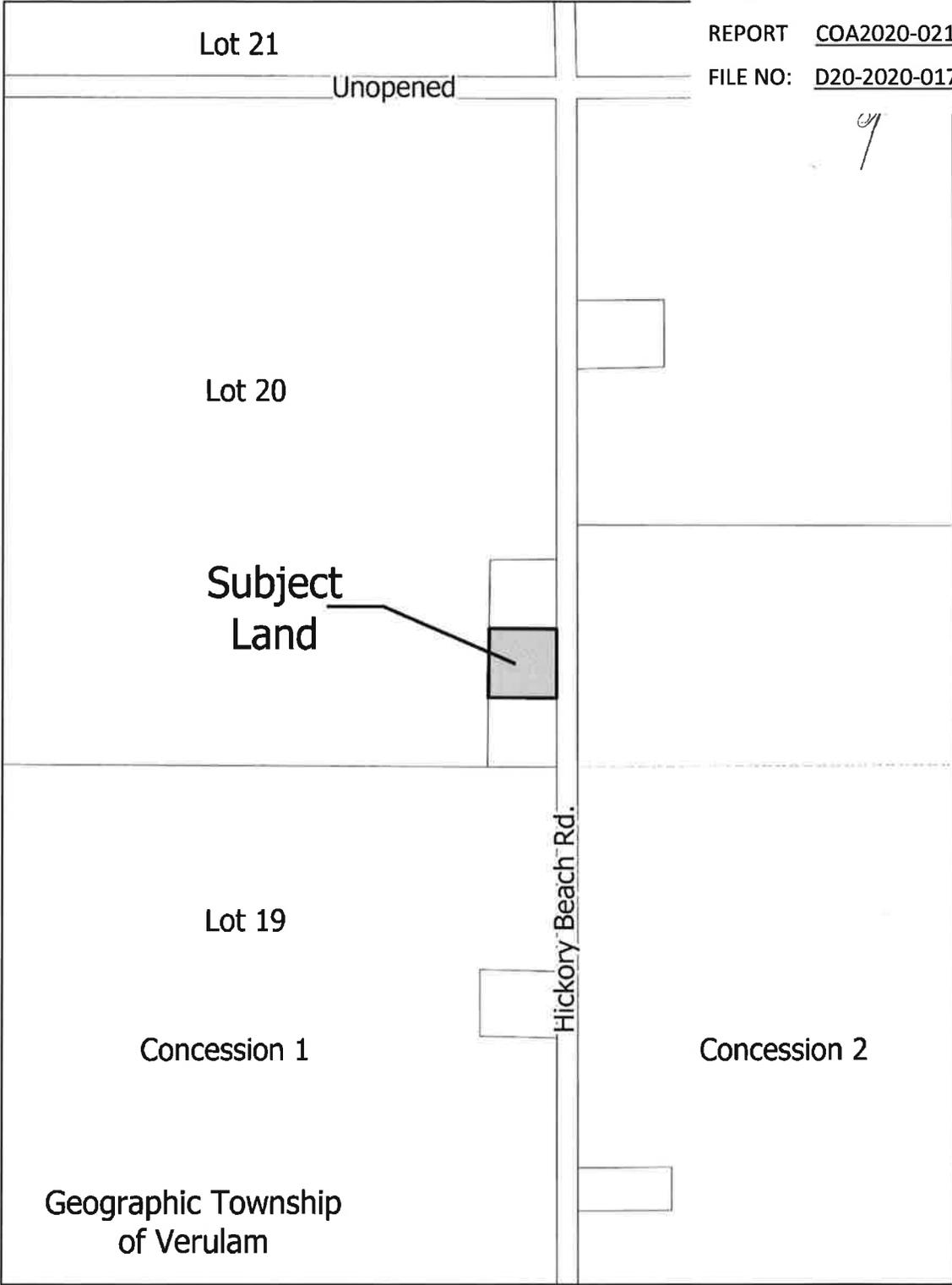
# D20-2020-017

APPENDIX " A "

to

REPORT COA2020-021

FILE NO: D20-2020-017



216 Hickory Beach Road, Geographic Township of Verulam



- Legend**
- Property Roll Number
  - Lots and Concessions
  - Lower Tier Municipalities

**Notes**  
Notes

0.22 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.

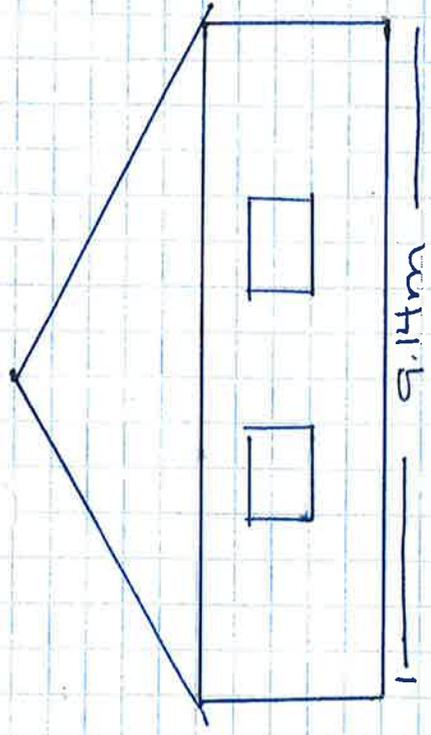
**THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES**

APPENDIX " B "  
to  
REPORT COA2020-021  
FILE NO: D20-2020-017

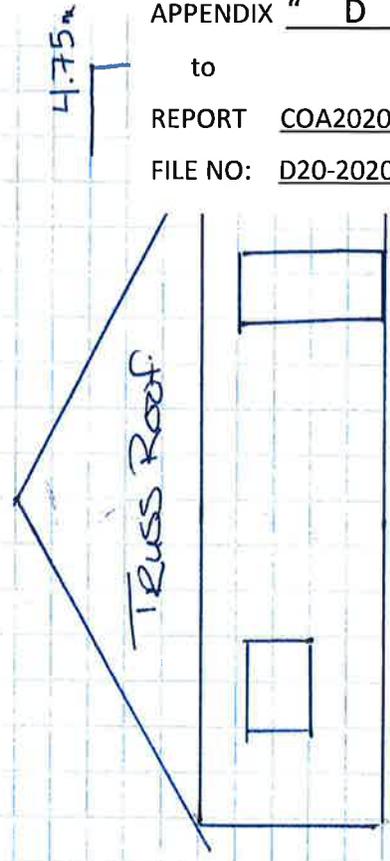




Truss Roof  
 Triple 2x6 Header  
 2x6 Framing  
 Engineered Pad (see attached)



Windows x 6 @ .91 x 1.22m  
 Door (Standard 36" door)



APPENDIX " D "  
 to  
 REPORT COA2020-021  
 FILE NO: D20-2020-017

## Kent Stainton

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**From:** Charlotte Crockford-Toomey  
**Sent:** Tuesday, August 11, 2020 2:06 PM  
**To:** David Harding; Kent Stainton  
**Subject:** FW: 20200811 D20-2020-003,016,017,018,019,020,021 Engineering Review

APPENDIX " E "

to

REPORT COA2020-021

FILE NO. D20-2020-017

fyi

**Charlotte Crockford-Toomey**  
Administrative Assistant  
Planning Department, City of Kawartha Lakes  
705-324-9411 ext. 1231 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



Due to COVID-19, all City Municipal buildings are closed to the public and some service levels have been affected. For COVID-19 information including service levels and how to access services, please call 705-324-9411 extension 4000 or visit [www.kawarthalakes.ca/covid19](http://www.kawarthalakes.ca/covid19)

**From:** Kirk Timms <[ktimms@kawarthalakes.ca](mailto:ktimms@kawarthalakes.ca)>  
**Sent:** Tuesday, August 11, 2020 1:00 PM  
**To:** Mark LaHay <[mlahay@kawarthalakes.ca](mailto:mlahay@kawarthalakes.ca)>  
**Cc:** Christina Sisson <[csisson@kawarthalakes.ca](mailto:csisson@kawarthalakes.ca)>; Kim Rhodes <[krhodes@kawarthalakes.ca](mailto:krhodes@kawarthalakes.ca)>; Charlotte Crockford-Toomey <[ccrockford-toomey@kawarthalakes.ca](mailto:ccrockford-toomey@kawarthalakes.ca)>  
**Subject:** 20200811 D20-2020-003,016,017,018,019,020,021 Engineering Review

Good Afternoon Mark,

Please see Engineering's comments below for the listed Minor Variance Applications;

**D20-2020-003** - From an engineering perspective, we have no objection to the proposed Minor Variance.

**D20-2020-016** - From an engineering perspective, we have no objection to the proposed Minor Variance.

**D20-2020-017** - From an engineering perspective, we have no objection to the proposed Minor Variance.

**D20-2020-018** - From an engineering perspective, we have no objection to the proposed Minor Variance.

**D20-2020-019** - From an engineering perspective, we have no objection to the proposed Minor Variance.

**D20-2020-020** - From an engineering perspective, we have no objection to the proposed Minor Variance.

## Kent Stainton

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**From:** Charlotte Crockford-Toomey  
**Sent:** Tuesday, August 11, 2020 4:40 PM  
**To:** Kent Stainton  
**Subject:** FW: D20-2020-017 216 Hickory Beach Rd

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

fyi

**Charlotte Crockford-Toomey**  
Administrative Assistant  
Planning Department, City of Kawartha Lakes  
705-324-9411 ext. 1231 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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**From:** Derryk Wolven <[dwolven@kawarthalakes.ca](mailto:dwolven@kawarthalakes.ca)>  
**Sent:** Tuesday, August 11, 2020 4:35 PM  
**To:** Charlotte Crockford-Toomey <[ccrockford-toomey@kawarthalakes.ca](mailto:ccrockford-toomey@kawarthalakes.ca)>  
**Subject:** D20-2020-017 216 Hickory Beach Rd

Building division has no concerns with the above noted application.

Derryk Wolven  
Plans Examiner  
City of Kawartha Lakes Building Division