

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Matthew Hartman
Report Number COA2021-050

Public Meeting

Meeting Date: July 15, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 8 –Geographic Township of Manvers

Subject: The purpose and effect is to request relief from the following zone provisions in order to construct a pole shed:

1. Section 20.1(b)(iii) to reduce the minimum rear and side yard setback for an accessory building with a floor area greater than 60 square metres from 6 metres to 1.3 metres; and
2. Section 20.1(b)(vi) to reduce the minimum rear and side yard setback for an accessory building greater than 4.3 metres in height from 6 metres to 1.3 metres.

The variance is requested at 91 Fleetwood Road, geographic Township of Manvers (File D20-2021-040).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendations:

Resolved That Report COA2021-050 Hartman, be received;

That minor variance application D20-2021-040 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix 'C' and elevations in Appendix 'D' submitted as part of Report COA2021-050, which shall be attached to and form part of the Committee's Decision; and
- 2) **That** the building construction related to the minor variances 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 COA2021-050. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The subject property was severed via consent application D03-2018-024, which was finalized in 2019.

The subject property has since changed hands and the new owners wish to construct a pole shed within the rear yard.

As the property was rezoned less than 2 years ago by by-law 2019-107, Section 45(1.3) of the Planning Act applied, prohibiting the filing of a variance application without a Council resolution. Council passed a resolution on May 18, 2021, and the variance application may now proceed.

This application was last amended June 21, 2021.

Proposal: To construct an approximately 156 square metre (1,680 square foot) L-shaped pole shed.

Owner: Matthew Hartman

Legal Description: Part Lot 2, Manvers Concession 12, Part 1, 57R-10784, geographic Township of Manvers, City of Kawartha Lakes

Official Plan: Prime Agricultural within the City of Kawartha Lakes Official Plan

Zone: Rural Residential Type One Special Twenty-Two (RR1-S22) Zone within the Township of Manvers Zoning By-law 87-06

Site Size: 0.75 hectare

Site Servicing: Private individual well and septic system

Existing Uses: Rural Residential

Adjacent Uses: North, South, East, and 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 in an agricultural area, and was formerly the farmhouse for the agricultural lot surrounding it. The subject property is surrounded on all sides by crops and does not have any vegetative buffering.

The driveway runs east of the dwelling, ending in a parking pad to its northeast. The portion of the rear yard closest to the driveway functions as an outdoor parking and storage area. The pole shed will provide covered storage for the items currently stored outside. The placement of the pole shed will allow for vehicle maneuvering and outdoor parking space to be maintained between the pole shed and the dwelling. The shed's placement will also allow for adequate spatial separation to be maintained from the hydro line and pole that runs between the east side of the dwelling and proposed pole shed.

The pole shed is proposed within an existing utility area that is also a natural extension of the driveway. No adverse massing impacts are anticipated as there are no other built features within the vicinity of the proposed construction.

Further, pushing the building to the north and east preserves more contiguous rear yard space for other residential uses. Its proposed location also serves as a built buffer between the rear yard amenity space of the residential use and agricultural use.

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 lot is zoned Rural Residential Type One Special Twenty-Two (RR1-S22) Zone. The RR1-S22 Zone permits residential use in the form of a single detached dwelling. The special exception is to recognize the placement of a wood shed within the front yard.

Part of the role of the General Provisions section is to ensure accessory buildings are placed and scaled appropriately to ensure no adverse impacts on abutting uses, such as land use conflict and massing. In this case, the abutting use is an agricultural use with no buildings. The agricultural use is not anticipated to experience a land use conflict or massing impact as a result of the increased proximity of the pole shed to the lot line. At 1.3 metres, sufficient space remains within the interior side and rear yards to carry out maintenance around and on the building and to contain lot grading and drainage. As such the intent of the by-law is maintained as the reduction will not result in adverse impacts to the abutting lot.

The proposal will comply with all other zone provisions. Further, the size of the pole shed, at 2.07%, falls well under the 8% total lot coverage requirement for

accessory buildings. As a result, the scale of the building proposed is in proportion to the size of the lot, and the building, where visible from the road, is not anticipated to generate any further massing impacts from the streetscape as a result of its increased proximity to the rear and side 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 designated Prime Agricultural within the City of Kawartha Lakes Official Plan. Select low density residential uses, along with accessory uses are anticipated within this designation.

In consideration of the above the variances maintain the general intent and purpose of the Official Plan.

Other Alternatives Considered:

Building in accordance with the by-law was considered. However, the owners wish to preserve a greater contiguous rear yard.

Servicing Comments:

The property is serviced by a private individual well and sewage system.

Consultations:

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

Agency Comments:

Building and Septic Division – Plans Examiner (July 2, 2021): No concerns.

Building and Septic Division – Part 8 Sewage Systems Supervisor (July 5, 2021): No concerns.

Development Engineering Division (June 30, 2021): No concerns.

Public Comments:

No comments received as of July 6, 2021.

Attachments:



Appendices A-E to
COA2021-050

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

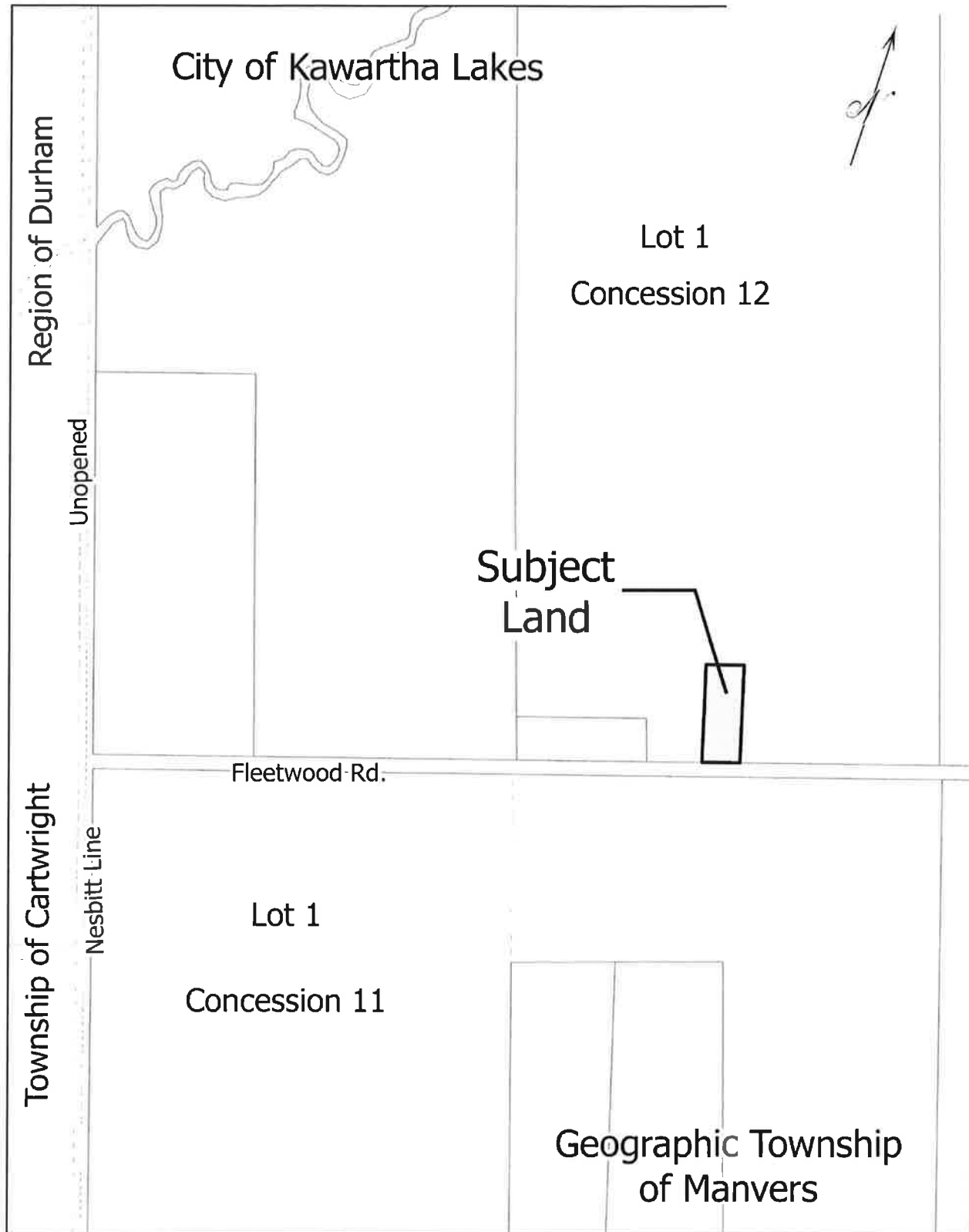
Phone:	705-324-9411 extension 1206
E-Mail:	dharding@kawarthalakes.ca
Department Head:	Richard Holy, Acting-Director of Development Services
Department File:	D20-2021-040

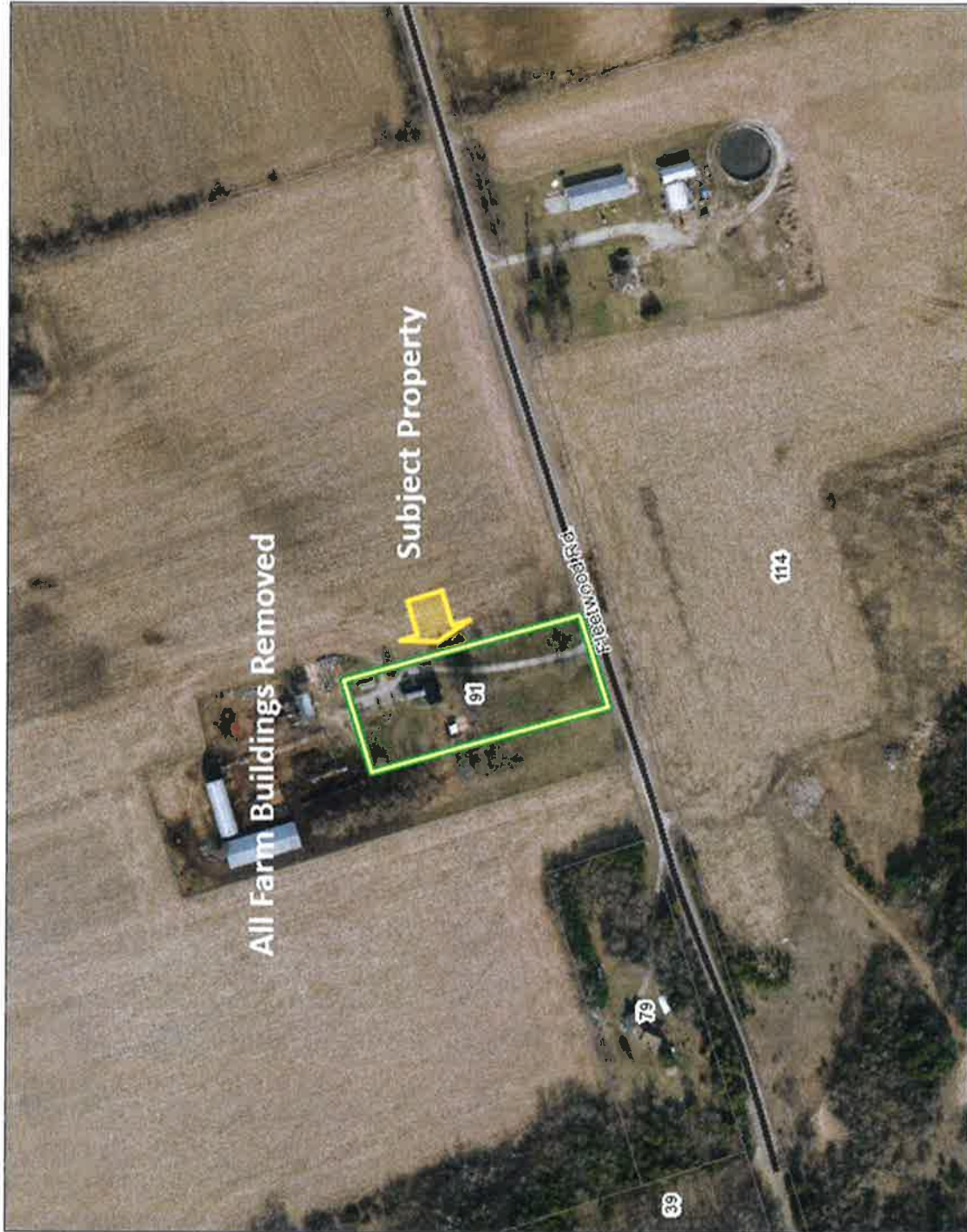
to

REPORT COA2021-050

FILE NO: D20-2021-040

D20-2021-040





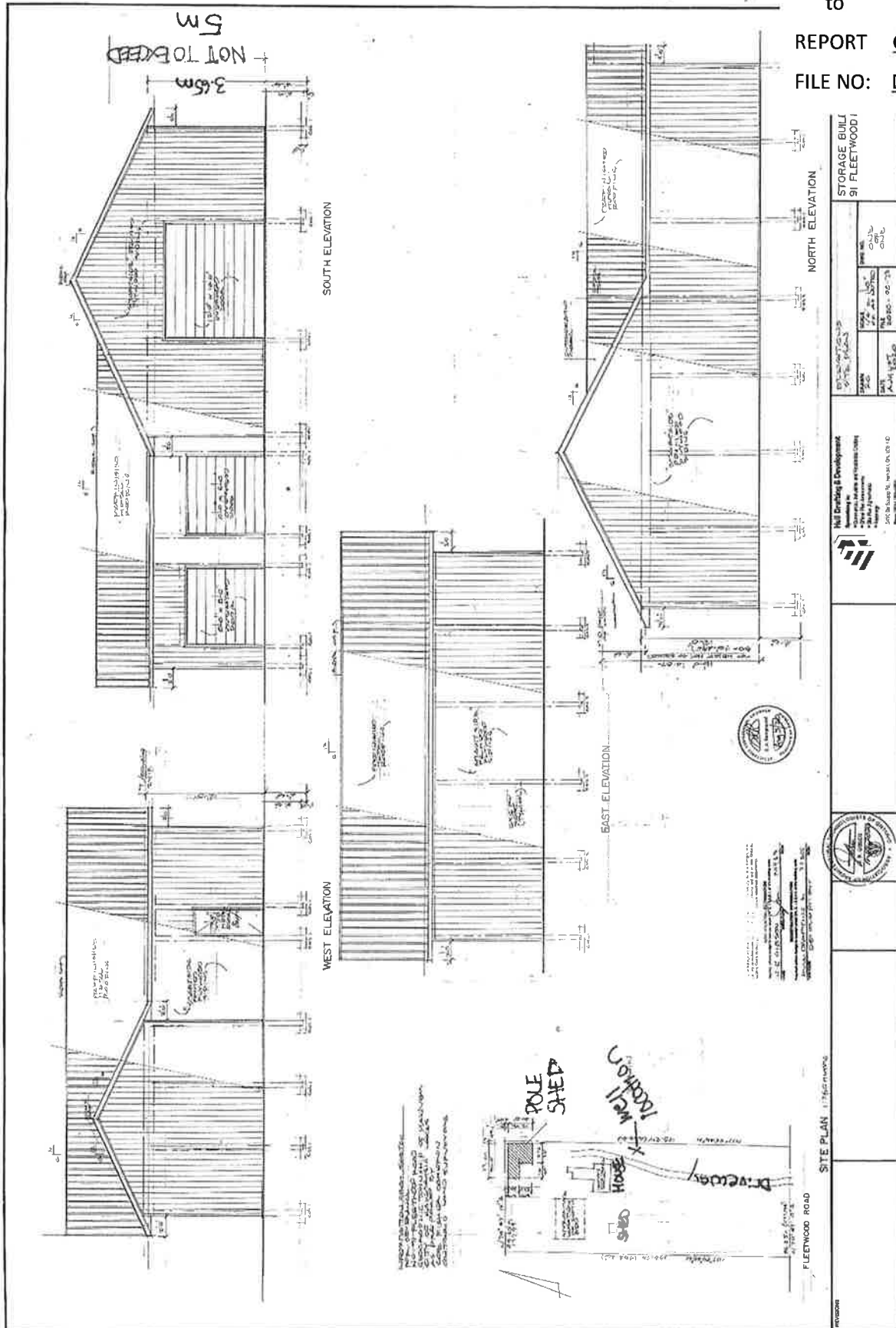
APPENDIX " C "
to
REPORT COA2021-050
FILE NO: D20-2021-040



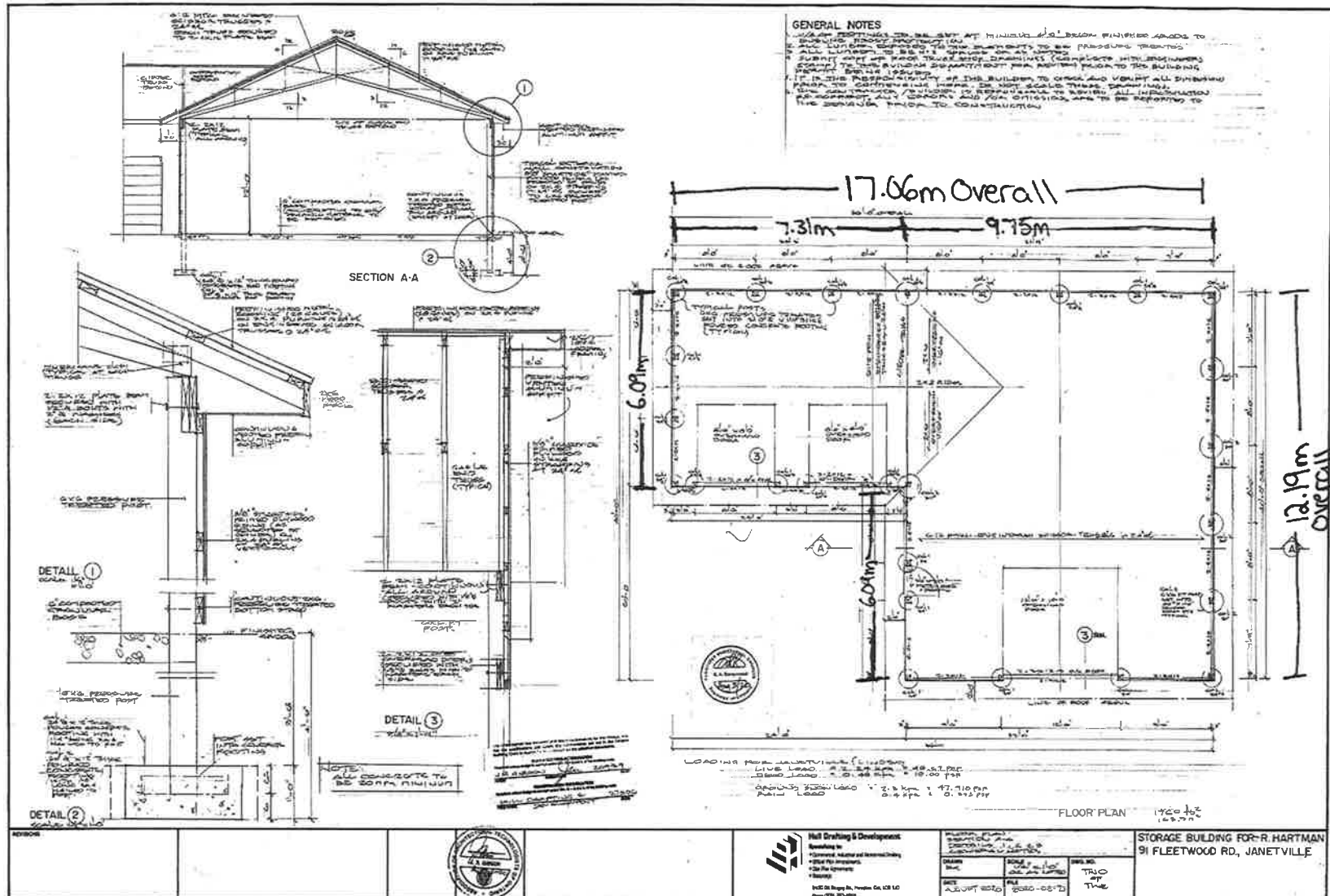
to

REPORT COA2021-050

FILE NO: D20-2021-040



<p>STORAGE BUILT 91 FLEETWOOD I</p>	<p>DATE: 01/15/20 BY: [Signature] CHECKED: [Signature] APPROVED: [Signature]</p>	<p>Not Building & Development [Logo] [Text]</p>	<p>[Seal]</p>	<p>[Seal]</p>	<p>SITE PLAN</p>	<p>FLEETWOOD ROAD</p>
---	--	--	---------------	---------------	------------------	-----------------------



David Harding

APPENDIX ¹⁴

E

to

From: Kim Rhodes
Sent: Wednesday, June 30, 2021 1:22 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead
Subject: 20210630 D20-2021-040 - Engineering review

REPORT COA 2021-050

FILE NO. D20-2021-040

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-040
91 Fleetwood Road
Part Lot 2, Concession 12, Part 1, 57R-10784
Geographic Township of Manvers

It is the understanding by Engineering that the purpose and effect is to request relief from the following zone provisions in order to construct a pole shed:

1. Section 20.1(b)(iii) to reduce the minimum rear and side yard setback for an accessory building with a floor area greater than 60 square metres from 6 metres to 1.3 metres; and
2. Section 20.1(b)(vi) to reduce the minimum rear and side yard setback for an accessory building greater than 4.3 metres in height from 6 metres to 1.3 metres.

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
Lean Six Sigma Black Belt
Engineering & Corporate Assets, City of Kawartha Lakes
705-324-9411 ext. 1152 (office) 705-878-3186 (mobile) www.kawarthalakes.ca



Our office is closed to the public. Please note all courier packages and mail must be directed to City Hall, 26 Francis Street, Box 9000, Lindsay, ON, K9V 5R8.

David Harding

From: Derryk Wolven
Sent: Friday, July 2, 2021 10:45 AM
To: Charlotte Crockford
Subject: D20-2021-040 91 Fleetwood Rd

Please be advised Building division has no concerns with the above noted application.

Derryk Wolven
Plans Examiner
City of Kawartha Lakes
705-324-9411 ext 1273
www.kawarthlakes.ca



David Harding

From: Anne Elmhirst
Sent: Monday, July 5, 2021 10:16 AM
To: Charlotte Crockford
Subject: RE: Notice of Public Hearing for Minor Variance D20-2021-040, 91 Fleetwood Road, Manvers

Good Morning Charlotte,

I have received and reviewed the request for minor variance for D20-2021-040 for 91 Fleetwood Road to provide relief to reduce the minimum rear and side yard setbacks for permit the construction of a pole shed.

The sewage system location was reviewed to ensure the appropriate clearance distances have been established. It has been determined that the proposed Pole Shed will not encroach within the required separation distances.

As such, the Building and Septic Division has no objection to the proposed structure as it relates to private on-site sewage disposal.

Best Regards,

Anne Elmhirst C.P.H.I.(C), B.A.Sc., B.Sc.

Supervisor – Part 8 Sewage Systems

Development Services - Building and Septic Division, City of Kawartha Lakes

705-324-9411 ext. 1882 www.kawarthalakes.ca



Please note: The Building Division offices at 180 Kent St W, Lindsay remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.

From: Charlotte Crockford
Sent: Wednesday, June 30, 2021 9:44 AM
To: Susanne Murchison ; Anne Elmhirst ; Derryk Wollen
Subject: Notice of Public Hearing for Minor Variance D20-2021-040, 91 Fleetwood Road, Manvers

Good morning

Please find attached the Notice of Public Hearing for Minor Variance for July 15, 2021 meeting.

Commenting period July 6th to enable the planners to include in their report.

Many thanks

Charlotte Crockford
Administrative Assistant
Planning Department, City of Kawartha Lakes
705-324-9411 ext. 1231 www.kawarthalakes.ca



Please note: The Development Services offices at 180 Kent St W, Lindsay remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.

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