

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Mark and Diane Riemenschneider
Report Number COA2021-049

Public Meeting

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

Ward: 6 – Geographic Township of Verulam

Subject: The purpose and effect is to request relief from the following in order to construct a detached garage in the front yard and acknowledge the location of an existing garden shed:

Detached Garage in the Front Yard

1. Section 5.1.3 b) to permit the construction of a detached garage which is not part of the main building within the front yard;

Garden Shed

2. Section 5.1.3 b) to acknowledge the location of an accessory building (garden shed) which is not part of the main building within the front yard.

The variance is requested at 73 Log House Road, geographic Township of Verulam (File D20-2021-037).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2021-049 Riemenschneider, be received;

That minor variance application D20-2021-037 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 generally in accordance with the elevations in Appendix D submitted as part of Report COA2021-049, which shall be attached to and form part of the Committee's Decision;
- 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;

- 3) **That** within twenty-four (24) months after the date of the Notice of Decision the owners shall submit to the Secretary-Treasurer photographic evidence confirming that the building identified on Appendix C to Report COA2021-049 as 'Garden Shed' has been clad with siding similar to the detached garage shown in Appendix D, which shall be attached to and form part of the Committee's Decision, failing which the variance pertaining to the garden shed shall be deemed to be refused, and;
- 4) **That** the building construction related to the minor variance for the detached garage shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which the variance pertaining to the detached garage 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 COA2021-049. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The application involves the construction of a new detached garage within the front yard of the subject property and the acknowledgement of an existing garden shed also located within the front yard of the property.

This application was deemed complete on April 23, 2021.

Proposal: To construct a new 71.35 square metre (768 square feet) detached garage with lean-to supports while acknowledging the location of a 9.30 square metre (100 square feet) garden shed; both located within the front yard of the subject property.

Owners: Mark and Diane Riemenschneider

Legal Description: 73 Log House Road, Part Lot 1, Concession 4, Part 1, 57R-4727, geographic Township of Verulam, City of Kawartha Lakes

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

Zone: Rural General (A1) Zone within the Township of Verulam Zoning By-law 6-87

Site Size: 0.953 hectares (2.35 acres)

Site Servicing: Private individual well and private septic system

Existing Uses: Residential

Adjacent Uses: North, South, West: Agricultural
East: Agricultural, Emily Creek

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 a rural area, where agricultural use surrounds the parcel. There are 3-4 residences in total along Log House Road, which is a dead-end, assumed road running east off of Cedar Glen Road. Log House Road terminates near the southeast corner of the subject lands with a field entrance to the abutting agricultural field to the east as well as another field entrance to the property on the south side of Log House Road. There are no residences to the south of the property.

The property is well-treed with a 1.5-storey log dwelling including a walkout basement to the east. The design of the dwelling takes advantage of the sloping topography to the east, which is also where the septic system is located, before transitioning to agricultural field on the abutting property. The agricultural lands eventually turn into wetlands associated with Emily Creek further to the east. The front yard of the property is delineated by a rail fence and is well vegetated with Sumac and other tree species. The presence of the trees detracts from any aesthetic dominance the detached garage would impose through being constructed just to the southwest of the dwelling. The well is located immediately south of the dwelling and there is no desire to extend the driveway to the east to facilitate access to an accessory building location that would detract from the single detached dwelling.

The detached garden shed was constructed approximately 13 years ago by the son of the owner and is around 3 metres north of the rail fence. The existing vegetation allows the shed to seamlessly blend in with the front yard of the property without being conspicuous. The garden shed is located over 15 metres from the laneway and will present no impacts to vehicular traffic. The garden shed was unclad at the time of conducting the site visit. The owner has agreed to clad the shed in a similar fashion to the detached garage. A condition is recommended in order to ensure the shed is appropriately clad, which will add to the aesthetics.

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 Rural General (A1) Zone permits a variety of rural uses, including single detached dwellings.

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. The proposed location of the garage is 31.4 metres from the front lot line and will blend in with the single detached dwelling located approximately 50 metres from the front lot line. Given the distance from the front of the lot, any building prominence will be diminished and since the subject lands are located at the terminus of Log House Road, virtually no traffic will view the property.

The presence of several mature trees combined with the sloping topography to the east also makes constructing the garage within the front yard the most reasonable location. 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.

As the location provision ensures that accessory buildings and uses do not dominate the streetscape, the recognition of the existing garden shed within the front yard will have a negligible impact on the front yard-to-street interface. The presence of several mature trees as well as a rail fence detracts from any visual detracts presented through acknowledging the location of the shed. Again, since Log House Road terminates immediately east of the subject property only two field entrances for agricultural fields are located within the immediate vicinity of the shed and vehicular traffic would be non-existent.

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 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 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 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 (June 30, 2021): No concerns.

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

Building and Septic Division – Supervisor, Part 8 Sewage Systems: The Supervisor of Part 8 Sewage Systems has completed a search of records of the HKPR District Health Unit files and was able to locate a Sewage System Use Permit for the property under file V-10-87. The health unit use permit indicates the sewage system is located on the east side of the existing dwelling. As such, the Building and Septic Division has no objection to the proposed detached garage placement as it relates to on-site sewage disposal.

Public Comments:

No comments have been received as of July 7, 2021.

Attachments:



Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch (Site Plan)

Appendix D – Applicant's Sketches (Elevations)

Appendix E – Department and Agency Comments

Phone: 705-324-9411 extension 1367

E-Mail: kstainton@kawarthalakes.ca

Department Head: Richard Holy, Acting Director of Development Services

Department File: D20-2021-037

D20-2021-037

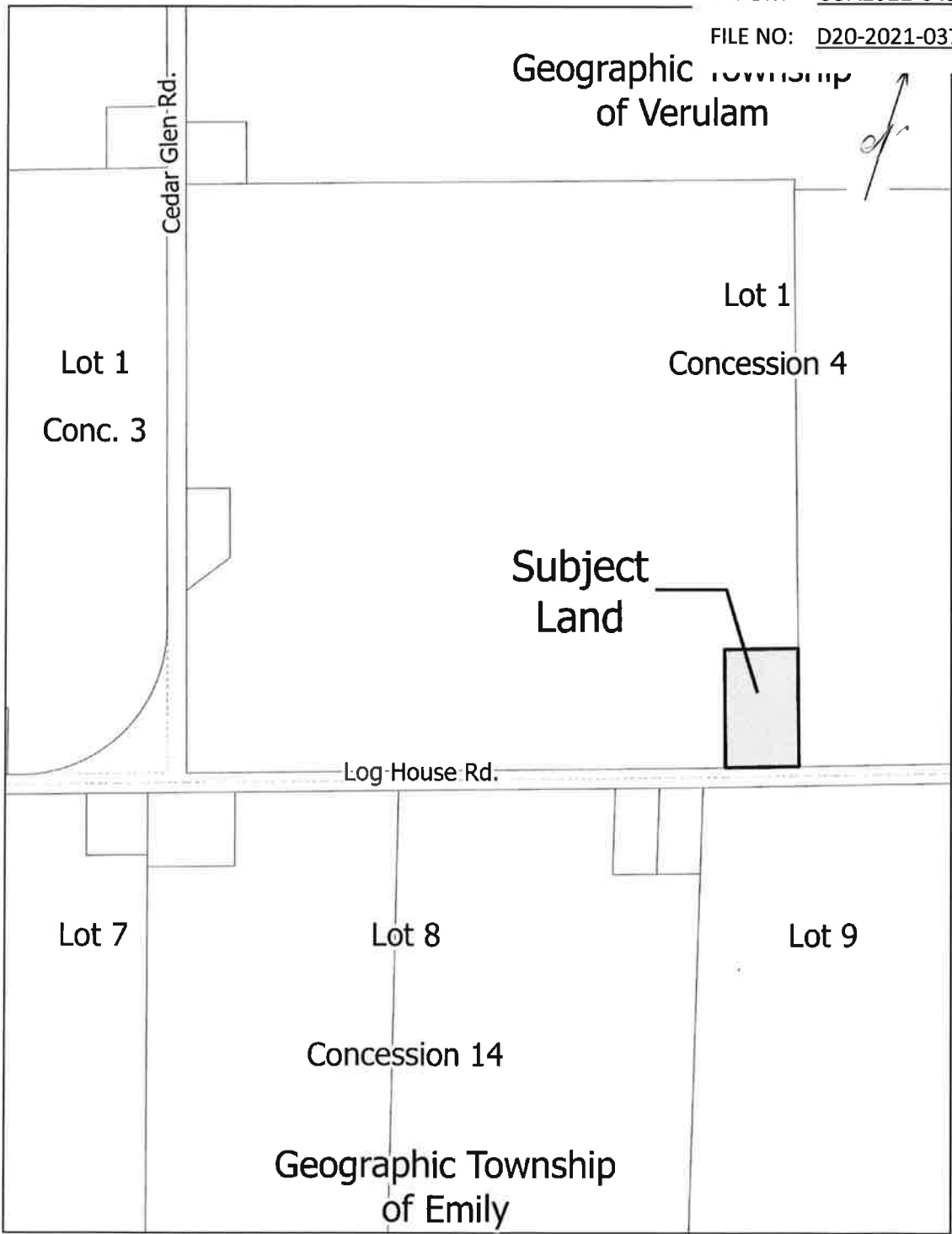
APPENDIX " A "

to

REPORT COA2021-049

FILE NO: D20-2021-037

Geographic Township
of Verulam



73 Log House Road, former Township of Verulam



Legend

- ☐ Property Roll Number
- ☐ Lots and Concessions

Notes

Notes

APPENDIX " B "

to

REPORT COA2021-049

FILE NO: D20-2021-037

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.

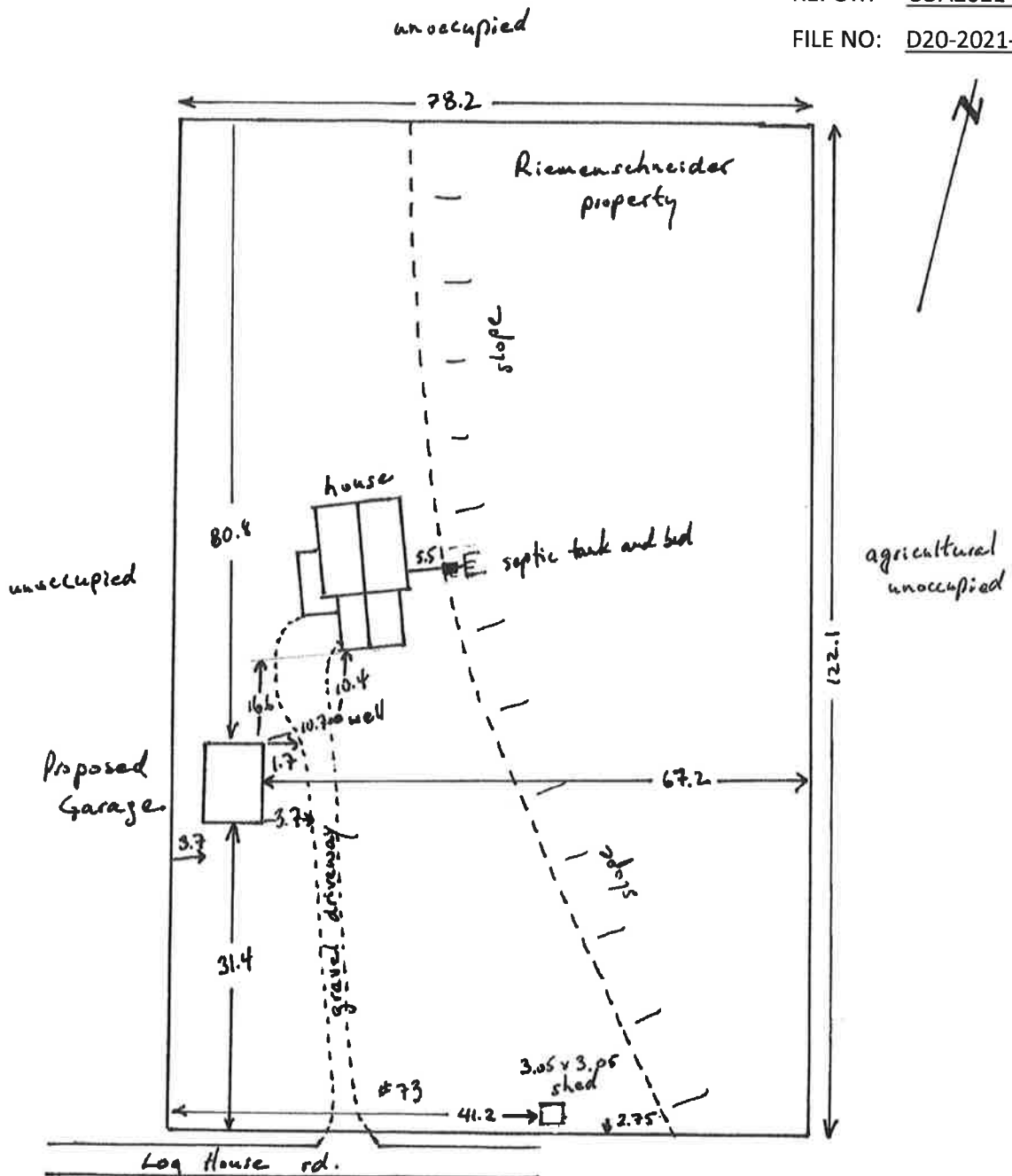
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APPENDIX " C "

Amend to

REPORT COA2021-049

FILE NO: D20-2021-037



All measurements in metres
agricultural unoccupied

1 cm = approx. 6m

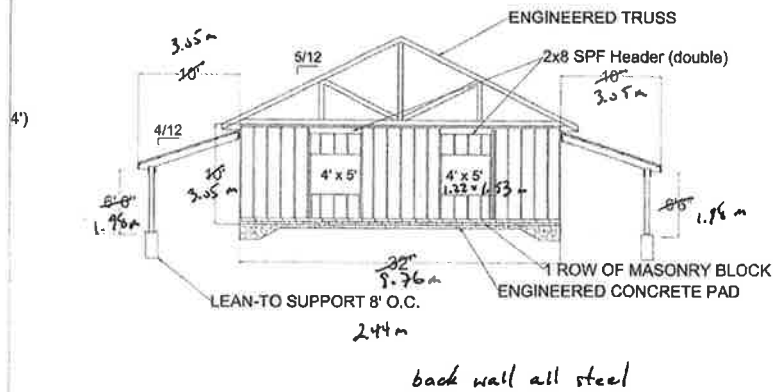
APPENDIX " D "

to

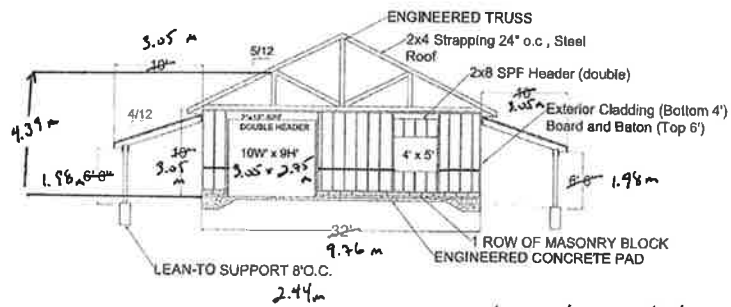
REPORT COA2021-049

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WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION

2x8 SPF Header (double)

2x10 SPF Ledger Board

4' x 5'
(1.22 x 1.53 m)

2x6 Stud 16" o.c.

board and bottom pine

steel

18x10

5.73m

Project Name	
Client	
Architect	
Date	
Scale	
Sheet No.	

NORTH ELEVATION

2x8 SPF Header (double)

2x10 SPF Ledger Board

4' x 5'
1.22 x 1.53 m

2x6 Stud 16" o.c.

36" Man Door

board and batten pine steel

5.73 m

2x8

Kent Stainton

From: Derryk Wolven
Sent: Friday, July 2, 2021 10:46 AM
To: Charlotte Crockford
Subject: D20-2021-037 73 Log House Rd

APPENDIX E
to
REPORT COA 2021-049

FILE NO. D20-2021-037

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



Kent Stainton

From: Kim Rhodes
Sent: Wednesday, June 30, 2021 1:23 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead
Subject: 20210630 D20-2021-037 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-037
73 Log House Road
Part Lot 1, Concession 4, Part 1, 57R-4727
Geographic Township of Verulam

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 detached garage in the front yard and acknowledge the location of an existing garden shed:

Detached Garage in the Front Yard

Section 5.1.3 b) to permit the construction of a detached garage which is not part of the main building within the front yard;

Garden Shed

Section 5.1.3 b) to acknowledge the location of an accessory building (garden shed) which is not part of the main building within the front yard.

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



Kent Stainton

From: Anne Elmhirst
Sent: Monday, June 28, 2021 4:53 PM
To: Charlotte Crockford
Subject: D20-2021-037 - 73 Log House Rd

Hello Charlotte,

I have received and review the application for minor variance to request relief to construct a garage in the front yard of the property at 73 Log House Road.

I have completed a search of records of the HKPR District Health Unit files and was able to locate a Sewage System Use Permit for the property under file V-10-87. The health unit use permit indicates the sewage system is located on the east side of the existing dwelling.

As such, the Building and Septic Division has no objection to the proposed detached garage placement as it relates to 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.