

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Blake Wilson and Ashleigh Sackett
Report Number COA2021-078

Public Meeting

Meeting Date: November 4, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 5 – Former Town of Lindsay

Subject: The purpose and effect is to request relief from Section 6.2(c) to reduce the minimum front yard setback from 7.5 metres to 4.45 metres in order to permit an addition to an existing single detached dwelling.

The variance is requested at 143 Albert Street North, former Town of Lindsay (File D20-2021-065).

Author: Kent Stainton, Planner II

Signature:



Recommendations:

Resolved That Report COA2021-078 Wilson/Sackett, be received;

That minor variance application D20-2021-065 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 Appendix D submitted as part of Report COA2021-078, 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 COA2021-078. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background:	The owners approached the Planning Division in September 2021 regarding a proposal to construct an addition to the front entrance of the existing dwelling on the subject lands. Following a brief conversation with Staff, the owner was advised to proceed directly to submit a minor variance application without the need for a Pre-screening application. This application was deemed complete October 8, 2021.
Proposal:	To construct a 10.36 square metre (111.5 square feet) front entranceway addition to an existing dwelling
Owners:	Blake Wilson and Ashleigh Sackett
Legal Description:	143 Albert Street North, Lot 8, Plan 548, former Town of Lindsay, City of Kawartha Lakes
Official Plan:	Residential within the Town of Lindsay Official Plan
Zone:	Residential Type One (R1) Zone within the Town of Lindsay Zoning By-law 2000-75
Site Size:	564.9 square metres (6,080 square feet)
Site Servicing:	Municipal water and sewer
Existing Uses:	Residential
Adjacent Uses:	North, West, South: Residential East: Residential, Albert Street North, Lindway Place

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 residential subdivision adjacent to Northlin Park to the northeast, in the former Town of Lindsay. The one-storey dwelling was constructed in 1984 (according to MPAC) and is surrounded by single detached dwellings, varying in built form. The property backs onto two backyards of abutting properties on Don Court and Parkway Avenue, respectively. Immediately east of the property is Lindway Place, a crescent, containing single detached dwellings.

The low density lots in the neighbourhood are similar in size with varying building designs ranging from bungalows and side-split configurations to full two-storey dwellings. The subject property contains a single car garage and a

garden shed. With a growing family, storage space is at a premium in the dwelling and the addition is intended to provide additional area.

While the existing footprint of the dwelling is non-compliant with the front yard setback of the zone at 7.49 metres, a reduction of 3 metres is considered minor. Many of the dwellings in the neighbourhood (for example 1, 3 & 5 Don Court to the south) feature projections into the front yard, albeit attached garages in the aforementioned examples. From a visual perspective, the proposed addition is screened by the fence projection from abutting 2 Don Court to the south. Large coniferous trees against the fence effectively mask the appearance of the proposed addition when traveling from the south.

The proposed addition offers a noticeable visual enhancement to the front entranceway of the dwelling. An additional window on the northern face of the addition adds aesthetic value when viewed from the north.

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 subject property is zoned "Residential Type One (R1) Zone" within the Town of Lindsay Zoning By-law 2000-75. The R1 Zone permits single detached dwellings and accessory uses.

The intent of the front yard setback is to provide separation between the road and residential uses for Right-Of-Way (ROW) maintenance, uniform building lines and safety measures. Through reducing the front yard setback, some of the front yard amenity space is transformed into a functional entranceway and storage space for the residence. While Albert Street North is well-traveled, the projection does not encroach into the front yard any further than the existing fence line of the aforementioned 2 Don Court and should be considered negligible. There are no anticipated land use compatibility issues presented to the front yard-to-road interface and no impacts to the sightlines of neighbouring properties. There is no reduction of parking as a result of the proposal. Given the minor encroachment, no concerns have been identified with respect to the maintenance of the ROW.

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

As the Lindsay Secondary Plan part of the City of Kawartha Lakes Official Plan is under appeal, the Town of Lindsay Official Plan (Official Plan) applies.

The lands are designated "Residential" within the Official Plan. The subject property is within a neighbourhood that would be classified as Low Density Residential. Low density residential uses include single detached dwellings. An

addition to a single detached dwelling is proposed and does not contravene the Official Plan.

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 municipal sewer, water and stormwater systems.

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 and Corporate Assets Division (October 25, 2021): No objection

Public Comments:

No comments received as of October 27, 2021.

Attachments:



Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch (Site Plan)

Appendix D – Elevations

Appendix E - Department and Agency Comments

Phone: 705-324-9411 extension 1367

E-Mail: kstainton@kawarthlakes.ca

Department Head: Richard Holy, Acting Director of Development Services

Department File: D20-2021-065

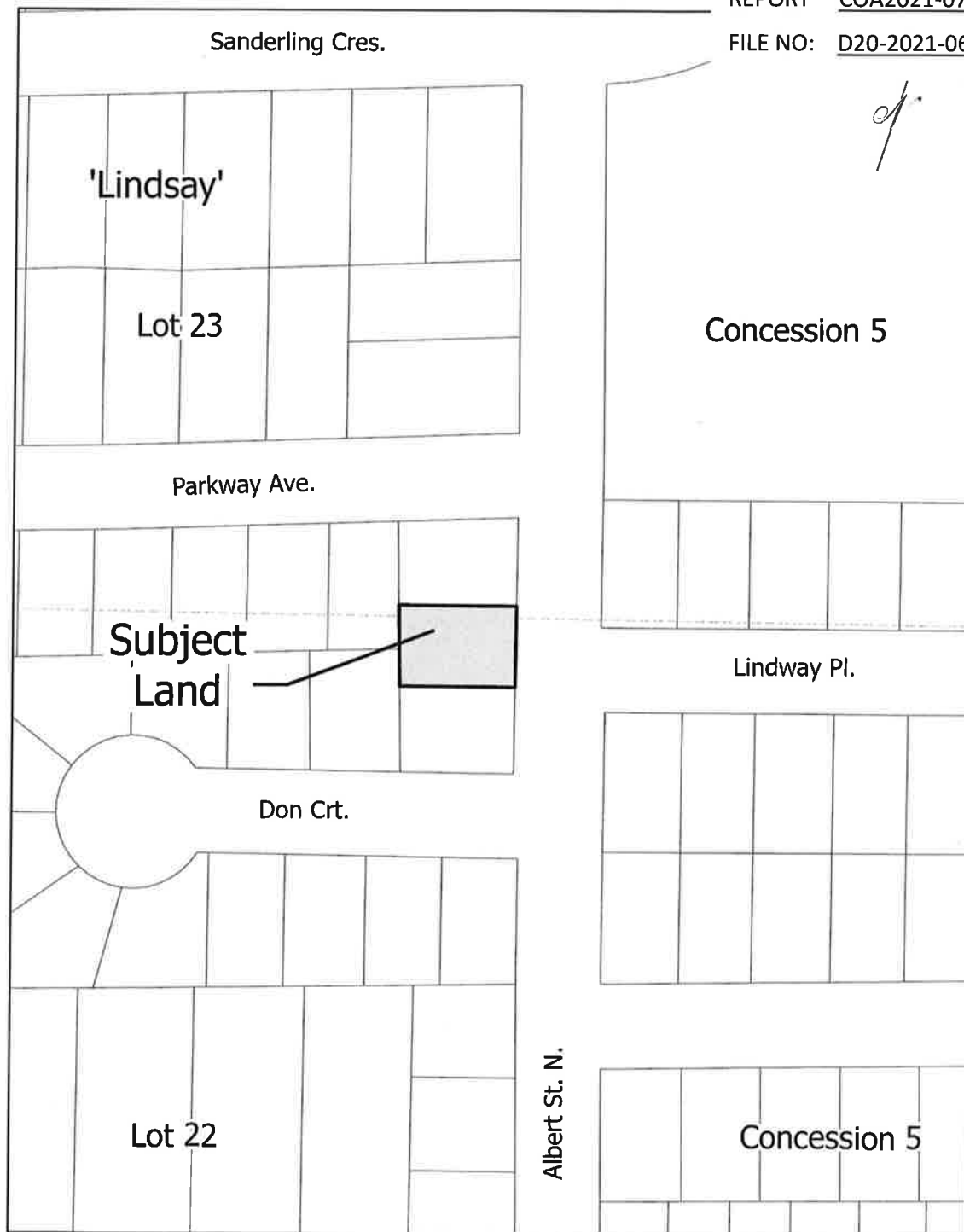
D20-2021-065

APPENDIX " A "

to

REPORT COA2021-078

FILE NO: D20-2021-065



143 Albert Street North, former Town of Lindsay



Legend

- ☐ Property Roll Number
- ☐ Lots and Concessions

Notes

Notes

APPENDIX " B "

to

REPORT COA2021-078

FILE NO: D20-2021-065

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Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



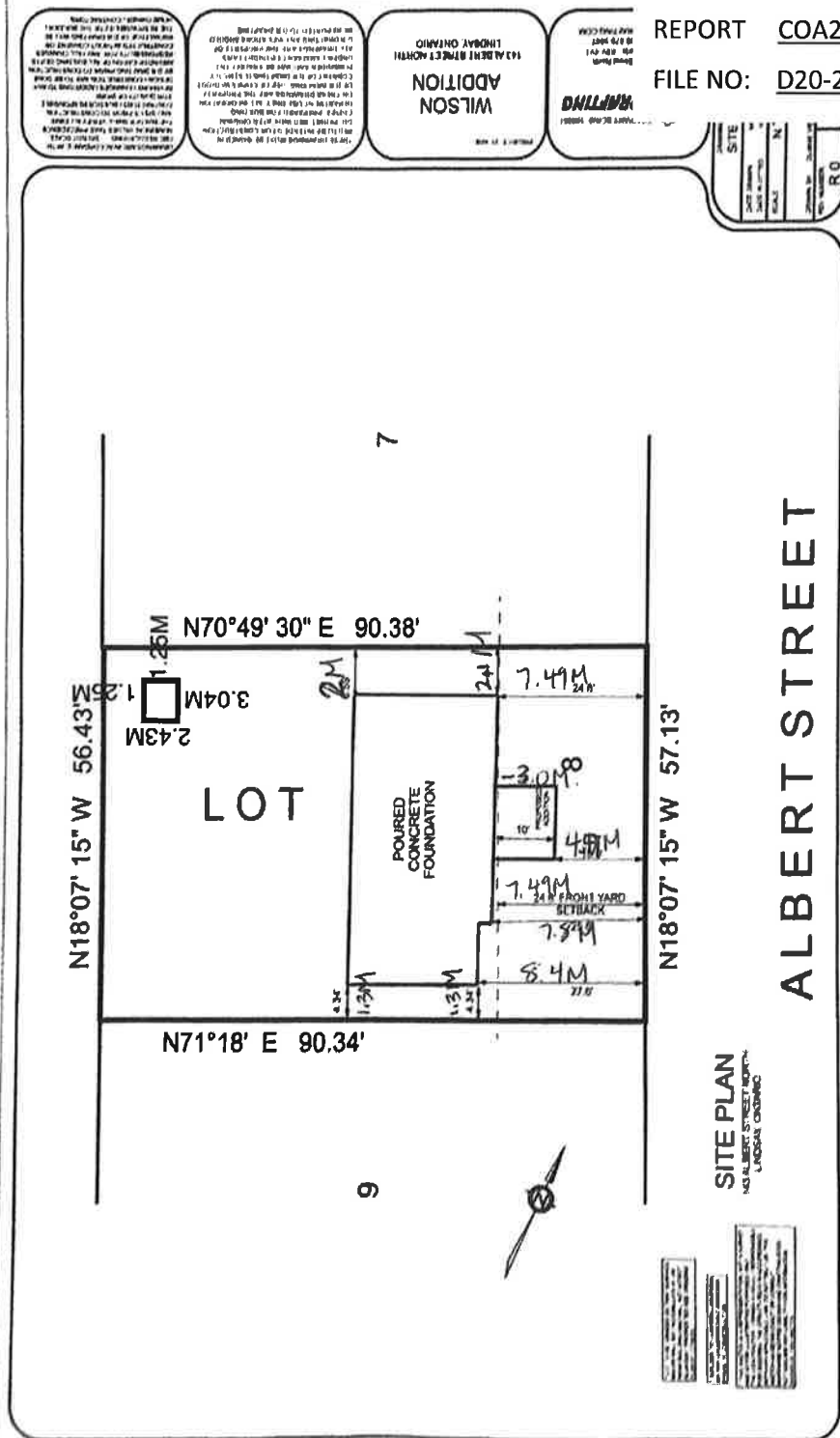
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to

REPORT COA2021-078

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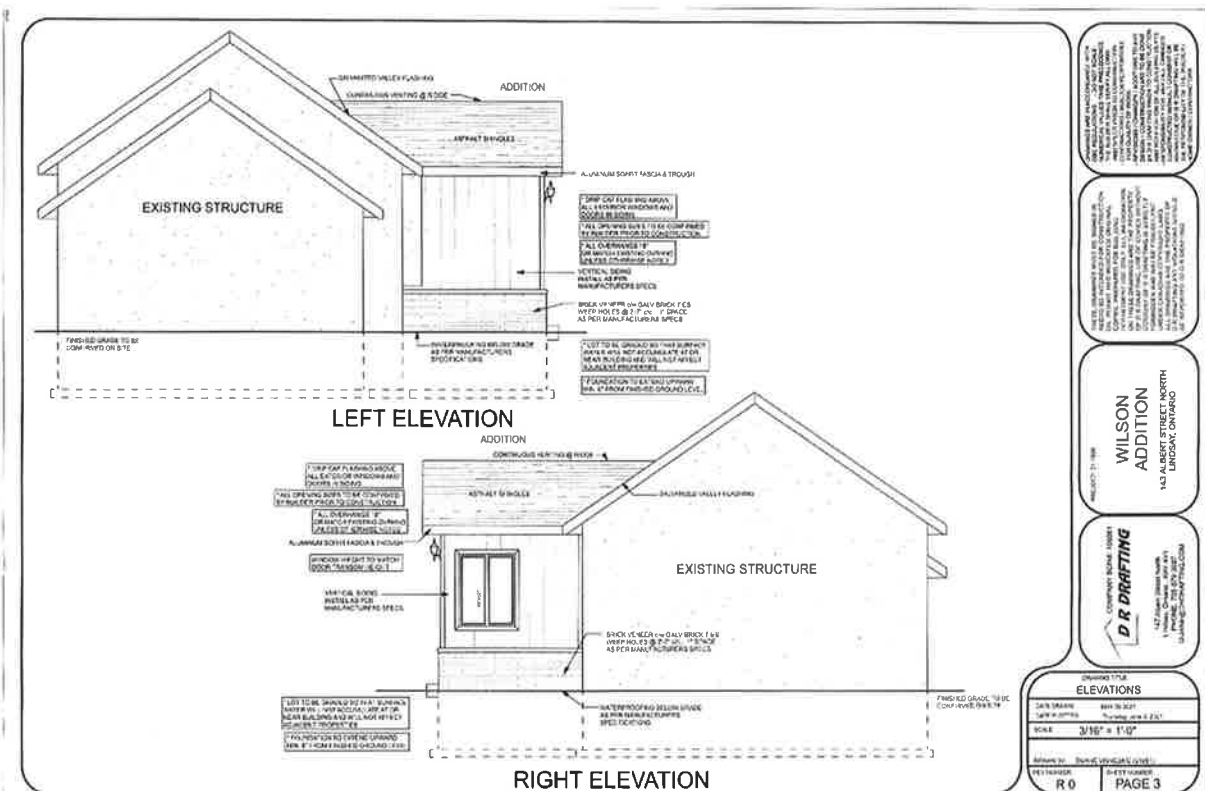
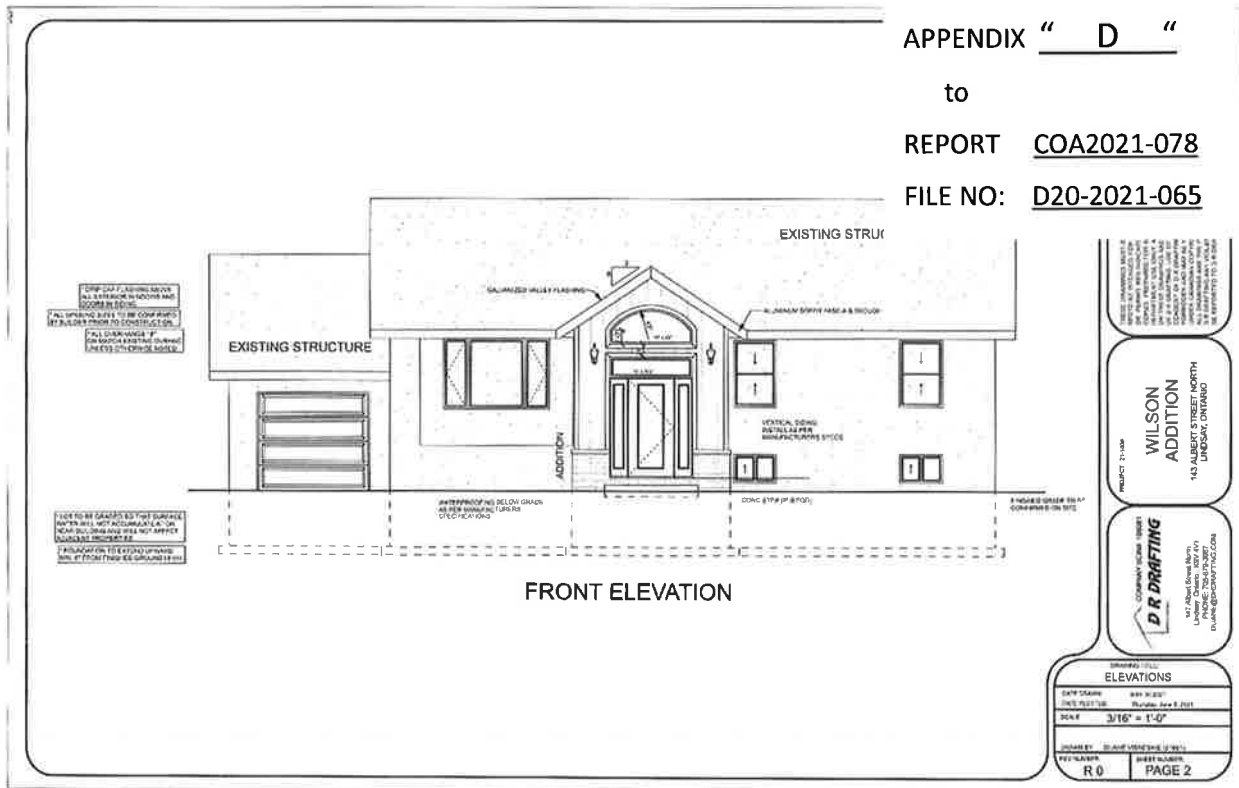


APPENDIX " D "

to

REPORT **COA2021-078**

FILE NO: **D20-2021-065**



Kent Stainton

From: Kim Rhodes
Sent: Monday, October 25, 2021 10:33 AM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead
Subject: 20211025 D20-2021-065 - Engineering review

Importance: High

APPENDIX " E "

to

REPORT COA2021-078

Please see the message below from Christina Sisson:

FILE NO. D20-2021-065

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

Minor Variance – D20-2021-065
143 Albert Street South
Lot 8, Plan 548
Former Town of Lindsay

It is the understanding by Engineering that the purpose and effect is to request relief from Section 6.2(c) to reduce the minimum front yard setback from 7.5 metres to 4.45 metres in order to permit an addition to an existing single detached dwelling.

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.
Manager, 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.

