

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Harrison and Druery**  
Report Number COA2022-013

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**Public Meeting**

**Meeting Date:** February 17, 2022  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward 3 – Former Village of Fenelon Falls**

**Subject:** The purpose and effect is to request relief from Section 5.1.4 to increase the maximum allowable lot coverage for all accessory buildings and structures from 5 % of the lot area to 7.45% in order to permit the construction of a detached garage.

The variance is requested at 145 Queen Street, former Village of Fenelon Falls (File D20-2022-007).

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**Author:** Kent Stainton, Planner II

**Signature:**



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**Recommendations:**

**Resolved That** Report COA2022-013 Harrison and Druery, be received;

**That** minor variance application D20-2022-007 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 sketches in Appendices C-D submitted as part of Report COA2022-013, which shall be attached to and form part of the Committee's Decision;
- 2) **That** owner shall apply for a deeming by-law for Lots 7 & 8 of Plan 100, and the by-law be in effect;
- 3) **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 COA2022-013. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.**

<b>Background:</b>	<p>The applicant approached the Planning Division in early November 2021 regarding a Building Permit (BP2021-1099) application for which the lot coverage provision for accessory buildings and structures was not addressed.</p> <p>In order to lessen the number of reliefs sought through the application, the applicant has agreed to enter into a Deeming By-law to consolidate the existing lots. A separate condition is recommended in order to consolidate the existing lots as part of Plan 100.</p> <p>This application was deemed complete on January 21, 2022.</p>
<b>Proposal:</b>	To construct a 139.29 square metre (1,499.30 square feet) detached garage on the subject lands.
<b>Owners:</b>	Andrew Harrison and Bonnie Druery
<b>Applicant:</b>	Susanne Murchison
<b>Legal Description:</b>	145 Queen Street, Plan 100, Lots 7 & 8 South Queen, Former Village of Fenelon Falls, City of Kawartha Lakes
<b>Official Plan:</b>	Low Density Residential within the Village of Fenelon Falls Official Plan
<b>Zone:</b>	Residential Type One (R1) Zone within the Village of Fenelon Falls Zoning By-law 89-25
<b>Site Size:</b>	1,868.65 square metres (20,114 square feet)
<b>Site Servicing:</b>	Municipal Water and Sewer System
<b>Existing Uses:</b>	Residential
<b>Adjacent Uses:</b>	North, East, South, West: 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 situated in a well-established residential neighbourhood. The lands are comprised of a single detached dwelling on a double-lot (Lots 7 & 8 of Plan 100), which is a through-lot, being bound by parallel-running Queen Street to the East and Dodd Street to the West. Both Queen and Dodd Streets terminate to the north of the property. The dwellings along Queen Street are smaller to the north and appear to be constructed around the 1950s and 1960s. Comparatively, the lots and homes along Dodd Street that are within the neighbourhood are larger with ranch-style bungalows. Through permitting the construction of the detached garage, the transition from the larger built form on the lots to the south and west of the subject lands to the more compact development to the north is enabled. The area of the double lot absorbs the mass of the garage with the the large vacant area to the south and west of the garage mitigating any potential massing impacts to the adjacent properties.

The neighbourhood does contain examples of detached accessory buildings being utilized as garages. The lots at 155 and 159 Queen Street contain detached garages in the rear yards, albeit on smaller, single lots. The proposed location of the garage is set back from the dwelling in relation to Queen Street and occupies a portion of the footprint from the previous detached garage, which was 61.32 square metres in size. The garage is also less than the single detached dwelling in terms of overall height. Access to the garage will be achieved via the existing driveway onto Queen Street.

The applicant requires the garage for a woodshop and the storage for a large motor home that is currently stored on the west side of the garage. The property does not currently have a garage, as the previous detached garage was removed. There is no second storey or storage loft proposed within the garage. The garage will compliment the character of the property by providing enclosed storage for the motor home that would otherwise be stored outside and vulnerable to the elements. Functionally, the garage will facilitate uses typically found in detached garages (i.e. storage, woodworking). The garage is not being used for a Home Occupation and will remain incidental to the single detached dwelling.

The design elements of the garage include identical siding to that of the single detached dwelling. The western wall also contains a garage bay door to permit access at both the eastern and western ends. Two larger rectangular windows and two access doors are located on the southern wall of the garage, which is most exposed and visible from Dodd Street. A single access door is located on the northern wall with no windows proposed. The location of the neighbouring detached garage at 149 Queen Street mitigates any privacy impacts to the neighbouring lot to the north. The result of the exterior treatments is a building

that blends well with the existing single detached dwelling and appears more aesthetically-pleasing than a typical utilitarian accessory building.

The minor increase of 2.45% above the allowable lot coverage for accessory buildings and structures does not impair the area of available landscaped amenity space or the appearance of the property.

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 in the former Village of Fenelon Falls Zoning By-law 89-25, as amended. Accessory buildings such as garages are permitted uses.

The General Provisions set a maximum lot coverage of 5% for accessory buildings and structures, excluding swimming pools. Many Zoning By-laws within the City also provide for a larger lot coverage (i.e. Town of Lindsay Zoning By-law 2000-75 allows up to 10%) or a maximum area (i.e. 150 square metres) standard along with the percent area coverage; however, the former Village of Fenelon Falls Zoning By-law does not. In total, the proposal would result in only a 7.45% lot coverage percentage for the garage. The proposal also complies with the total lot coverage provision of the R1 Zone with the single detached dwelling also being greater than the garage in terms of height. The garage also complies with the height standards of the General Provisions at 4.77 metres.

As a result of the location of the garage, the dwelling and garage are complimentary with identical exterior treatments being used on the garage. The increase in coverage also maintains the intent of the zoning by-law to maintain adequate landscaped open space for amenity, servicing (i.e. sewage system and well) and stormwater infiltration. The Development Engineering Division has no concerns with the proposal with respect to stormwater management and the property is connected to full Municipal services.

The property is of sufficient size to accommodate the detached garage within the large open space to the west of the dwelling and is not anticipated to adversely impact the use of the rear yard. As mentioned in Rationale 1 & 2, no massing and height incompatibilities with the primary residential use and surrounding properties are anticipated.

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 Fenelon Falls Secondary Plan is under appeal, the Village of Fenelon Falls Official Plan is in effect. The property is designated "Low Density Residential" within the Official Plan. The designation anticipates that the land within that designation will primarily be used for residential purposes and

accessory buildings and structures are anticipated to accompany residential development.

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

**Other Alternatives Considered:** No other alternatives were considered.

**Servicing Comments:**

The property is serviced by Municipal water and sewer systems.

**Consultations:**

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

**Agency Comments:**

Engineering and Corporate Assets Division (February 4, 2022): No objections.

Building and Septic Division – Building Inspector (February 8, 2022): Completion of building permit BP2021-1099 pertaining to the detached garage is required; no concerns.

**Public Comments:** No comments have been received from the public as of February 9, 2022

**Attachments:**



Appendices A-E for  
COA2022-013.pdf

Appendix A – Location Map  
Appendix B – Aerial Photo  
Appendix C – Applicant's Sketch (Site Plan)  
Appendix D – Elevation Drawings  
Appendix E - Department and Agency Comments

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<b>Phone:</b>	705-324-9411 extension 1367
<b>E-Mail:</b>	kstainton@kawarthalakes.ca
<b>Department Head:</b>	Richard Holy, Director of Development Services
<b>Department File:</b>	D20-2022-007

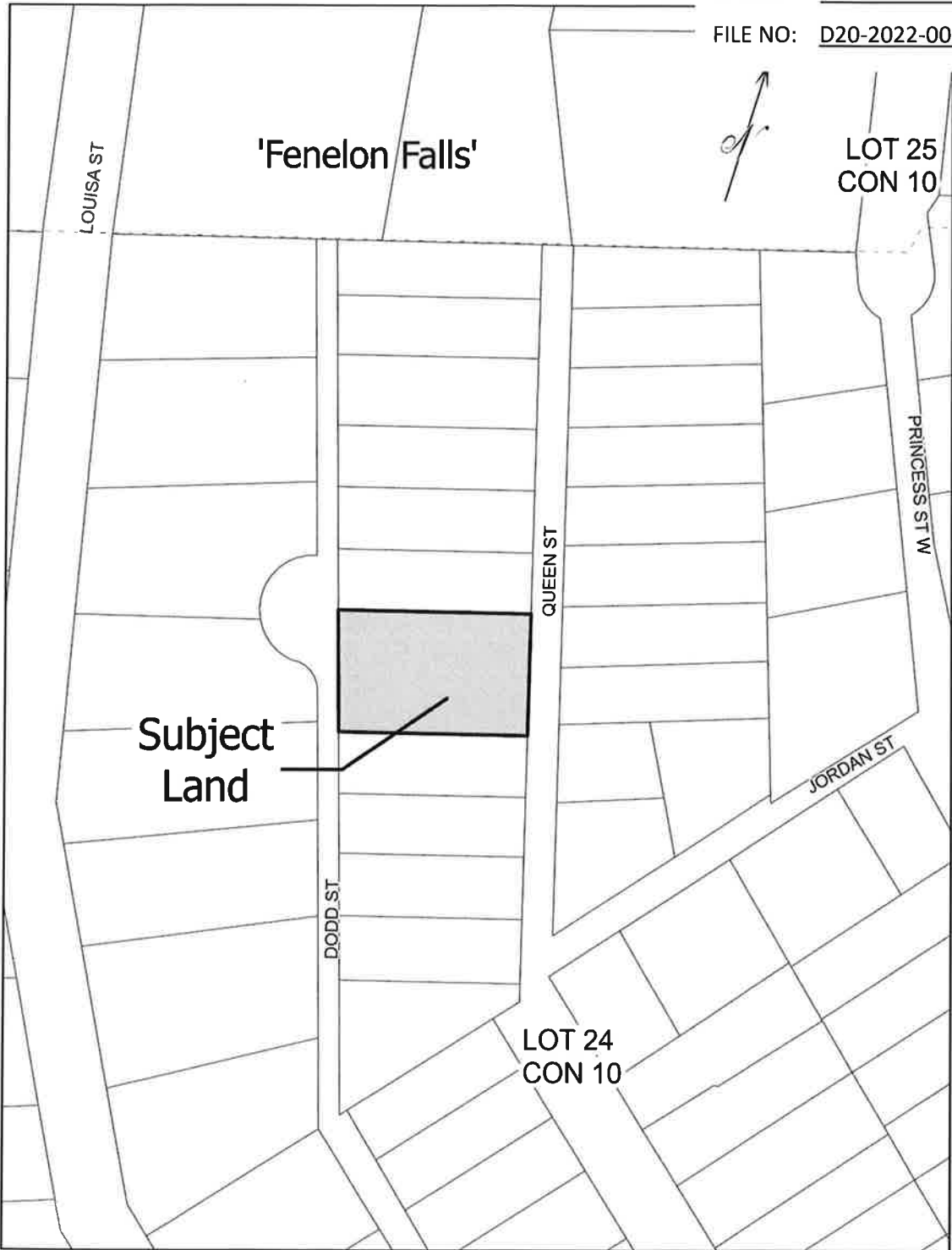
D20-2022-007

APPENDIX " A "

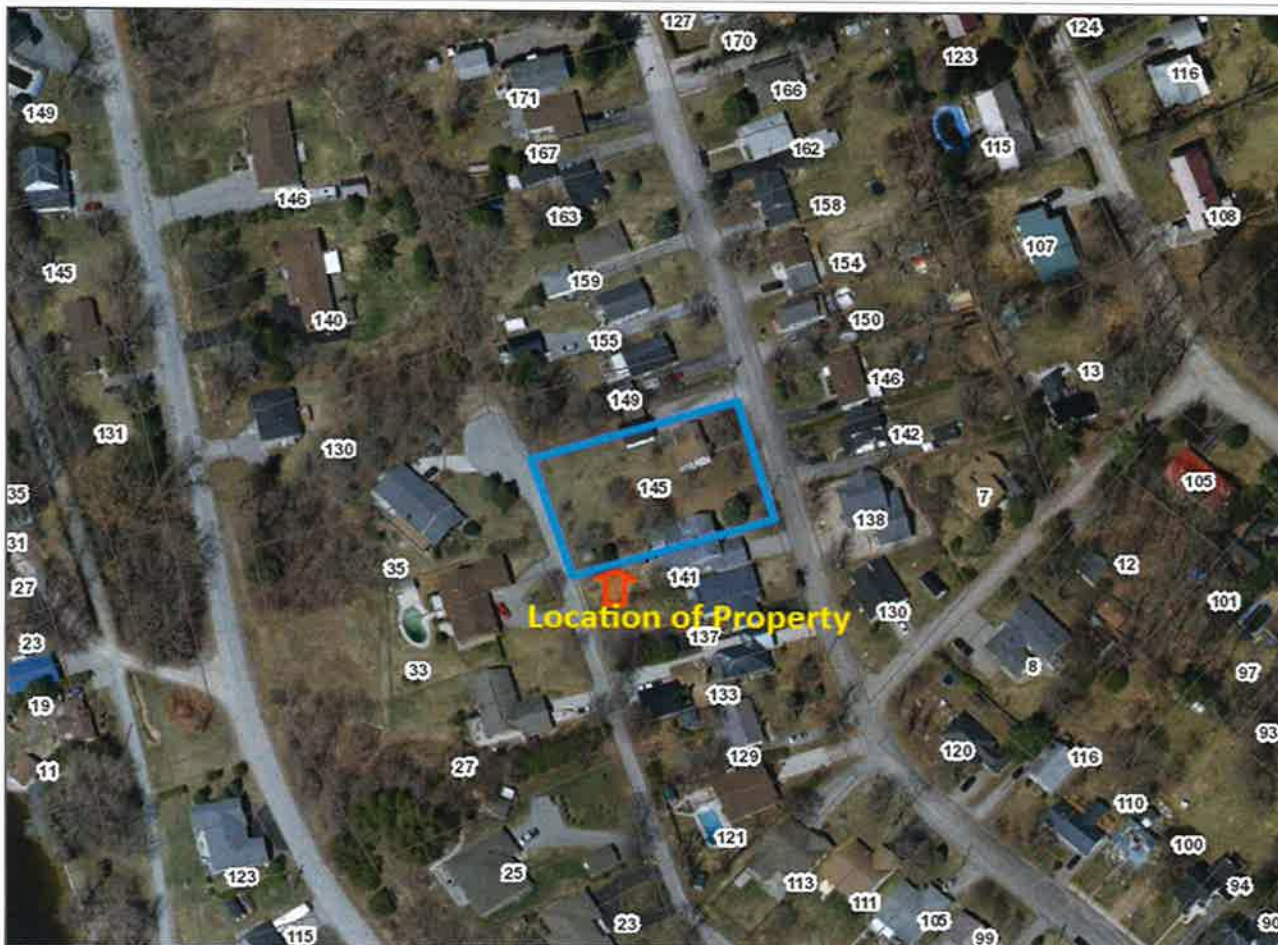
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REPORT COA2022-013

FILE NO: D20-2022-007



# 145 Queen Street, Former Village of Fenelon Falls



## Legend

☐ Property Roll Number

## Notes

Notes

APPENDIX " B "

to

REPORT COA2022-013

FILE NO: D20-2022-007

0.11

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.

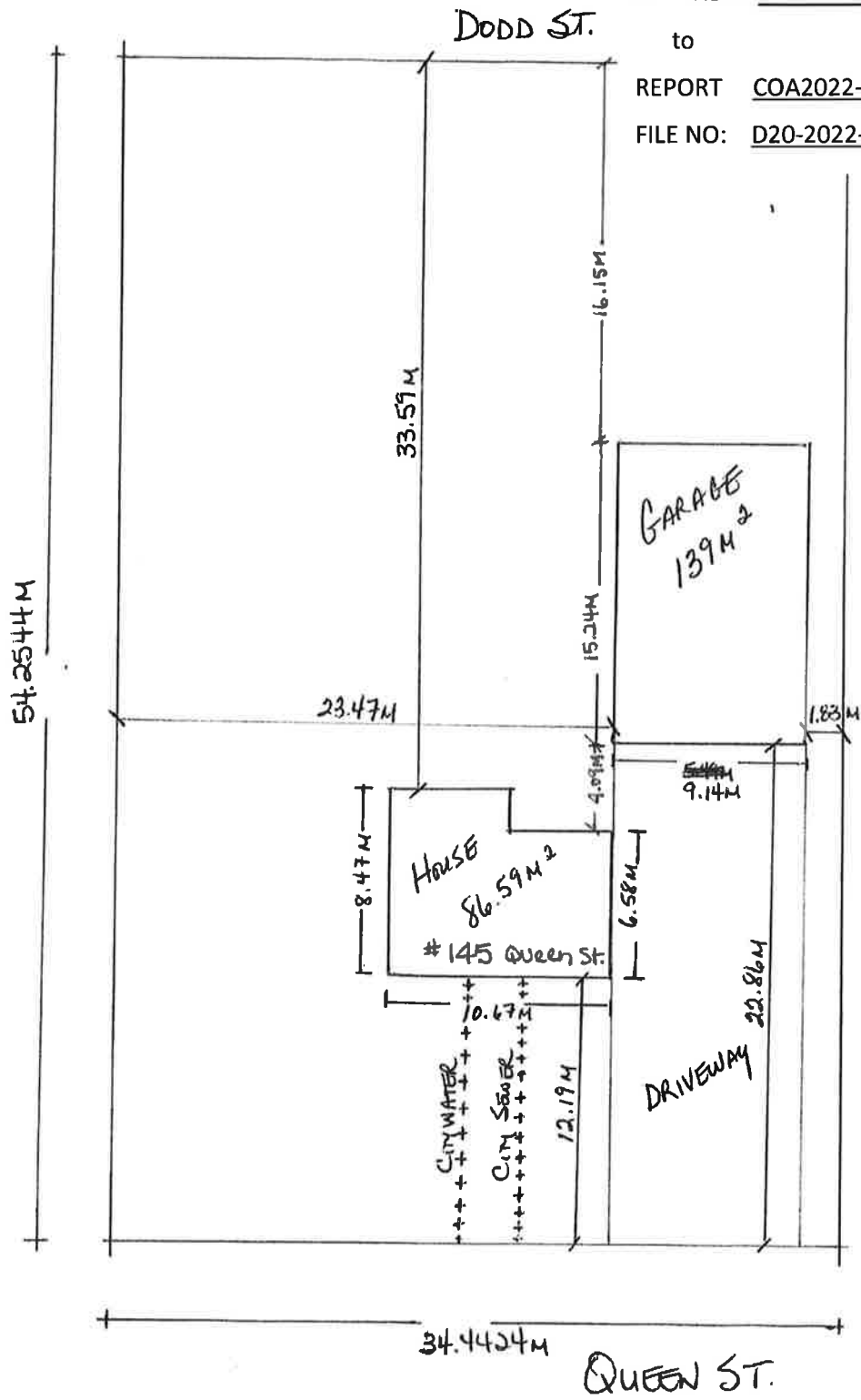
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APPENDIX " C "

to

REPORT COA2022-013

FILE NO: D20-2022-007





# East Elevation

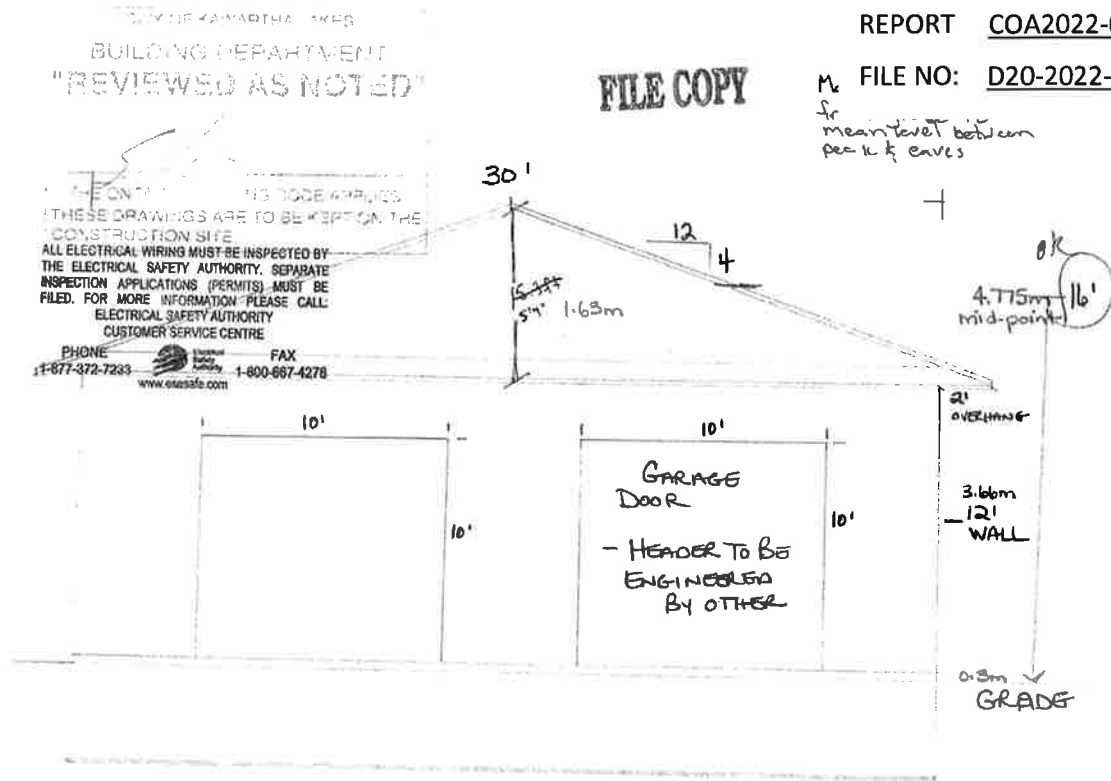
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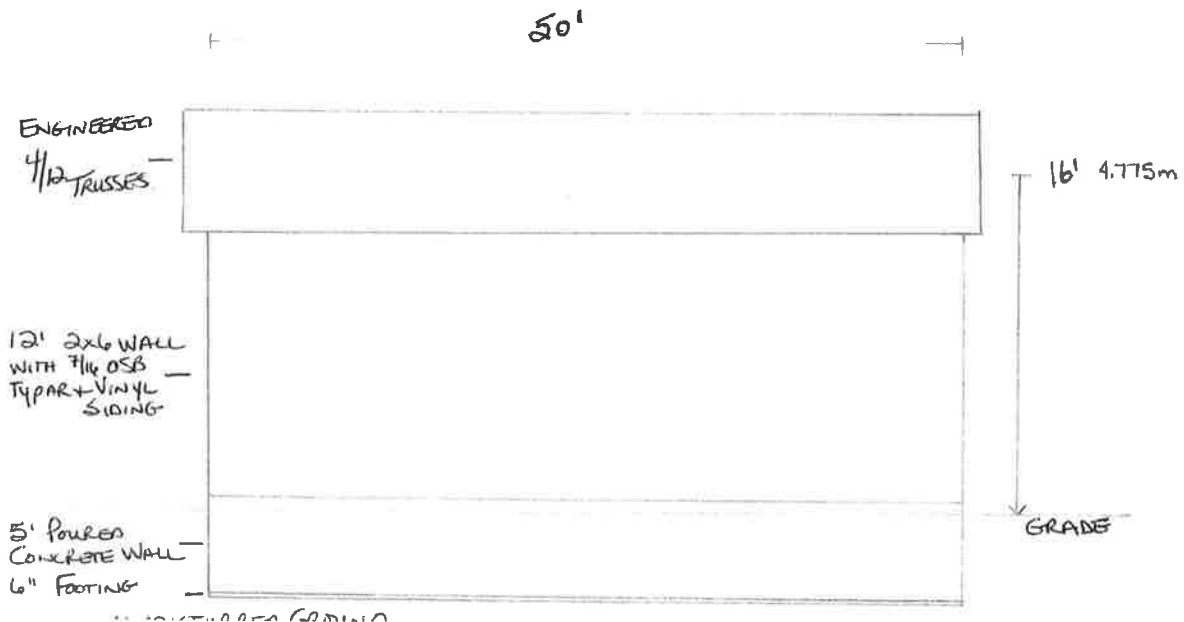
REPORT COA2022-013

FILE NO: D20-2022-007

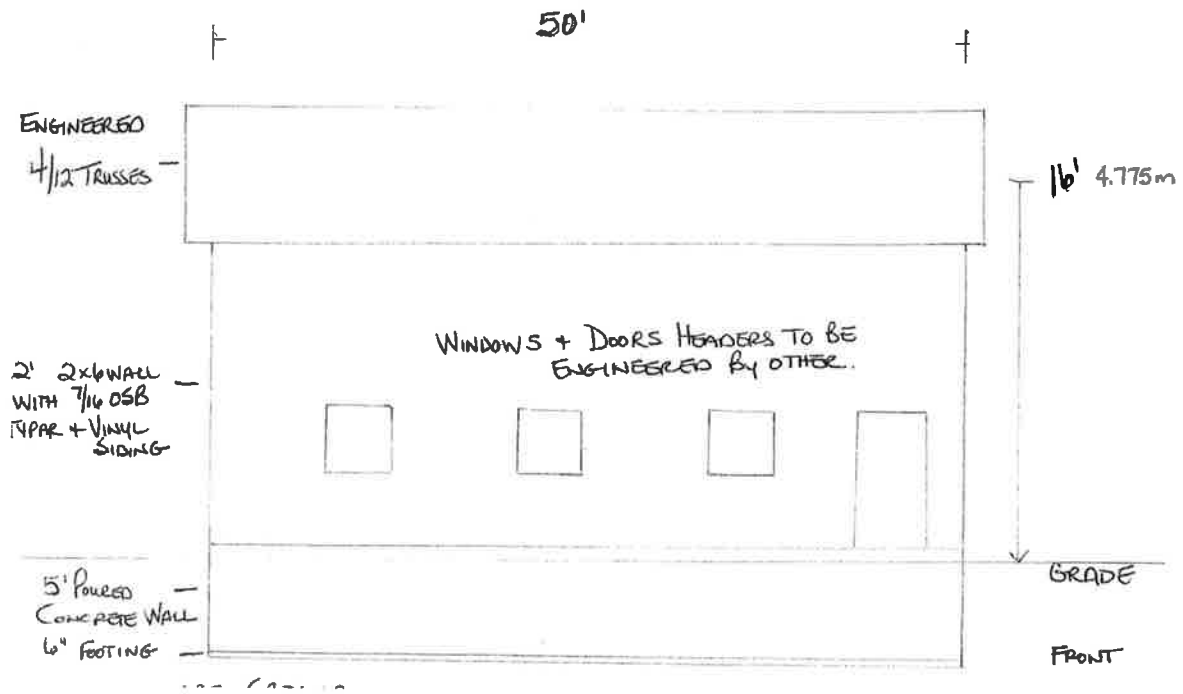
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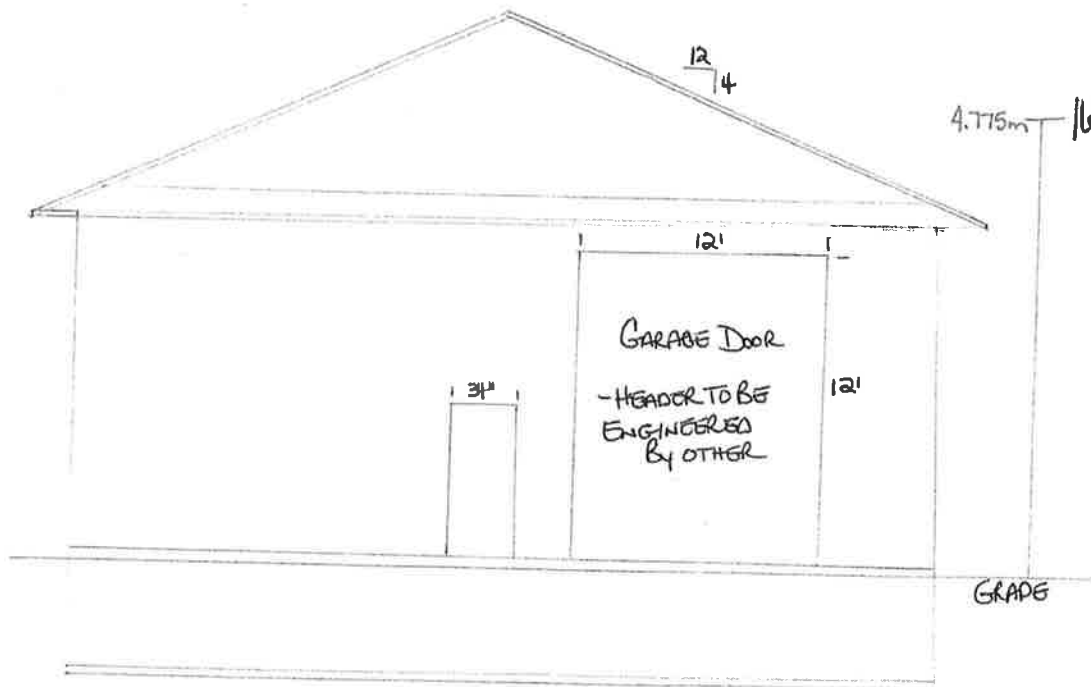
# North Elevation



## South Elevation



## West Elevation



## Charlotte Crockford

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**From:** Kent Stainton  
**Sent:** Tuesday, February 8, 2022 3:38 PM  
**To:** Charlotte Crockford  
**Subject:** FW: File D20-2022-007 - 145 Queen Street, Fenelon Falls

FYI. Please file and print.

APPENDIX E  
to  
REPORT COA2022-013  
FILE NO. D20-2022-007

**Kent Stainton**  
Planner II  
Development Services, City of Kawartha Lakes  
705-324-9411 ext. 1367 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



City of Kawartha Lakes  
Development Services Department, Planning Division  
180 Kent Street West  
Lindsay, ON K9V 2Y6  
705-324-4027 (F)

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.

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**From:** Mathew McKinnon <mmckinnon@kawarthalakes.ca>  
**Sent:** Tuesday, February 8, 2022 3:38 PM  
**To:** Kent Stainton <kstainton@kawarthalakes.ca>  
**Cc:** Susanne Murchison <smurchison@kawarthalakes.ca>  
**Subject:** RE: File D20-2022-007 - 145 Queen Street, Fenelon Falls

The following comments are provided from the Building & Septic Division, save and except those comments provided separately by the Supervisor of Part 8 Sewage Systems:

D20-2022-007 – Completion of building permit BP2021-1099 pertaining to the detached garage is required, otherwise no concerns.

**Mathew McKinnon**  
Building Inspector  
Development Services, City of Kawartha Lakes  
Tel: (705) 324-9411 ext. 1273 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)

## Charlotte Crockford

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**From:** Kim Rhodes  
**Sent:** Friday, February 4, 2022 11:28 AM  
**To:** Mark LaHay  
**Cc:** Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead  
**Subject:** 20220204 D20-2022-007 - Engineering review

**Please see the message below from Christina Sisson:**

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

Minor Variance – D20-2022-007

145 Queen Street

Plan 100, Lots 7 and 8 South Queen

Geographic Township of Fenelon Falls, Ward 3, now in the City of Kawartha Lakes

It is the understanding by Engineering that the purpose and effect is to request relief from Section 5.1.4 to increase the maximum allowable lot coverage for all accessory buildings and structures from 5 % of the lot area to 7.45% in order to permit the construction of a detached garage.

*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](http://www.kawarthalakes.ca)



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