

# **The Corporation of the City of Kawartha Lakes**

## **Committee of Adjustment Report – MacDonald**

Report Number COA2022-022

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### **Public Meeting**

**Meeting Date:** March 17, 2022

**Time:** 1:00 pm

**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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### **Ward: 8 – Geographic Township of Verulam**

**Subject:** The purpose and effect to request relief from Section 19.2(h) to increase the maximum permitted lot coverage from 10% to 10.6% to construct a detached garage.

The variance is requested at 11 Cedar Tree Road, geographic Township of Verulam (File D20-2022-017).

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**Author:** David Harding, Planner II, RPP, MCIP

**Signature:** 

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### **Recommendation:**

**Resolved That** Report COA2022-022 MacDonald, be received;

**That** minor variance application D20-2022-017 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 COA2022-022, which shall be attached to and form part of the Committee's Decision; and
- 2) **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 COA2022-022. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.**

**Background:** The application proposes to construct a detached garage/shop on the subject property.  
This application was last revised February 28, 2022.

**Proposal:** To construct an approximately 178.4 square metre (1,920.3 square foot) detached garage/shop.

**Owners:** Stewart and Kristen MacDonald

**Applicant:** Tom deBoer – TD Consulting Inc.

**Legal Description:** 11 Cedar Tree Road, Part Lot 27, Concession 2, geographic Township of Verulam

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

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

**Site Size:** 4,321.8 square metres (1.07 acre)

**Site Servicing:** Private individual well and septic system proposed

**Existing Uses:** Vacant Land

**Adjacent Uses:** North, South, East, West: Agricultural

**Rationale:**

**1) Is the variance minor in nature? Yes**

The subject property is situated in a rural area close to the intersection of City Road 121 and Cedar Tree Road. This specific parcel is surrounded by agricultural and rural land on all sides. The lot is currently vacant.

A single detached dwelling is proposed towards the centre of the lot. The detached garage is proposed to the west of the dwelling. The added lot coverage will provide for a slightly larger accessory building. The coverage, if granted, will allow the building to increase from about 155.6 square metres (1,674.9 square feet) to about 178.4 square metres (1,920.3 square feet).

The building is proposed behind and to the west side of the dwelling. As a result, the dwelling will maintain visual prominence rather than the accessory building.

The variance is minor in nature.

**2) Is the proposal desirable and appropriate for the use of the land? Yes**

This specific parcel is surrounded by agricultural and rural land on all sides.

The garage/shop will provide additional space for large vehicle storage and to carry on a home occupation outside the home. The property owner is an HVAC installer and requires a place to store parts and fabricate duct work from time to time. A home occupation is permitted within an accessory building provided the use does not occupy an area that exceeds 25% of the dwelling unit area.

While it is possible to enlarge the footprint of the dwelling to accommodate the proposed uses, it is also acceptable to provide a separate building in which to locate these accessory activities.

Due to the above analysis, the variance is minor in nature and desirable and appropriate for the use of the land.

**3) Does the variance maintain the intent and purpose of the Zoning By-law? Yes**

The General Rural (A1) Zone permits a variety of rural uses, including single detached dwellings. The A1 Zone does not adjust the maximum lot coverage requirement depending on the use. On smaller lots used for residential purposes, restricting the maximum lot coverage to 10% can restrict the ability to construct sufficiently sized residential buildings or structures. Lots with the R1 and LSR Zone categories permit a maximum lot coverage of 33%. Since the subject property is a small lot within the A1 Zone used for residential purposes, permitting a total coverage of 10.6% is a modest increase from 10% that remains much less than the higher coverages permitted on lots with a residential zone category.

While the A1 lot coverage provision is exceeded, the General Provisions sets a maximum coverage of 10% for accessory buildings within a residential zone. A total accessory building coverage of about 4.2% is proposed. The dwelling will cover about 6.4% of the property. The dwelling retains its visual prominence as the primary use and building on the property. Therefore, it is appropriate to increase the lot coverage to permit a slightly larger accessory building.

Therefore, the variance maintains the general intent and purpose of the Zoning By-Law.

**4) Does the variance 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 will be 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:**

Development Engineering Division (March 4, 2022): No concerns.

Building and Septic Division – Plans Examiner (March 4, 2022): Building permit required. Completion of building permit application BP2021-1620 required before issuance of garage permit.

Building and Septic Division (March 7, 2022): Sewage System Permit SS2021-0600 issued for this property. All clearance distances will be maintained. No concerns.

**Public Comments:**

No comments received as of March 7, 2022.

**Attachments:**

Appendices A-E to  
COA2022-022

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Applicant's Elevations

Appendix E – Department and Agency Comments

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**Phone:** 705-324-9411 extension 1206

**E-Mail:** dharding@kawarthalakes.ca

**Department Head:** Richard Holy, Director of Development Services

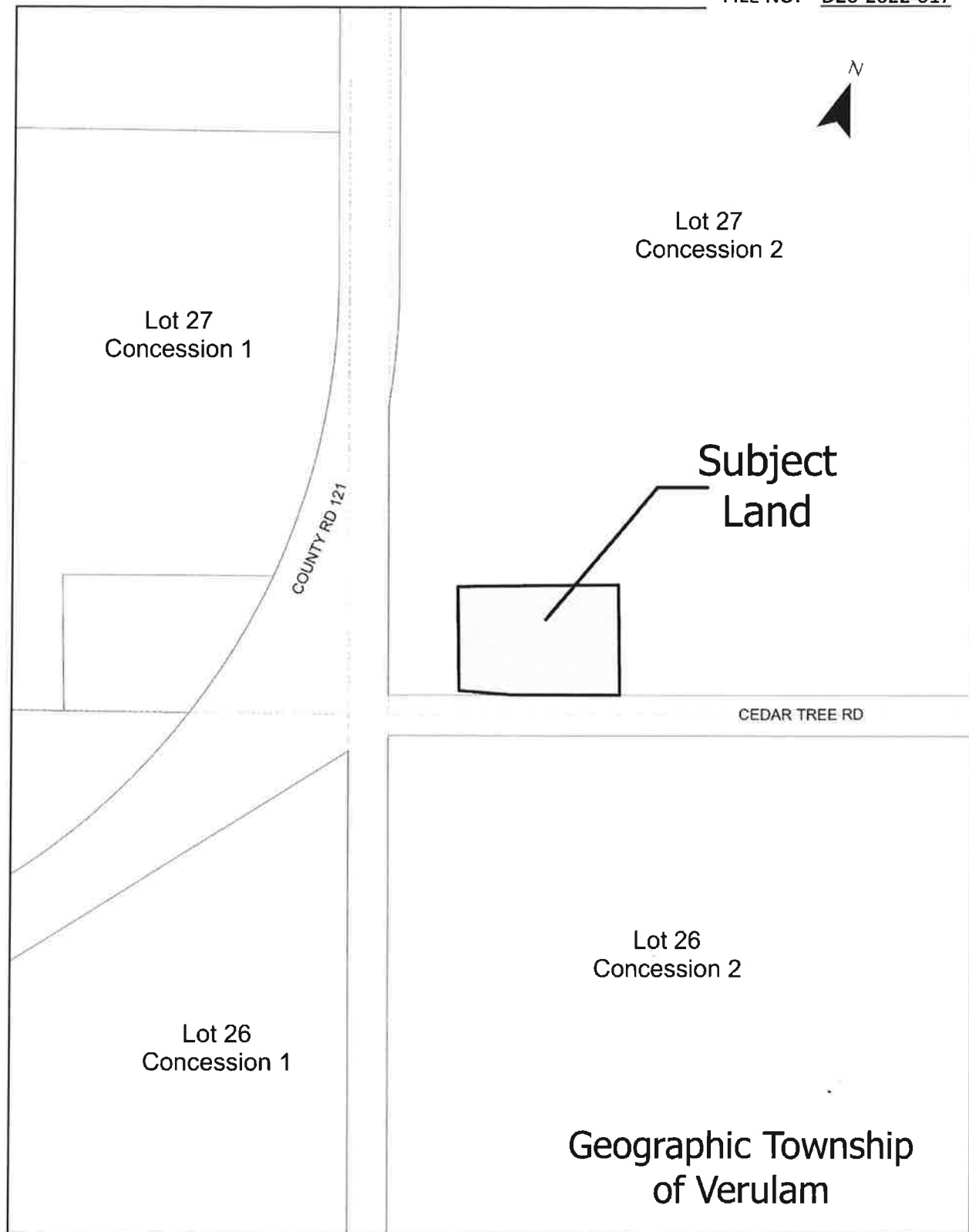
**Department File:** D20-2022-017

to

REPORT COA2022-022

FILE NO: D20-2022-017

D20-2022-017



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11 Cedar Tree Road, geographic Twp. of Verulam

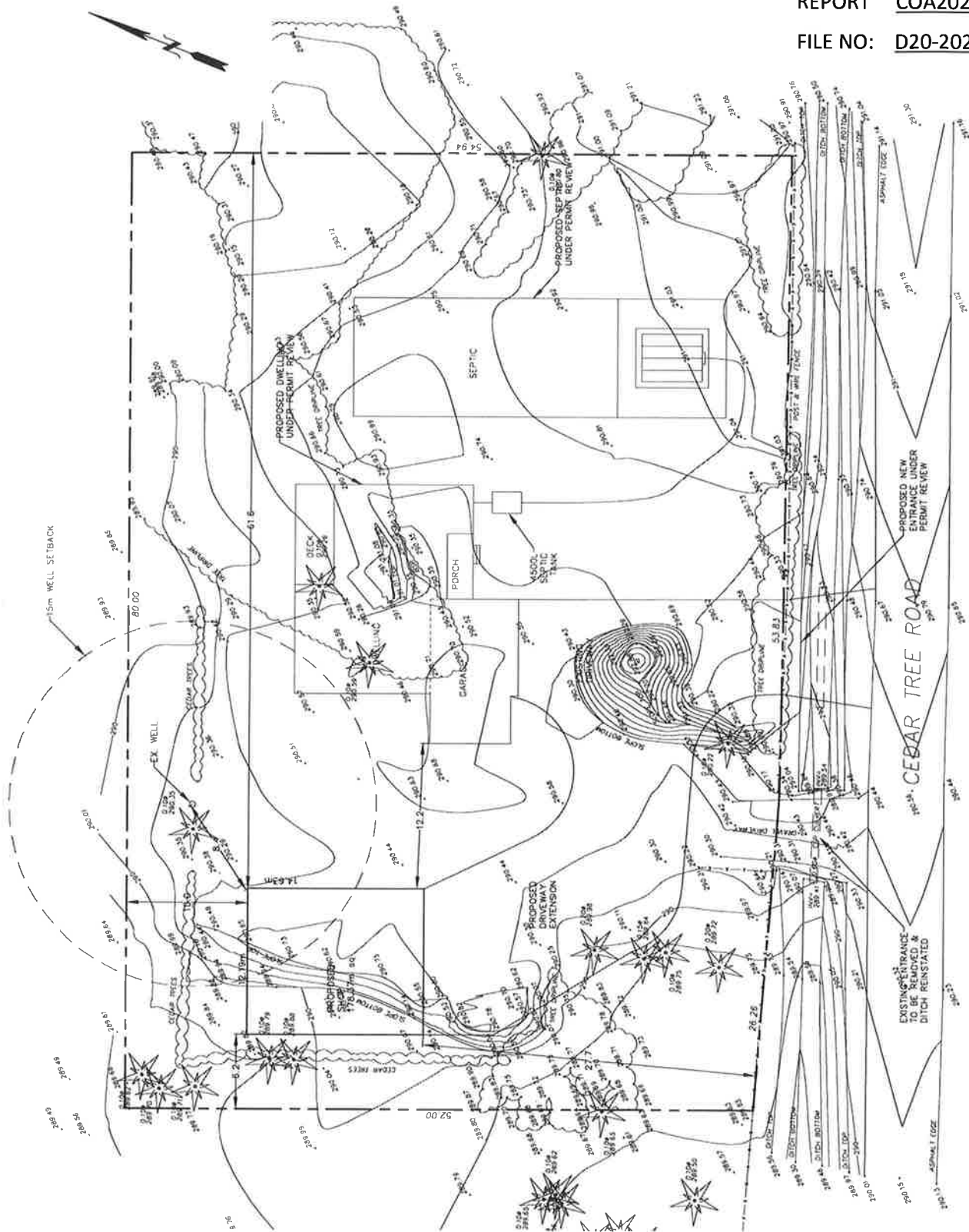


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0.11 Kilometers  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
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to  
REPORT COA2022-022  
FILE NO: D20-2022-017



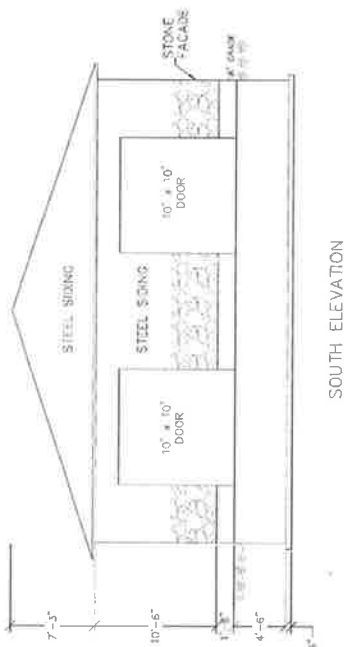
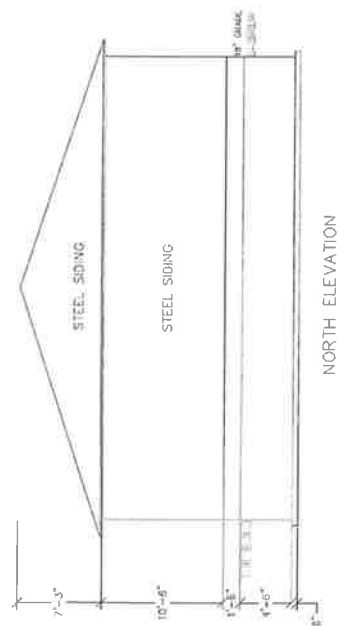
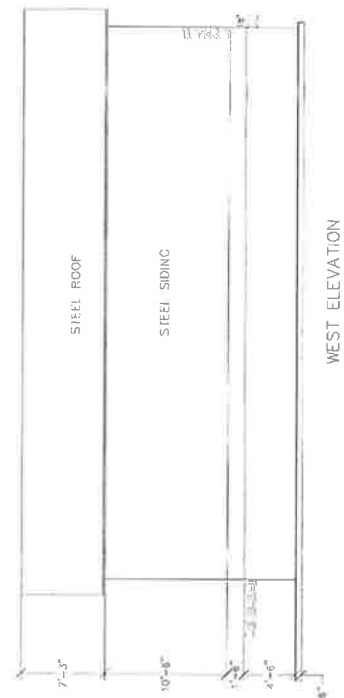
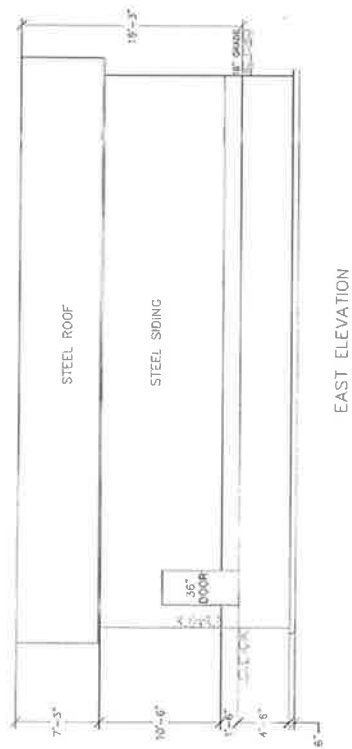


APPENDIX “ D ”

to

REPORT COA2022-022

FILE NO: D20-2022-017





**Charlotte Crockford**

**From:** Mathew McKinnon  
**Sent:** Friday, March 4, 2022 10:24 AM  
**To:** Charlotte Crockford  
**Subject:** Notice of Public Hearing for Minor Variances

APPENDIX E  
to  
REPORT COA 2022-022

FILE NO. D20-2022-017

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:

D20-2021-077 – Spatial could be a potential issue, development charges applicable, permit required, no other concerns

D20-2022-010 – outstanding building permit BP2017-1278, no other concerns

D20-2022-011 – outstanding building permit BPH2003-1508, permit required for pool house, no other concerns

D20-2022-012 – completion of issued permits BP2021-1621 & BP2017-0353 required, permits required for boathouse & cabin, no other concerns

D20-2022-016 – outstanding building permit BPH2013-0357, development charges applicable, permit required, no other concerns

✶ D20-2022-017 – building permit required, completion of permit application BP2021-1620 for SDD required prior to issuance of garage permit, no other concerns

D20-2022-018 – no concerns

**Mathew McKinnon**

Plans Examiner

Development Services, City of Kawartha Lakes

Tel: (705) 324-9411 ext. 1273 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



Please note: The Building Department 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.

## David Harding

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**From:** Anne Elmhirst  
**Sent:** Monday, March 7, 2022 2:35 PM  
**To:** Charlotte Crockford  
**Subject:** RE: Notice of Public Hearing for Minor Variance D20-2022-017, 11 Cedar Tree Road, Verulam

Hello Charlotte,

I have received and reviewed the minor variance proposal for 11 Cedar Tree Road to request relief for the increase in lot coverage to accommodate an accessory structure.

A Sewage System Permit to Install has been issued under file SS2021-0600 for this property. The sewage system has been issued to service the residential dwelling proposal. The system will be located on the east side of the property maintaining all required clearance distances from the accessory structure.

As such, the Building and Septic Division has no concerns with the proposed minor variance request 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](http://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 <[ccrockford@kawarthalakes.ca](mailto:ccrockford@kawarthalakes.ca)>

**Sent:** Thursday, March 3, 2022 3:01 PM

**To:** Christina Sisson <[csisson@kawarthalakes.ca](mailto:csisson@kawarthalakes.ca)>; 'Erin McGregor' <[emcgregor@kawarthaconservation.com](mailto:emcgregor@kawarthaconservation.com)>; Doug Elmslie <[delmslie@kawarthalakes.ca](mailto:delmslie@kawarthalakes.ca)>; Susanne Murchison <[smurchison@kawarthalakes.ca](mailto:smurchison@kawarthalakes.ca)>; Mathew McKinnon <[mmckinnon@kawarthalakes.ca](mailto:mmckinnon@kawarthalakes.ca)>; Anne Elmhirst <[aelmhirst@kawarthalakes.ca](mailto:aelmhirst@kawarthalakes.ca)>

**Cc:** Kim Rhodes <[krhodes@kawarthalakes.ca](mailto:krhodes@kawarthalakes.ca)>

**Subject:** Notice of Public Hearing for Minor Variance D20-2022-017, 11 Cedar Tree Road, Verulam

Good afternoon

Please find attached the Notice of Public Hearing for Minor Variance D20-2022-017 to be heard at March 17, 2022 C of A meeting.

## David Harding

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**From:** Mark LaHay  
**Sent:** Friday, March 4, 2022 11:24 AM  
**To:** David Harding; Kent Stainton  
**Cc:** Charlotte Crockford  
**Subject:** FW: 20220304 D20-2022-017 - Engineering Review

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

FYI - file

**From:** Lisa Peimann <lpeimann@kawarthalakes.ca>  
**Sent:** Friday, March 4, 2022 11:23 AM  
**To:** Mark LaHay <MLaHay@kawarthalakes.ca>  
**Cc:** Christina Sisson <csisson@kawarthalakes.ca>; Kirk Timms <ktimms@kawarthalakes.ca>; Daniel Woodhead <dwoodhead@kawarthalakes.ca>  
**Subject:** 20220304 D20-2022-017 - 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 – D20-2022-017  
11 Cedar Tree Road  
Part Lot 27, Concession 2  
Geographic Township of Verulam, 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 19.2(h) to increase the maximum permitted lot coverage from 10% to 10.6% to construct 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)