

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Steinhart
Report Number COA2022-027

Public Meeting

Meeting Date: April 21, 2022
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 7 – 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 6.7 metres in order to permit the construction of a single detached dwelling.

The variance is requested at 31 Logie Street, former Town of Lindsay (File D20-2022-021).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendations:

Resolved That Report COA2022-027 Steinhart, be received;

That minor variance application D20-2022-021 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 COA2022-027, 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 four (4) 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 COA2022-027. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: During the building permit process, it was discovered that a portion of the dwelling was sited too close to the front lot line.
This application was last amended March 30, 2022.

Proposal: To facilitate the construction of a single detached dwelling.

Owner: Mark Steinhart

Applicant: Tom deBoer – TD Consulting Inc.

Legal Description: Part of Park Lot 7 w/s Logie Street, Plan 15P, Part 2, 57R-6792, former Town of Lindsay

Official Plan: Residential within the Town of Lindsay Official Plan

Zone: Residential One Special Five (R1-S5) Zone within the Town of Lindsay Zoning By-law 2000-75

Site Size: 1,293.19 square metres (13,919.8 square feet)

Site Servicing: Municipal water and wastewater

Existing Uses: Residential

Adjacent Uses:

| | |
|--------|---|
| North: | Residential |
| South: | Vacant Residential Land (forested) |
| East: | Vacant building formerly used as place of worship |
| West: | Scugog River and rail trail |

Rationale:

1) Is the variance minor in nature? Yes

The subject property is located within Lindsay in a neighbourhood on the east side of the Scugog River. The neighbourhood is comprised of residential lots containing dwellings of varying ages, ranging from approximately 1880 to 2004 according to MPAC. There are also larger vacant parcels in the area. The neighbourhood is continuing to undergo some development as the vacant parcels are incrementally developed. The subject property is one such vacant parcel that has recently undergone development.

The property is situated between Logie Street and the rail trail lands bordering the east edge of the Scugog River.

A single detached dwelling with an attached three car garage is proposed. The garage doors are proposed to face the road. The garage is arranged in a double door with single door configuration. The segment of the garage wall containing the double door is proposed to be slightly offset from the segment containing the single door. It is the wall containing the double door which is proposed to project into the minimum front yard setback. The offset will allow for the opportunity to create visual interest through architectural design by

breaking up what would otherwise be a long garage wall and introducing multiple gables. It is anticipated that this increased visual interest will compliment and add to the neighbourhood streetscape.

The subject property abuts Logie Street, which curves to conform to the shape of the Scugog River. The west side of the street contains very few lots and only one, being the former place of worship, fronts onto Logie Street. As a result, there is a continuous stepping of built form along the west side of the street. Due to this stepping, the dwellings are not in-line with one another. However, an overall spatial separation between the built form and road is maintained throughout the stepping. A part of the garage wall is proposed to project 0.8 metres into the front yard. The projection is not great enough to be anticipated to be perceptible and therefore will not adversely impact the character of the neighbourhood. The increased visual design is anticipated to contribute to neighbourhood character.

The variance is minor in nature.

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

The subject property contains a single detached dwelling. The proposal to move a portion of the garage wall closer to the road is largely aesthetic in nature rather than due to a physical site constraint. Physical constraints will be examined in test 3. The aesthetic proposal will add additional visual interest to the building.

Bringing the built form slightly closer to the road rather than pushing the dwelling further back into the lot does maintain more rear yard space for landscaping and recreational amenity uses. Bringing the built form slightly closer to the road is also not anticipated to generate adverse land use conflicts since the built form contains storage. The slight reduction in front yard space also does not impact the ability to park one vehicle between the double garage door and the front lot line.

Due to the above analysis, the variance is 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 subject property is zoned Residential One Special Five (R1-S5) Zone within the Town of Lindsay Zoning By-law 2000-75. R1-S5 Zone sets a maximum depth into the lot that development may occur. This is to ensure development stays closer to the road, providing a greater setback to the river and abutting wetland areas. The setback provides additional spatial separation to mitigate adverse impacts and provides space for stormwater infiltration. Moving the built form slightly closer to the road rather than into the rear yard to accommodate the garage offset maintains the intent of the special zone.

A function of a front yard is to maintain sightlines for vehicles entering and leaving the property. Another function is to provide sufficient space for road and driveway snow storage. An additional function is to provide adequate spatial

separation between the road and residential uses to minimize adverse impacts to the residence.

Sightlines are not adversely impacted by the garage projection, as the projection is minimal and not anticipated to be perceptible. Sufficient space remains for snow storage functions. The more sensitive habitable spaces of the dwelling comply with the minimum front yard setback requirements. It is not anticipated that the storage use of the garage will experience adverse impacts due to the slightly increased proximity to the road.

Within the General Provisions, a parking space perpendicular to the road must be at least 5.8 metres in depth and 2.75 metres in width. The garage projection maintains the minimum parking space dimensions between it and the front lot line. This ensures that a vehicle parked in-front of the garage will be fully contained on private property and will not interfere with the function of the road.

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

As the Lindsay Secondary Plan as 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. A single detached dwelling is proposed. In consideration of the above, the variance maintains 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 on municipal water and wastewater services.

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 (April 7, 2022): No concerns.

Building and Septic Division – Plans Examiner (April 7, 2022): The completion of BP2020-0820 is required. No other concerns.

Community Services Department (April 7, 2022): No concerns.

Public Comments:

No comments were received as of April 12, 2022.

Attachments:



Appendices A-E to
COA2022-027

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

Phone: 705-324-9411 extension 1206

E-Mail: dharding@kawarthalakes.ca

Department Head: Richard Holy, Director of Development Services

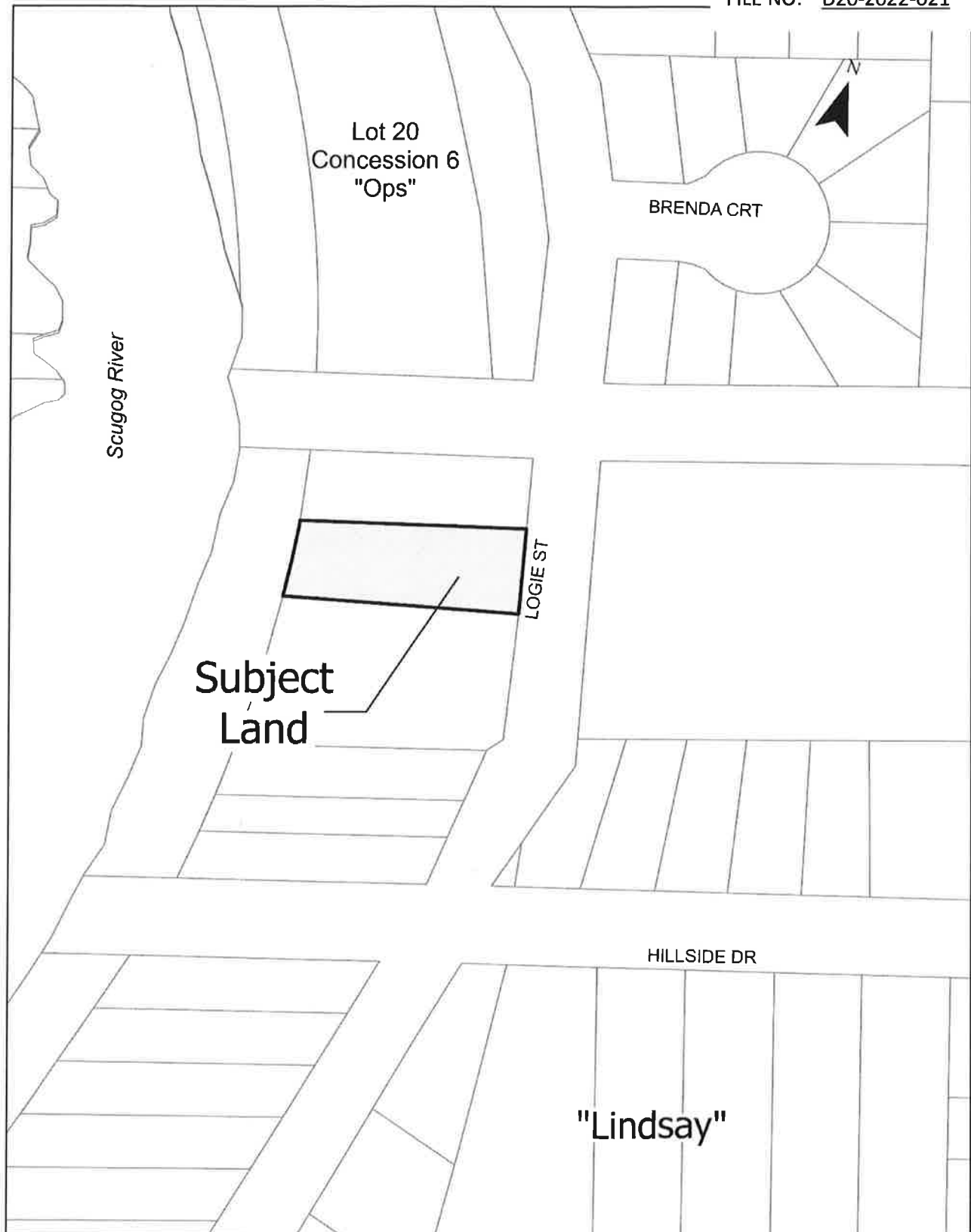
Department File: D20-2022-021

to

REPORT COA2022-027

FILE NO: D20-2022-021

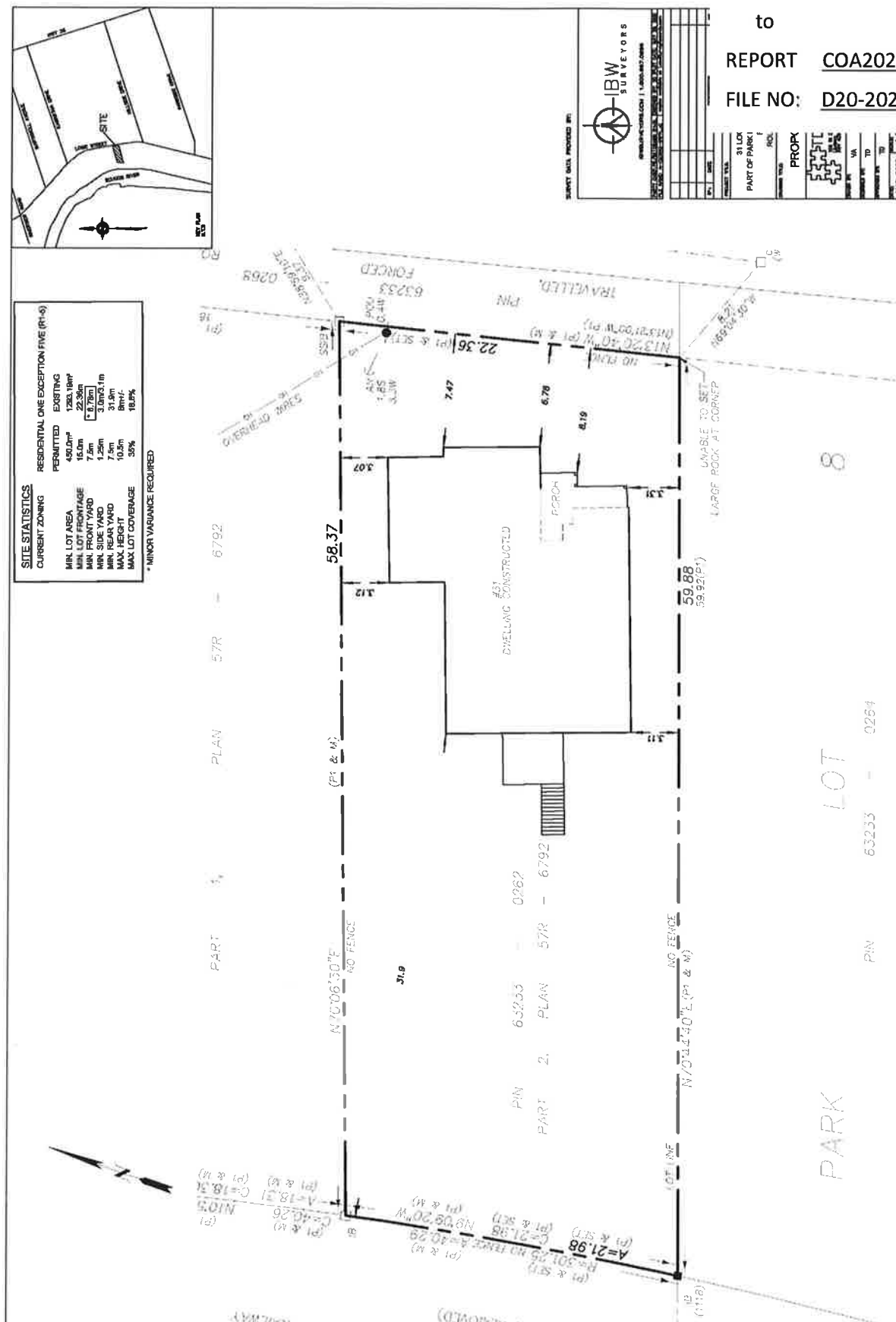
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31 Logie Street, former Town of Lindsay



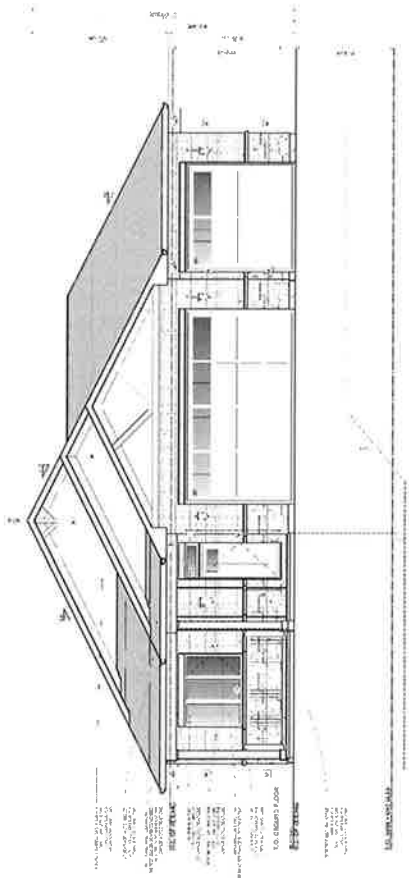
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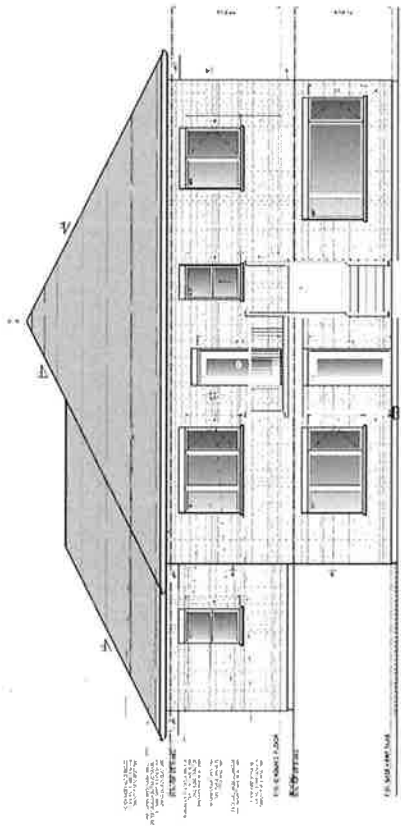
APPENDIX “ D ”

to
REPORT COA2022-027
FILE NO: D20-2022-021

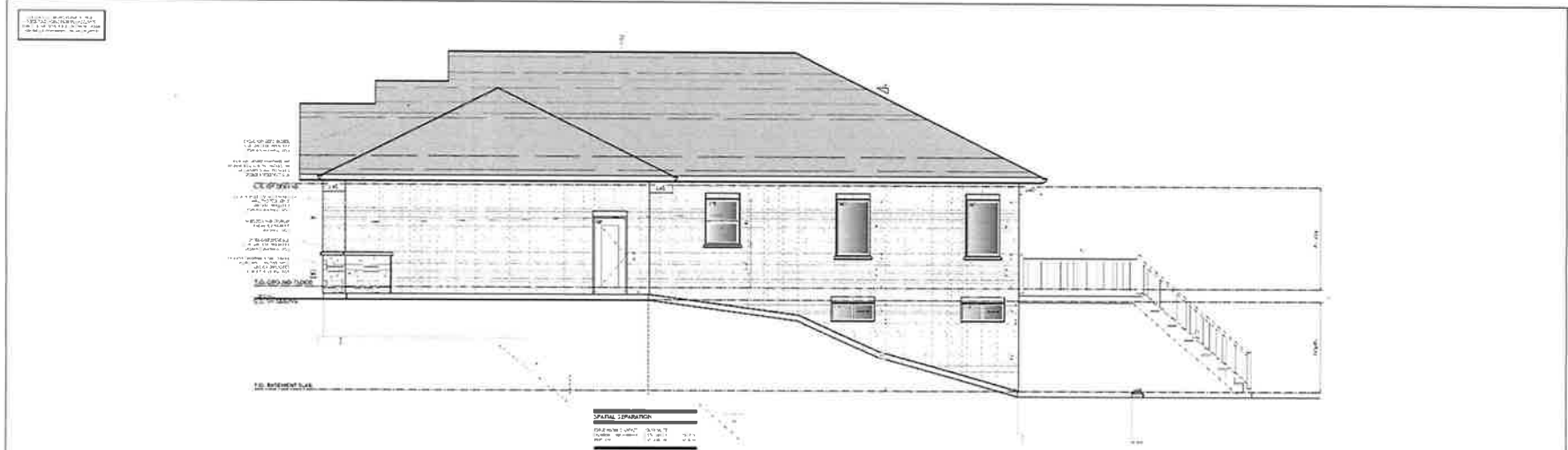
APPROVED FOR THE CITY OF DENVER
DATE: 11/15/2022 BY: [Signature]



FRONT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION



LEFT ELEVATION



APPENDIX E
to
REPORT COA2022-027
FILE NO. D20-2022-021

Staff Memo

LeAnn Donnelly, Executive Assistant, Community Services

Date: April 6, 2022
To: Committee of Adjustment
From: LeAnn Donnelly, Executive Assistant, Community Services
Re: Minor Variance – Various Applications

This memorandum confirms receipt of various applications to the Community Services Department and is intended to advise that our Department has no comments or concerns to offer the Committee with respect to the following minor variance applications:

| | |
|--------------|---------------------------------|
| D20-2022-004 | 43 Chemongview Street, Emily |
| D20-2022-014 | 4 Alfred Street, Verulam |
| D20-2022-015 | 19 Royal Estate Drive, Manvers |
| D20-2022-020 | 50 River Bend Drive, Somerville |
| D20-2022-021 | 31 Logie Street, Lindsay |
| D20-2022-022 | 5 Homestead Road, Manvers |

LeAnn Donnelly

LeAnn Donnelly
Executive Assistant, Community Services
705-324-9411 ext. 1300

David Harding

From: Mark LaHay
Sent: Thursday, April 7, 2022 3:46 PM
To: David Harding
Cc: Nancy Ord; Charlotte Crockford
Subject: FW: 20220407 D20-2022-021 - Engineering Review

FYI - file

From: Lisa Peimann <lpeimann@kawarthalakes.ca>
Sent: Thursday, April 7, 2022 9:34 AM
To: Mark LaHay <MLaHay@kawarthalakes.ca>
Cc: Christina Sisson <csisson@kawarthalakes.ca>; Kirk Timms <ktimms@kawarthalakes.ca>; Daniel Woodhead <dwoodhead@kawarthalakes.ca>
Subject: 20220407 D20-2022-021 - Engineering Review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2022-021
31 Logie Street
Lot 11, Plan 572, Part Park Lot 7 w/s Logie Street
Geographic Township of Lindsay, Ward 7, now in the City of Kawartha Lakes

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 6.7 metres in order to permit the construction of a 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



David Harding

From: Mathew McKinnon
Sent: Thursday, April 7, 2022 9:51 AM
To: Nancy Ord
Cc: Susanne Murchison
Subject: RE: Committee of Adjustment Notice of Public Hearing for Application D20-2022-021, 31 Logie Street, Lindsay

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:

- Completion of building permit BP2020-0820, no other concerns

Mathew McKinnon

Plans Examiner
Development Services, City of Kawartha Lakes
Tel: (705) 324-9411 ext. 1273 www.kawarthalakes.ca



From: Nancy Ord <nord@kawarthalakes.ca>
Sent: Tuesday, April 5, 2022 1:12 PM
To: Christina Sisson <csisson@kawarthalakes.ca>; Kim Rhodes <krhodes@kawarthalakes.ca>; Amber Hayter <achayter@kawarthalakes.ca>; Patrick O'Reilly <poreilly@kawarthalakes.ca>; Susanne Murchison <smurchison@kawarthalakes.ca>; Mathew McKinnon <mmckinnon@kawarthalakes.ca>
Cc: David Harding <dharding@kawarthalakes.ca>; Charlotte Crockford <ccrockford@kawarthalakes.ca>
Subject: Committee of Adjustment Notice of Public Hearing for Application D20-2022-021, 31 Logie Street, Lindsay

Please find attached the Notice of Public Meeting for Minor Variance application D20-2022-021, with application and sketch, to be heard at the April 21, 2022 Committee of Adjustment meeting. (Attached as well is the April 7, 2022 Ad for the April 21, 2022 meeting which lists other applications to be heard.)

Thank you and **please respond with comments by Monday, April 11, 2022** to allow Planners to include your comments in their reports.

Nancy H. Ord

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