

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Rusnak**  
Report Number COA2022-040

---

**Public Meeting**

**Meeting Date:** June 16, 2022  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

---

**Ward 3 – Geographic Township of Verulam**

**Subject:** The purpose and effect is to recognize the existing lot area to facilitate the construction of an Additional Residential Unit (ARU); and, to permit an increased height for a detached garage in an exterior side yard. The By-law requires a minimum lot area of 4,000 square metres; the existing lot area is +/- 2,267.0 square metres. The By-law permits a maximum height of 5.0 metres in an interior side or rear yard; the proposed height is 5.4 metres.

The variance is requested at **28 Parkhill Drive** (File D20-2022-033).

---

**Author:** Leah Barrie, RPP, Manager of Planning

**Signature:**



---

**Recommendations**

**That** Report COA2022-040 – Rusnak, be received;

**That** minor variance application D20-2022-033 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions**

- 1) **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendices C and D submitted as part of Report COA2022-040 including existing lot area, which shall be attached to and form part of the Committee's Decision; and,
- 2) **That** 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; and,
- 3) **That** the owners apply for and obtain a Deeming By-law, as required.

This approval pertains to the application as described in report COA2022-040. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

## Application Summary

Proposal:	1) To permit an ARU on an undersized lot for private services 2) To permit a height increase for a detached garage in an exterior side yard
Owners:	Miranda and Robert Rusnak
Applicant:	Andrew Chudy Carpentry Inc. (Andrew Chudy)
Legal Description:	Lots 13 and 14, Plan 218
Official Plan:	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone:	Residential Type One 'R1' (Township of Verulam Zoning By-law 6-87)
Site Size:	+/- 2,267.0 square metres (0.56 acres)
Site Servicing:	Private individual well and septic system
Existing Uses:	Residential
Adjacent Uses:	Residential

## Rationale

**The variance is desirable for the appropriate development or use of the land, building or structure.**

The ARU is intended to provide a housing option for the owner's aging parents. As the existing detached accessory building is to contain the ARU, the owners seek to build a new garage for storage and office uses. The resulting building footprints and configuration provide an adequate open space amenity, and do not result in an overbuilt lot.

**The variance maintains the general intent and purpose of the Official Plan.**

The proposed ARU and accessory buildings are permitted as-of-right in the designation; performance and siting criteria is implemented through the Zoning By-law.

**The variance maintains the general intent and purpose of the Zoning By-law.**

The proposed ARU is permitted as-of-right in the zone and complies with all applicable zone provisions, with the exception of lot area; the proposal has been

vetted through the Building and Septic Division. The placement of the garage in the exterior side yard exceeds the minimum lot line setback and is sited behind the dwelling. The increased height of the garage is designed to complement rather than overshadow the dwelling.

**The variance is minor in nature.**

There are no anticipated impacts on environmental features; neighbouring properties; or, the function of the municipal right-of-way with respect to access, drainage, or streetscaping and maintenance.

**Other Alternatives Considered:**

The preliminary garage design included full-length dormers on opposite sides resulting in a second-storey. An alternative was explored to reduce the length of each dormer by half, such that collectively both did not exceed 50% of the wall face. Instead the owners elected to remove one full-length dormer and retain one full-length dormer to optimize function and aesthetic value.

**Consultation Summary**

Notice of this application was circulated in accordance with the requirements of the Planning Act.

**Agency Comments:**

No concerns or objections received as of the writing of the staff report.

**Public Comments:**

No comments received as of the writing of the staff report.

**Attachments**

Appendix A – Location Map  
Appendix B – Aerial Photo  
Appendix C – Applicant's Sketch  
Appendix D – Elevations



COA2022-040  
Appendices\_Rusnak

---

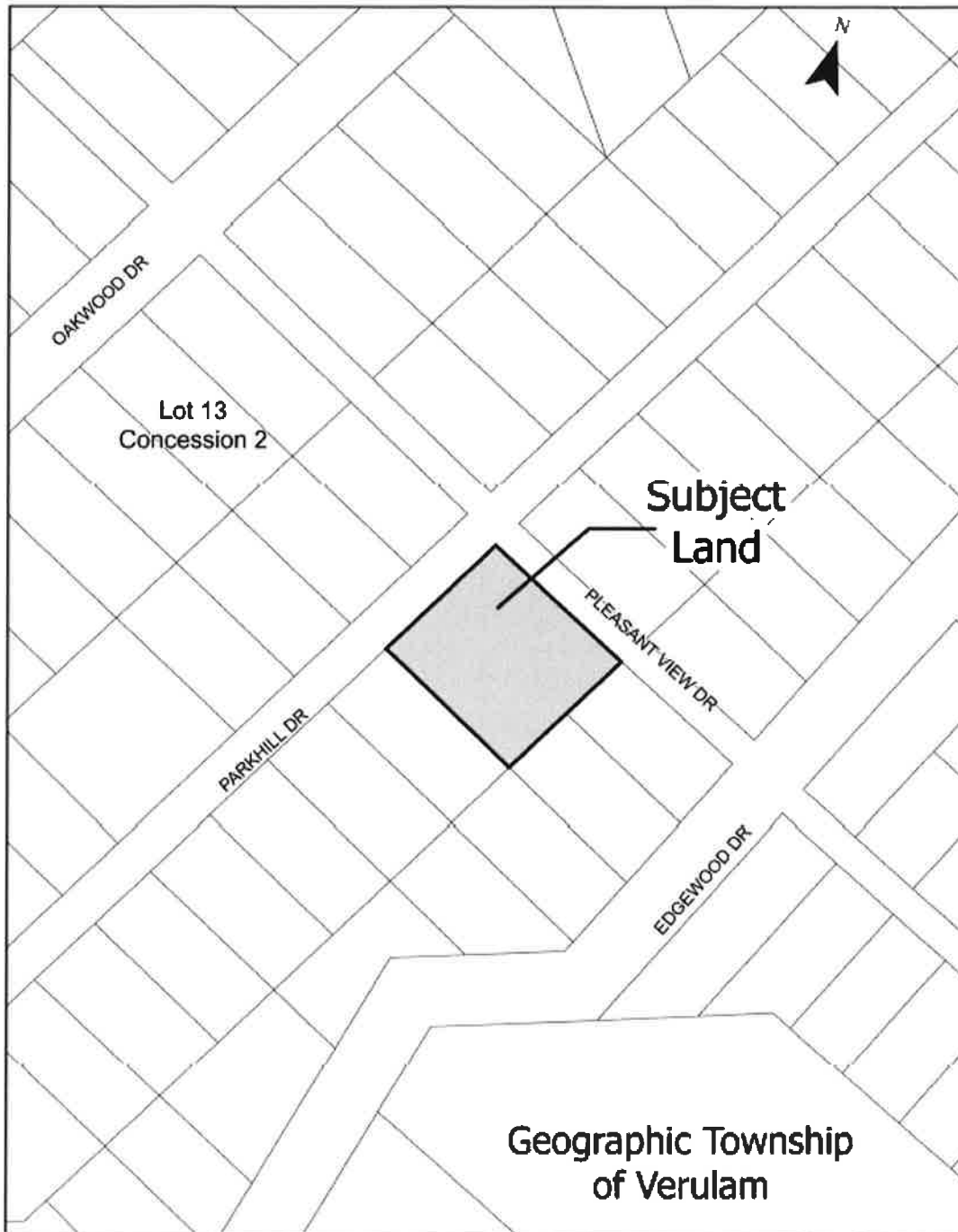
<b>Phone:</b>	705-324-9411 extension 1240
<b>E-Mail:</b>	lbarrie@kawarthalakes.ca
<b>Department Head:</b>	Richard Holy, Director of Development Services
<b>Division File:</b>	D20-2022-033

to

REPORT COA2022-040

FILE NO: D20-2022-033

**LOCATION MAP**



to

REPORT COA2022-040

FILE NO: D20-2022-033

**AERIAL PHOTO**

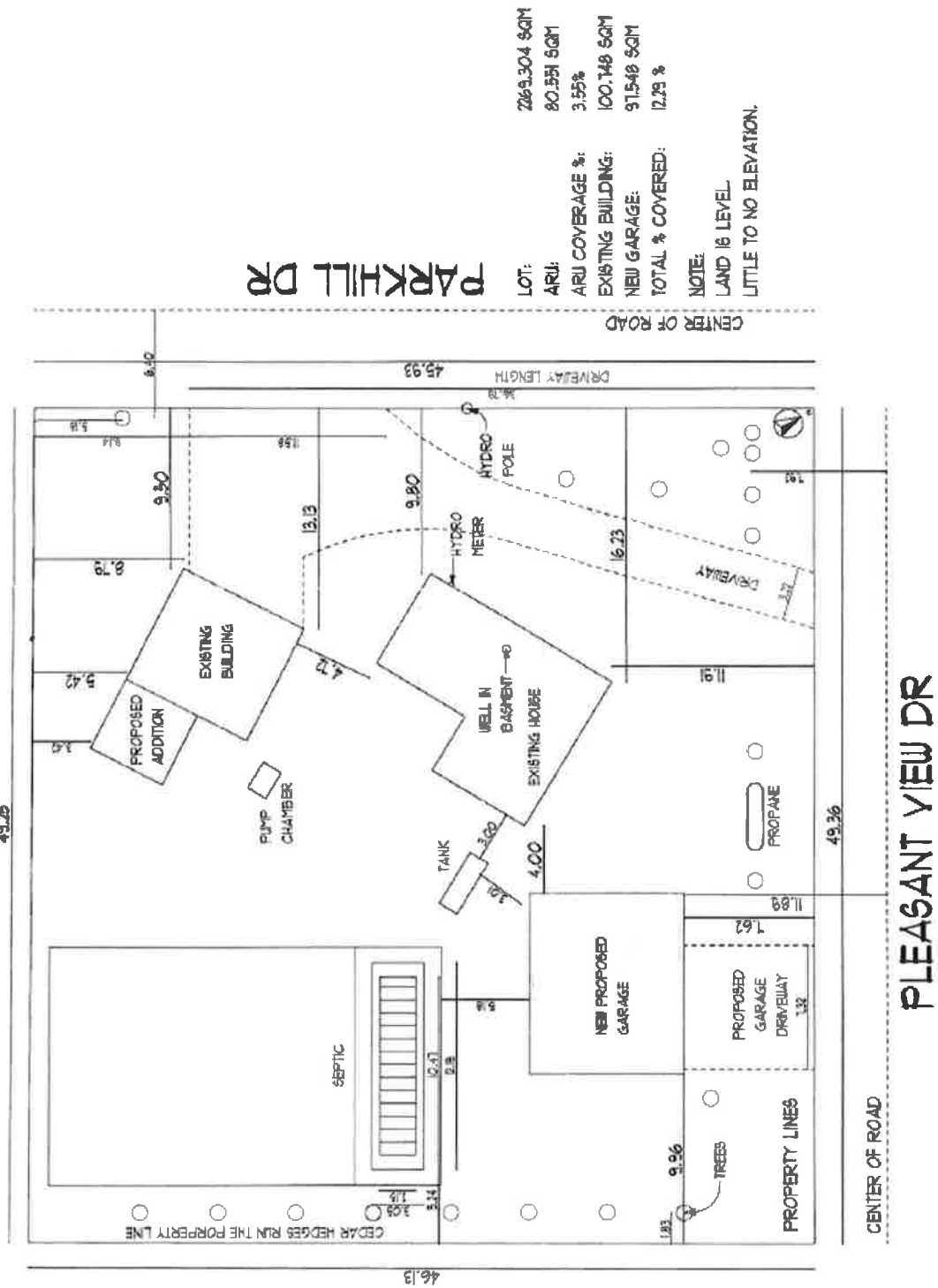


to

REPORT COA2022-040

FILE NO: D20-2022-033

### APPLICANT'S SKETCH



to

REPORT COA2022-040

FILE NO: D20-2022-033

## ELEVATIONS

### Proposed Detached Garage

