

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Weekes
Report Number COA2022-048

Public Meeting

Meeting Date: July 21, 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 facilitate an addition to a residential garage.
Relief sought:

- 1) By-law Section 10.2 e. requires a minimum exterior side yard setback of 7.5 metres; the proposed setback is +/- 3.2 metres.
- 2) By-law Section 5.18 requires an additional 10 metre setback from the centre of the road allowance (17.5 metres).

The variance is requested at **140 Kelly's Bay Road** (File D20-2022-041).

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

Recommendations

That Report COA2022-048 – Weekes, be received;

That minor variance application D20-2022-041 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 Appendix C submitted as part of Report COA2022-048, 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.

This approval pertains to the application as described in report COA2022-048. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Construction of a +/- 100 square metre (1,076.39 sq ft) addition to an attached garage
Owner:	Jovina Weekes
Applicant:	Garry Newhook
Legal Description:	Part of Lot 15, Concession 4
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Limited Service Residential Exception Three 'LSR-S3' (Township of Verulam Zoning By-law 6-87)
Site Size:	+/- 2,905 sq m (0.72 acres)
Site Servicing:	Private individual well and septic systems
Existing Uses:	Residential
Adjacent Uses:	Residential, recreational commercial

Rationale

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

The lot contains a single detached dwelling and attached garage constructed in 1998. The proposed garage addition provides additional storage area, and is sited appropriately abutting the existing attached garage with access to the existing driveway.

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

The proposed garage addition is permitted as-of-right in the Waterfront designation; performance and siting criteria are implemented through the Zoning By-law. The single-storey addition maintains a low building profile to blend with the natural surroundings, and does not exceed the tree canopy.

Kawartha Conservation notes the lot is within the boundary of the Sturgeon Lake Management Plan (water resource), may be prone to flooding and/or erosion hazards (natural hazard), is adjacent to fish habitat in Sturgeon Lake and contains

¹ See Schedule 1

² See Schedule 1

the buffer of an unevaluated wetland (natural heritage features). According to Kawartha Conservation, the proposed development poses a low risk to the fish habitat on adjacent lands. Any potential negative impacts can be mitigated with the use of proper erosion and sediment control measures to ensure that no sediment resulting from construction enters the drainage ditch and nearby watercourse or waterbody. They have also determined that an EIS is not required as the development does not encroach on the wetland and should not impact its function.

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

The proposed garage addition is permitted as-of-right in the LSR-S3 zone, and complies with all the zone provisions, save for the setback. The applicable special provision requires that the minimum exterior opening elevation of any habitable building or structure shall be 248.7 metres CGD (Canadian geodetic datum).

At 9.65 m, the existing exterior side yard setback exceeds the LSR minimum requirement, but is non-complying with respect to the centreline setback. Centreline setback provisions appear to have been written on the premise that, should a road allowance be of a non-standard width for its classification, built form will be adequately set back from it in the event the municipality decided to take a road widening. The adjacent segment of Kelly's Bay Road right of way exceeds 20 m.

The proposed reduced setback provides sufficient area for passage between the front and rear yards. The addition contributes approximately 2% to the overall lot coverage, and at a proposed total of 13% falls well under the maximum permitted of 33%.

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:

No alternatives applicable.

Consultation Summary

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

Agency Comments:

CKL Development Engineering: No objection

Kawartha Conservation: "We encourage the landowner to take any opportunity to naturalize the shoreline and buffer strip between the shoreline and structure to ensure minimal impacts to fish habitat and ecological function of Sturgeon Lake."

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, Elevations

Appendix D – Surveyor's Sketch

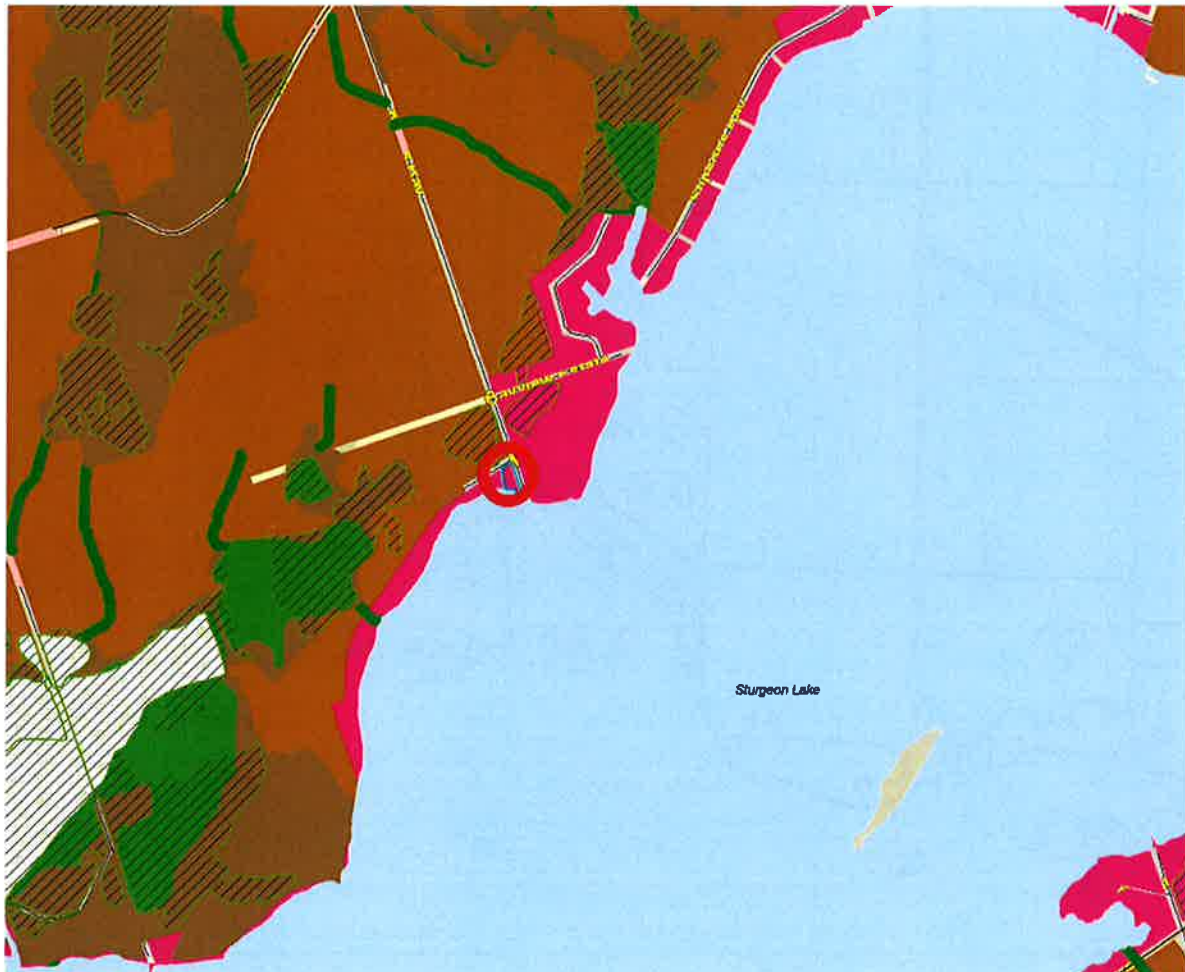


COA2022-048
Appendices_Weeks:

Phone:	705-324-9411 extension 1240
E-Mail:	lbarrie@kawarthalakes.ca
Department Head:	Richard Holy, Director of Development Services
Division File:	D20-2022-041

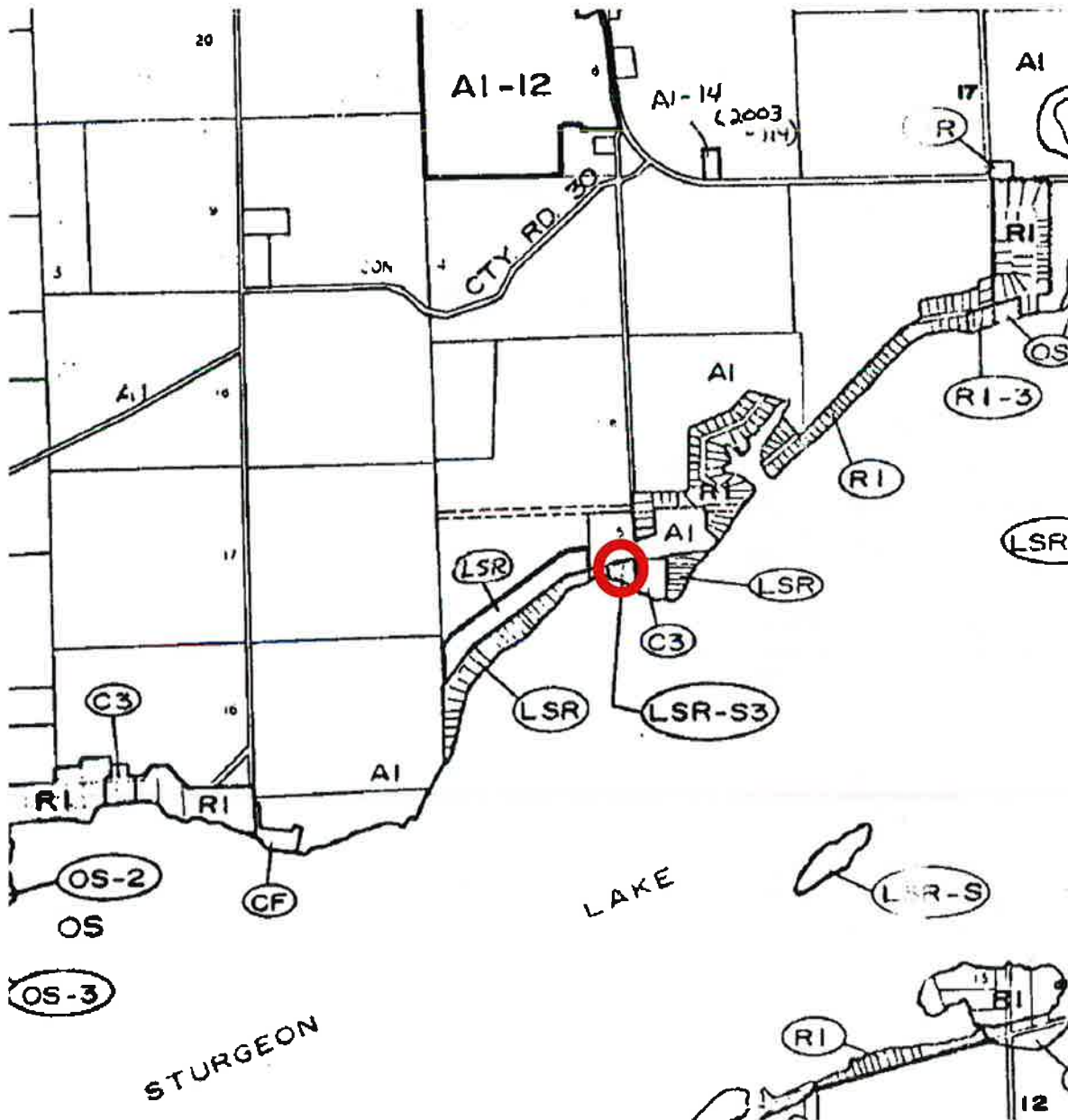
Schedule 1 Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



- 20. Waterfront Designation
- 20.1. Goal
- 20.2. Objectives
- 20.3. Policies
- 20.5. Density and Massing

Township of Verulam Zoning By-law 6-87



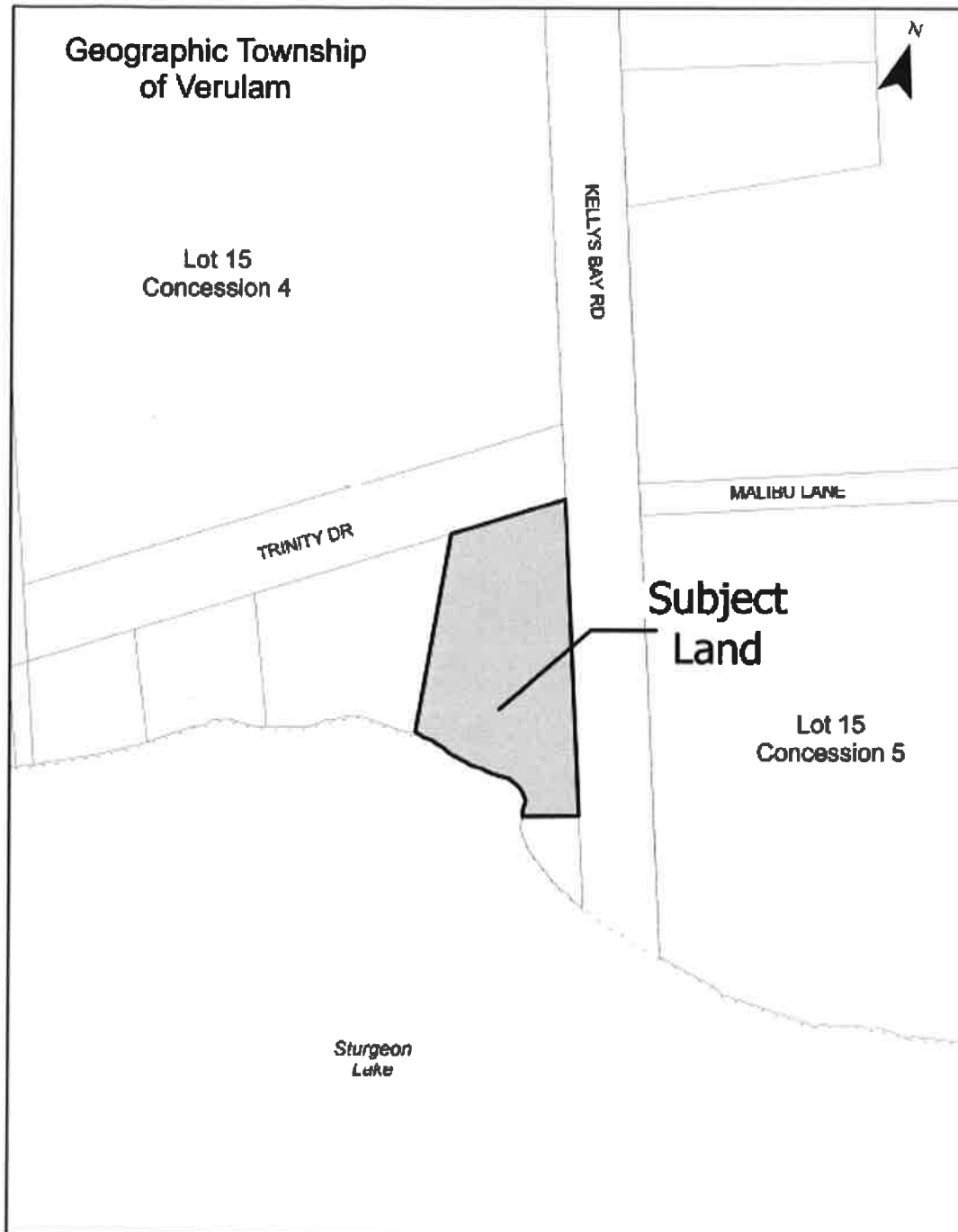
Section 5	General Provisions
5.18	Setbacks
Section 10	Limited Service Residential (LSR) Zone
10.3	LSR Special Requirements

to

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LOCATION MAP



APPENDIX " B "

to

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AERIAL PHOTO

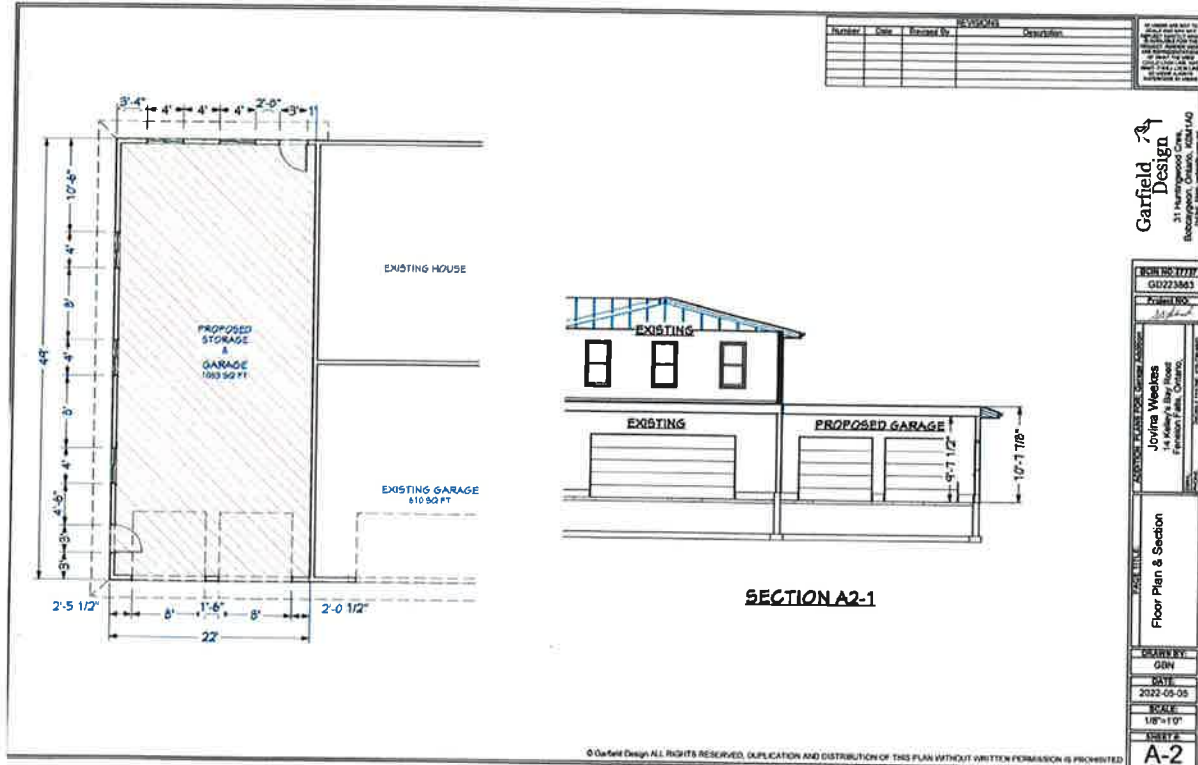
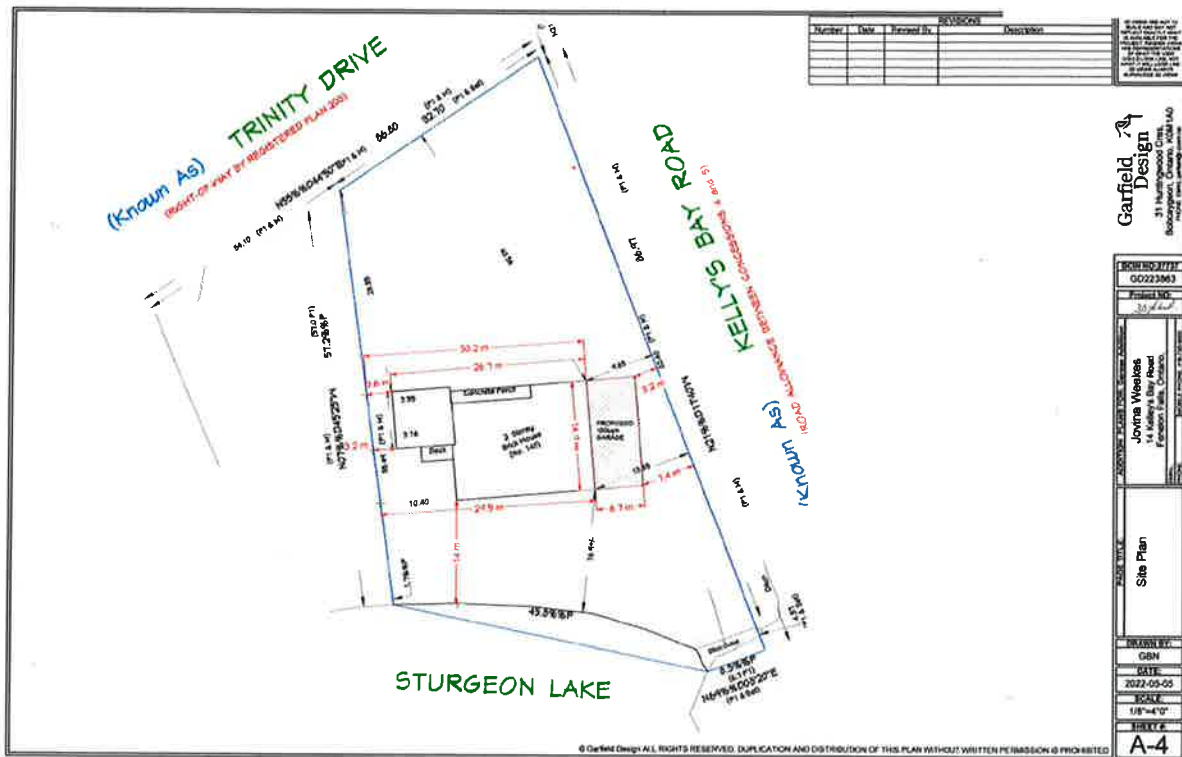


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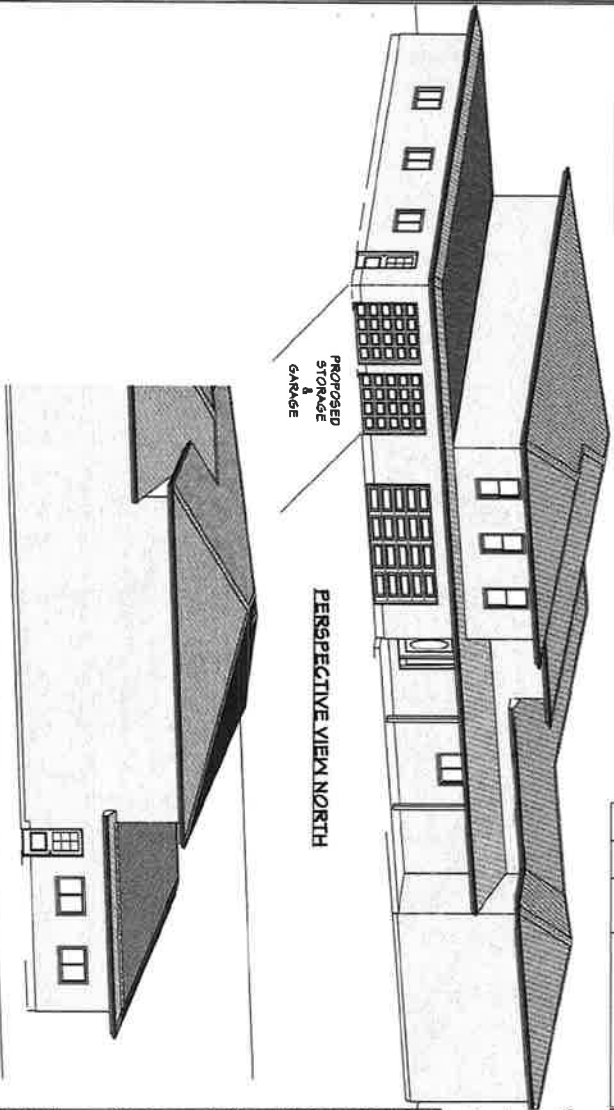
FILE NO: D20-2022-041

APPLICANT'S SKETCH, ELEVATIONS

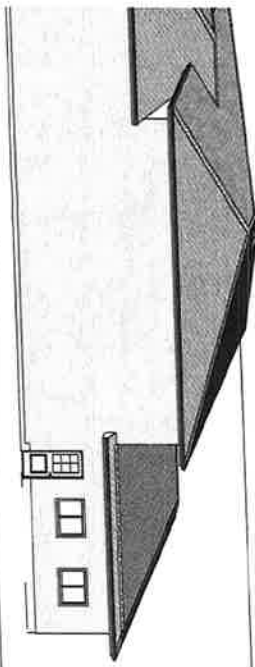


DATE: 11/11/2024
PROJECT: Jovina Weekes
LOCATION: 14 Kelley's Bay Road, Farnham Falls, Ontario
CLIENT: Jovina Weekes
ARCHITECT: Garfield Design
SCALE: 1/8" = 1'-0"
DATE: 11/11/2024

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PERSPECTIVE VIEW NORTH

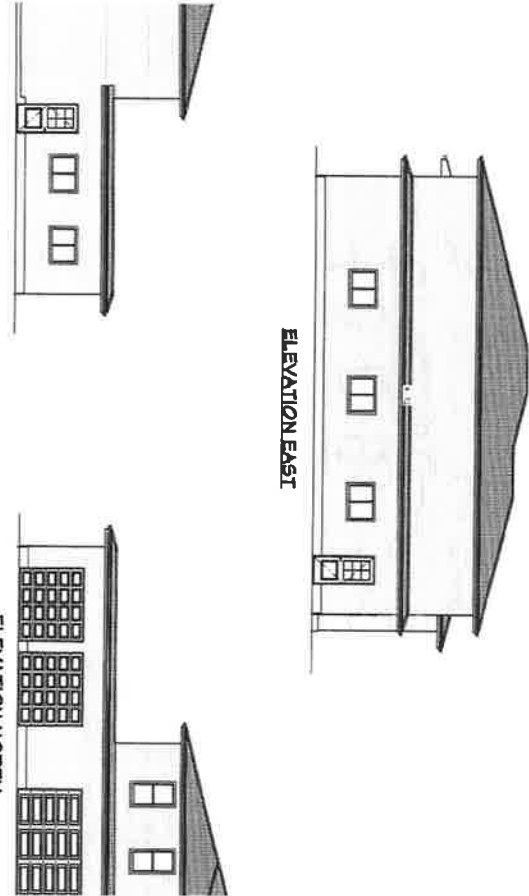


PERSPECTIVE VIEW SOUTH

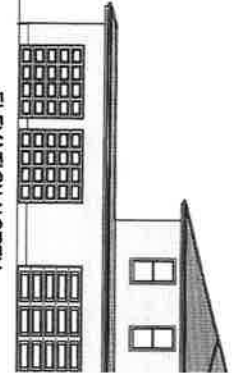
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PAGE TITLE		ADDITIONAL PLANS FOR: Jovina Weekes		Garfield Design 31 Huntingwood Cres. Bobcaygeon, Ontario, K0M1A0 Phone: (705) 999-0000
Perspective View		Jovina Weekes 14 Kelley's Bay Road Farnham Falls, Ontario		
DATE: 11/11/2024		DATE: 11/11/2024		
SCALE: 1/8" = 1'-0"		SCALE: 1/8" = 1'-0"		

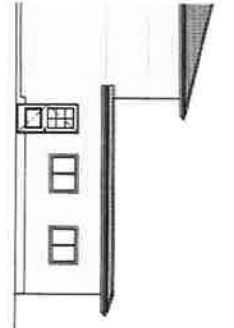
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ELEVATION EAST



ELEVATION NORTH



ELEVATION SOUTH

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SURVEYOR'S SKETCH

