

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Turner

Report Number COA2022-042

Public Meeting

Meeting Date: June 16, 2022

Time: 1:00 pm

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

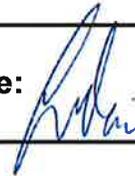
Ward 6 – Geographic Township of Emily

Subject: The purpose and effect is to provide relief for the yard location to facilitate the construction of an Additional Residential Unit (ARU). The By-law permits accessory buildings in interior side and rear yards; the ARU is proposed to be sited in the front yard.

The variance is requested at **4246 Highway 7** (File D20-2022-035).

Author: Leah Barrie, RPP, Manager of Planning

Signature:



Recommendations

That Report COA2022-042 – Turner, be received;

That minor variance application D20-2022-035 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 COA2022-042, 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 owner provides written confirmation to the Chief Building Official that necessary entrance approvals have been obtained from the Ministry of Transportation and the City of Kawartha Lakes, as required.

This approval pertains to the application as described in report COA2022-042. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	To permit the siting of an ARU in an accessory building in the Front Yard
Owners:	Terry and Judy Turner
Applicant:	Molly Conlin Design and Drafting
Legal Description:	Part Lots 11 and 12, Concession 3
Official Plan:	Sand and Gravel Resource, Environmental Protection, Significant Woodlands (City of Kawartha Lakes Official Plan, 2012)
Zone:	Agricultural 'A1' (Township of Emily Zoning By-law 1996-30)
Site Size:	35.7 ha (88.22 acres)
Site Servicing:	Private individual well and septic system
Existing Uses:	Agricultural, rural residential
Adjacent Uses:	Agricultural, rural residential, highway commercial

Rationale

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

The existing dwelling gains access from Highway 7; significant tree cover, pasture and cropland in the rear and side yards of the property limit further development amidst the existing cluster of buildings, while the proposed site is neither heavily treed nor farmed. The owners have received a permit pursuant to Ontario Regulation 182/06 (Development, Interference with Wetlands and Alteration to Shorelines and Watercourses) from Kawartha Conservation. The new entrance has been vetted through the Ministry of Transportation and the City's Public Works-Roads Operations Division.

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

The proposed ARU is 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 yard location; accessory buildings are permitted in the interior side and rear yards only.

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:

Prior to Council's adoption of the ARU policies in December 2020, the owners proposed to sever a 0.4 ha (1.0 ac) vacant parcel to build a new dwelling for extended family; the Official Plan designation does not support severances of this nature. The ARU policies provide the desired housing option alternative.

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

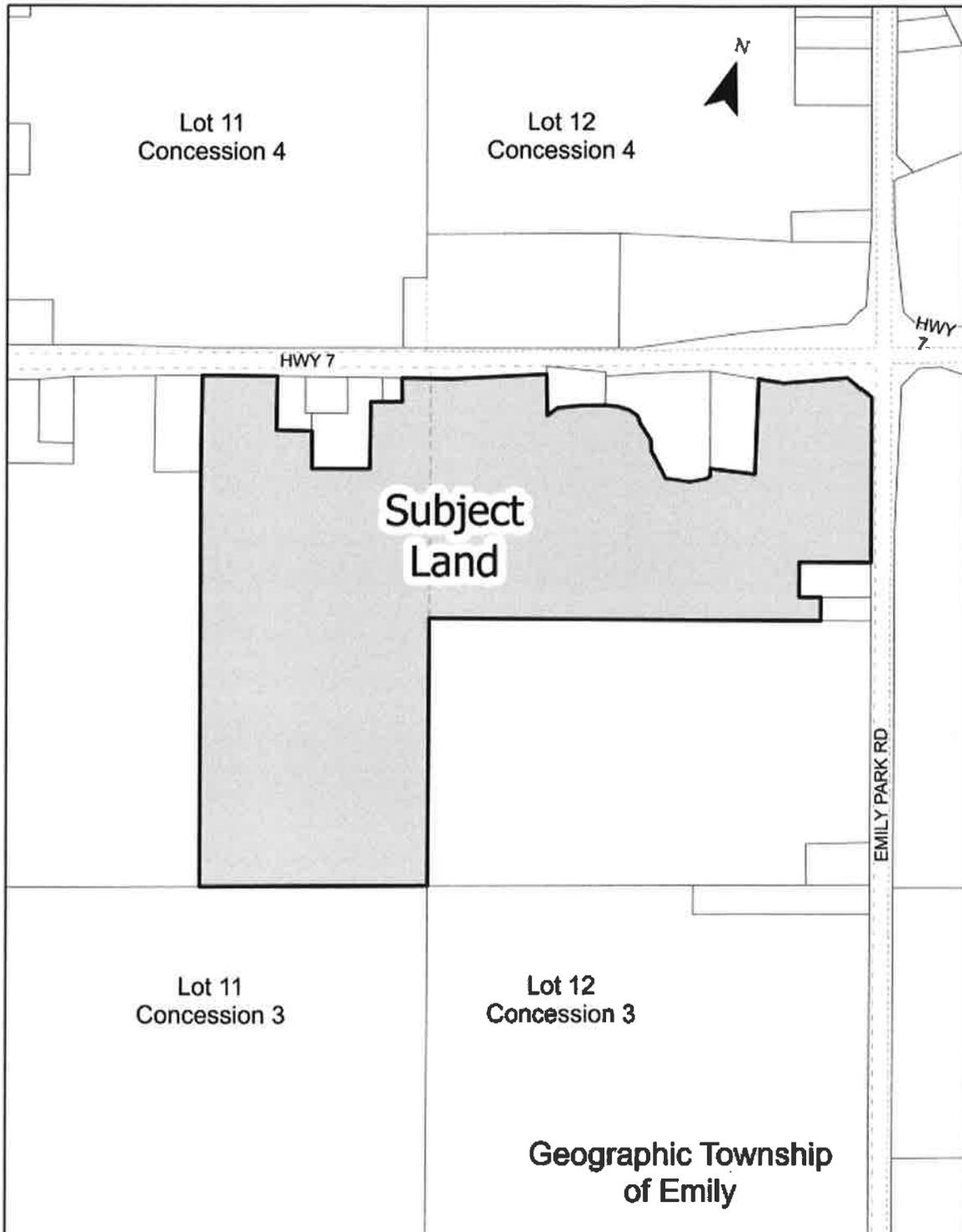


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Appendices_Turner.

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Department Head:	Richard Holy, Director of Development Services
Division File:	D20-2022-035

to

LOCATION MAP



to

REPORT COA2022-042

FILE NO: D20-2022-035

AERIAL PHOTO



to

REPORT COA2022-042

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APPLICANT'S SKETCH

