

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Reid

Report Number COA2022-059

Public Meeting

Meeting Date: August 18, 2022

Time: 1:00 pm

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

Ward 4 – Geographic Township of Mariposa

Subject: The purpose and effect is to permit the construction of a detached accessory structure (garage).

Relief sought:

- 1) Section 3.1.2.1 permits accessory structures in side and rear yards only; the proposed location is the front yard.
- 2) Section 3.1.3.1 permits a coverage of 10% up to 150 square metres; the proposed coverage is 182 square metres.
- 3) Section 3.1.3.2 permits a maximum height of 5 metres; the proposed height is 5.7 metres.
- 4) Section 3.1.3.3 permits a maximum of two accessory structures; the proposed garage is the fourth accessory structure.

The variance is requested at **439 Farmstead Road** (File D20-2022-052).

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

Recommendations

That Report COA2022-059 – Reid, be received;

That minor variance application D20-2022-052 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 and D submitted as part of Report COA2022-059, 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 COA2022-059. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	To permit the construction of a +/- 142.6 sq m detached accessory structure (garage).
Owners:	Kevin and Lina Reid
Applicants:	Same as Owners
Legal Description:	Part Lot 8, Concession 8
Official Plan ¹ :	Prime Agricultural, Significant Woodlands, Provincially and Locally Significant Wetlands, Unevaluated Wetland (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Agricultural 'A1' (Township of Mariposa Zoning By-law 94-07)
Site Size:	4,459 sq m (1.1 ac)
Site Access:	Municipal, maintained road
Site Servicing:	Private individual well and septic system
Existing Uses:	Rural residential
Adjacent Uses:	Agricultural, rural residential

Rationale

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

The proposed garage provides additional storage and an enclosed workshop area. The property is screened from the road and two (2) surrounding neighbours through dense vegetation, and the proposed site takes advantage of an existing second driveway, for which an entrance permit has been obtained.

Notwithstanding the lot area in excess of 1 ac, the proposed building envelope is constrained by a number of factors: location of the septic system (and taking into

¹ See Schedule 1

² See Schedule 2

account future setbacks should the system need replacing), the existing buildings and structures (i.e. dwelling, utility and garden sheds, gazebo), existing landscaping and gardens, amenity space, and necessary separation distances to significant natural heritage features (i.e. woodland, wetlands). Site inspections were conducted by staff from the City as well as Kawartha Conservation who support the proposed location for these reasons.

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

The proposed garage is a permitted accessory building to a dwelling in the Prime Agricultural area; performance and siting criteria are implemented through the Zoning By-law.

According to Kawartha Conservation the property is within the natural heritage system of the Growth Plan for the Greater Golden Horseshoe, 2019 (Natural Heritage System), is adjacent to a significant woodland and is within the buffer of a Provincially Significant Wetland (Natural Heritage Features), and, is within the boundary of the Sturgeon Lake Management Plan (Water Resources). The KRCA has determined that an EIS is not required as the development does not encroach on the wetland or woodland and should not impact their functions.

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

The proposed garage is a permitted accessory building to a dwelling in the Agricultural zone. Though exceeding the maximum ground floor area provision, at 4.1% the collective total of all accessory buildings and structures is less than half the permitted maximum coverage of 10%.

The lot is not anticipated to be overbuilt as of result of the proposal. The existing and proposed buildings and structures can be absorbed well by the lot area without any massing issues, and do not appear out of character with standard uses on non-farm rural residential lots.

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:

Not applicable.

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.

DS-Building & Septic, Part 8 Sewage Systems: "There will be no changes to bedrooms, fixture units or living space. There has been a revision to move the garage to satisfy clearance requirements for Part 8 of the Ontario Building Code and a design was provided for this on February 5, 2022. There has been a Sewage System Use Permit issued for this site (M-6-91). Based on your application, it would appear that your plans do not suggest an increase in the daily sewage flow beyond the capacity of the existing sewage disposal system as per the Ontario Building Code nor are you proposing an addition that will encroach on the required clearance distances to the existing sewage system. In that light, you are not required to install a new sewage system or upgrade your existing one and I have no objection to this proposal."

Kawartha Conservation: "A permit will be required pursuant to Ontario Regulation 182/06, prior to any onsite works being completed. Based on our records, a permit has already been issued for the development related to the proposed minor variance."

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 – Elevation, Plans

Phone: 705-324-9411 extension 1240

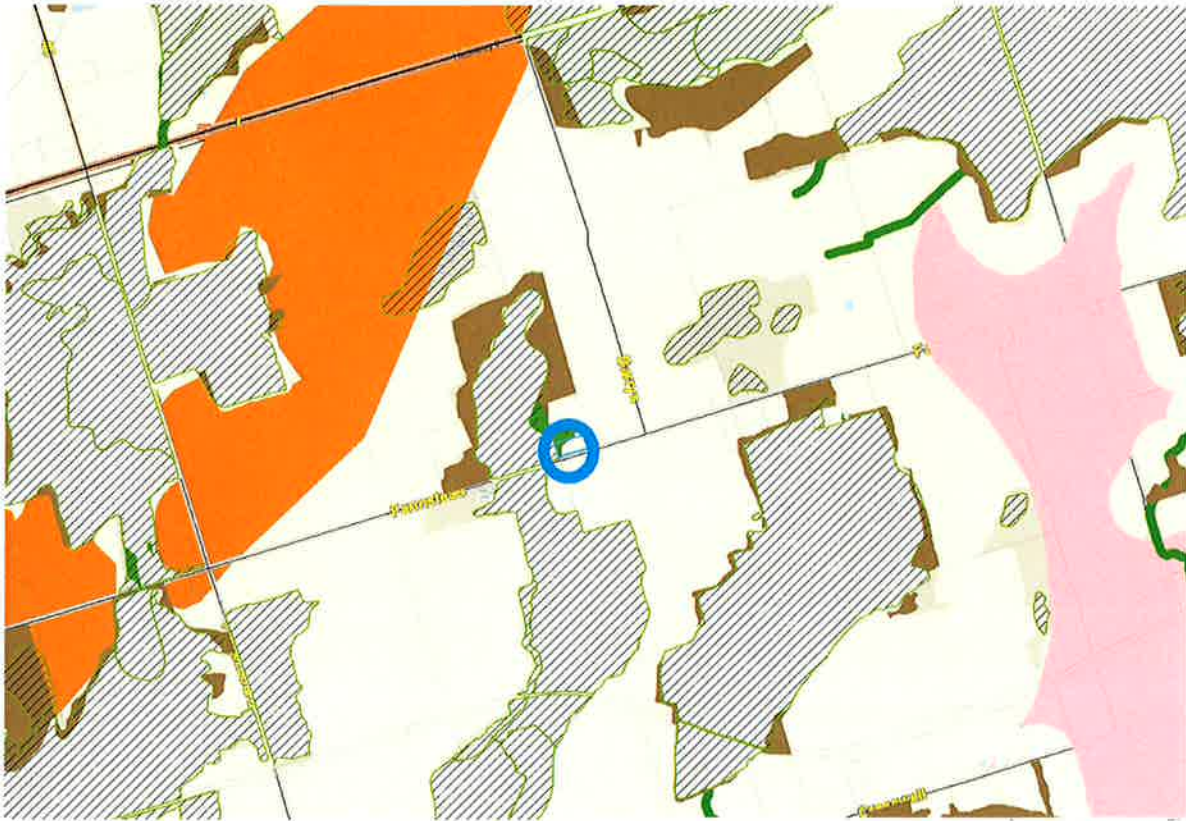
E-Mail: lbarrie@kawarthalakes.ca

Department Head: Richard Holy, Director of Development Services

Division File: D20-2022-052

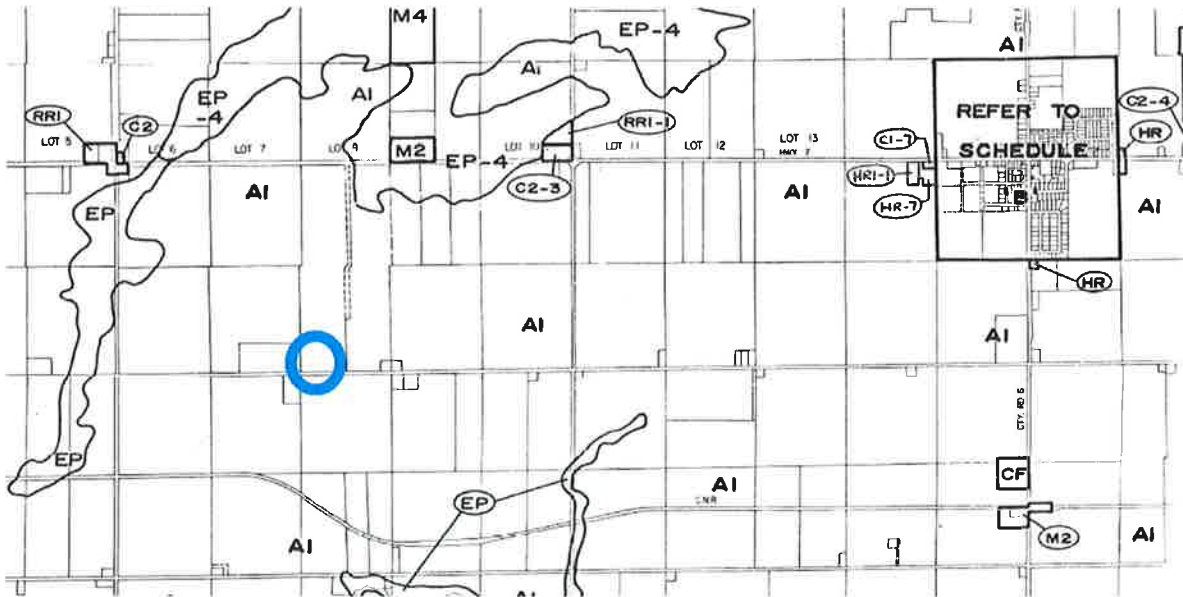
Schedule 1 Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



3.5 Natural Heritage System
15 Prime Agricultural Designation

Township of Mariposa Zoning By-law 94-07



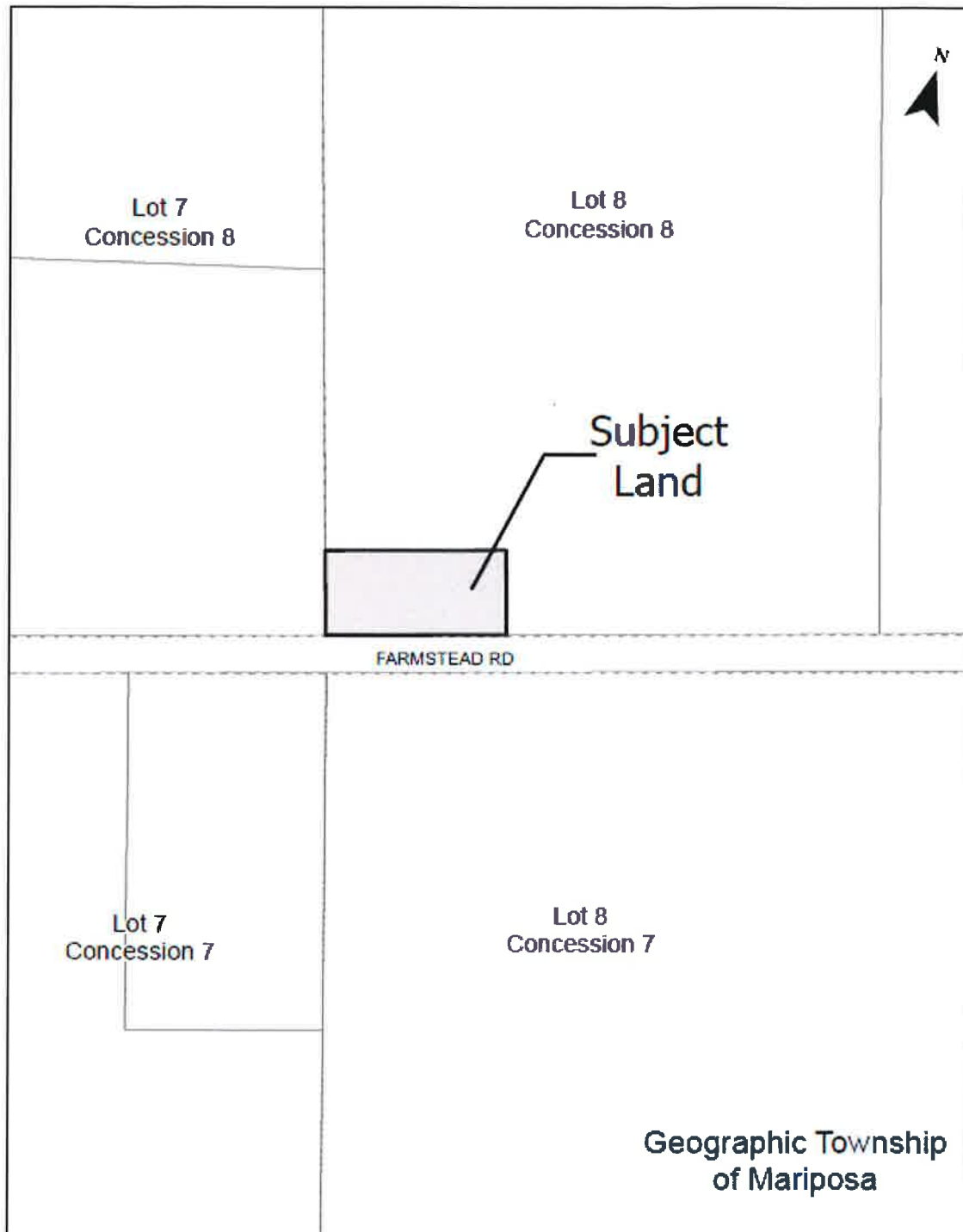
3.1 Accessory Buildings, Structures and Uses
Section 8 Agricultural (A1) Zone

to

REPORT COA2022-059

FILE NO: D20-2022-052

LOCATION MAP



to

REPORT COA2022-059

FILE NO: D20-2022-052

AERIAL PHOTO

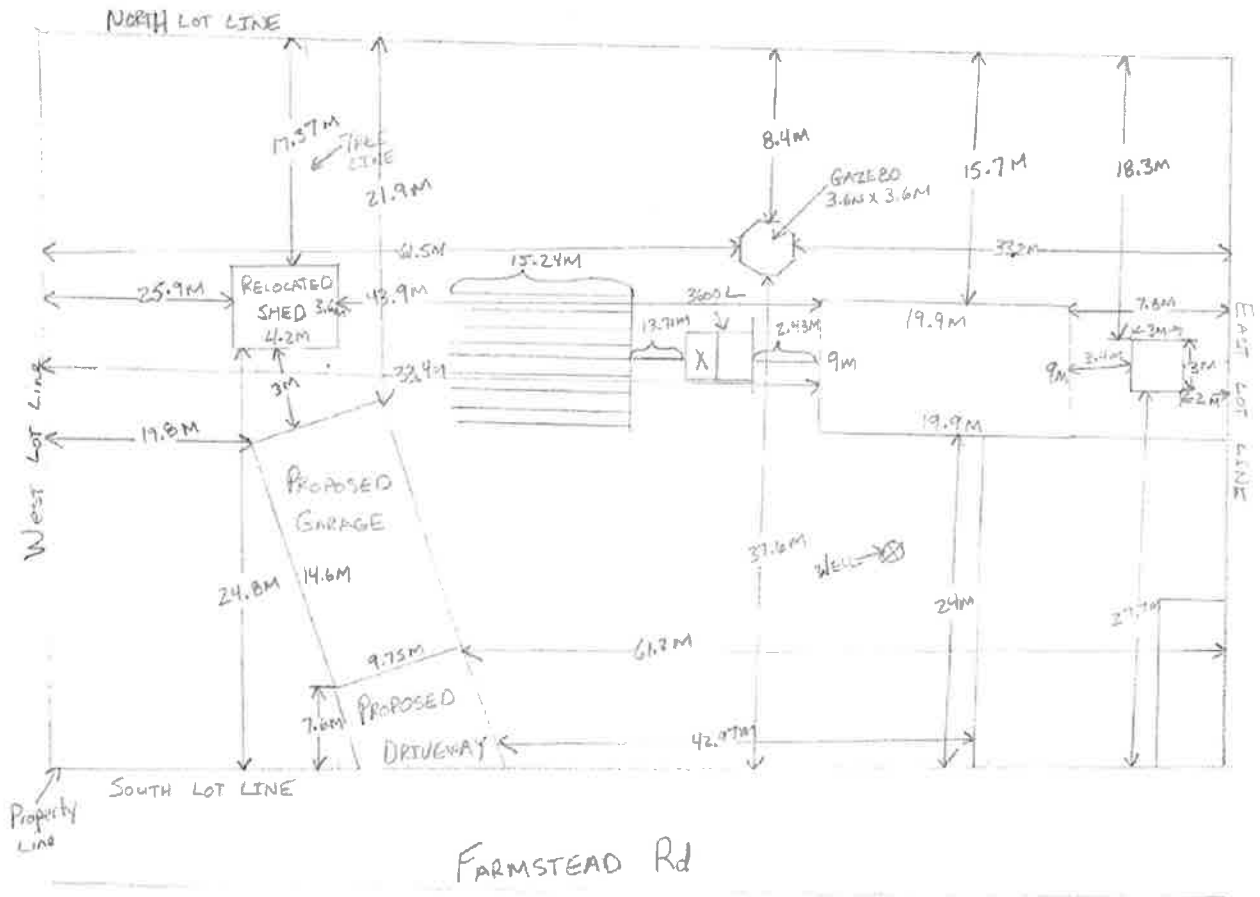


to

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FILE NO: D20-2022-052

APPLICANT'S SKETCH

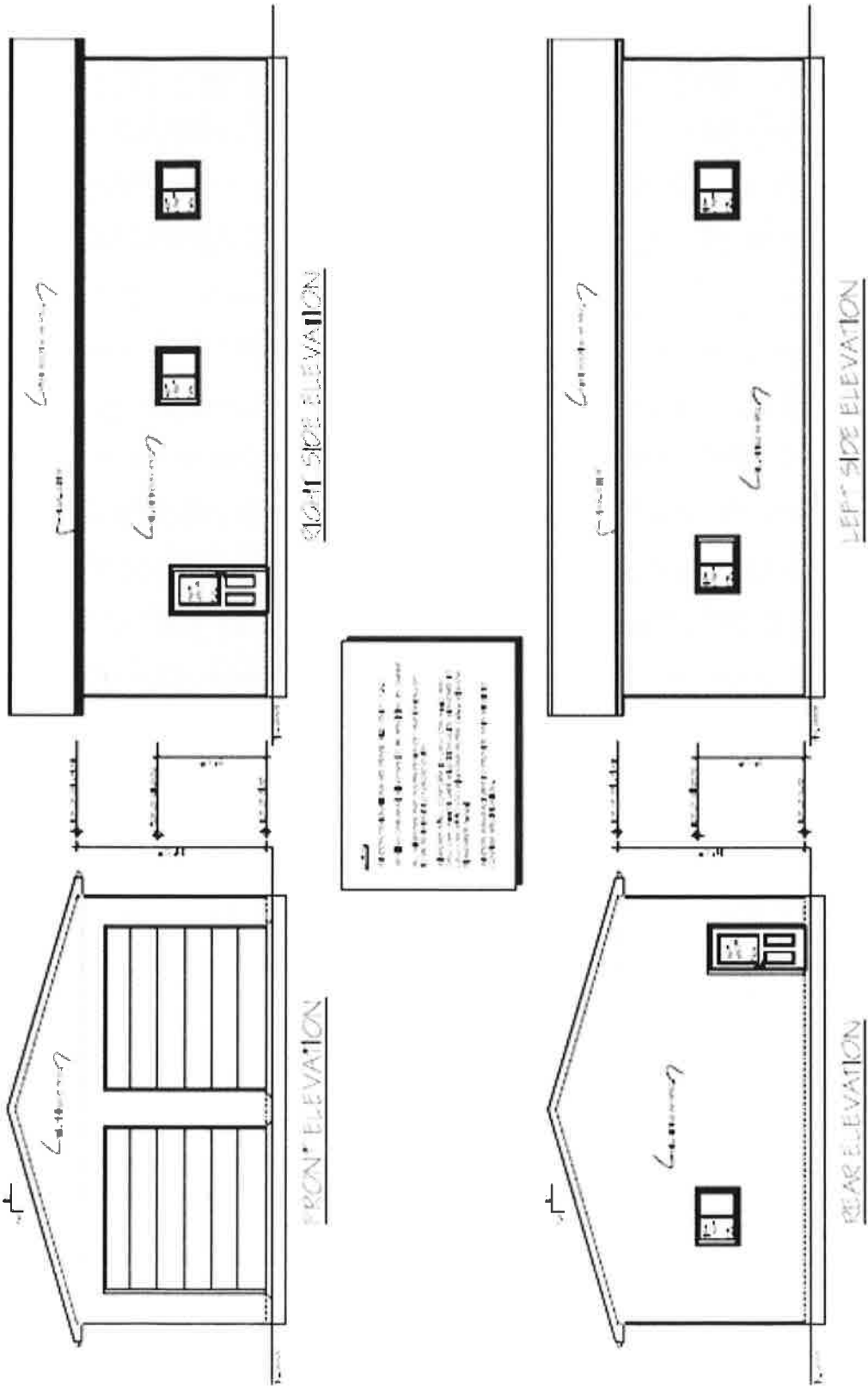


to

REPORT COA2022-059

FILE NO: D20-2022-052

ELEVATION, PLANS

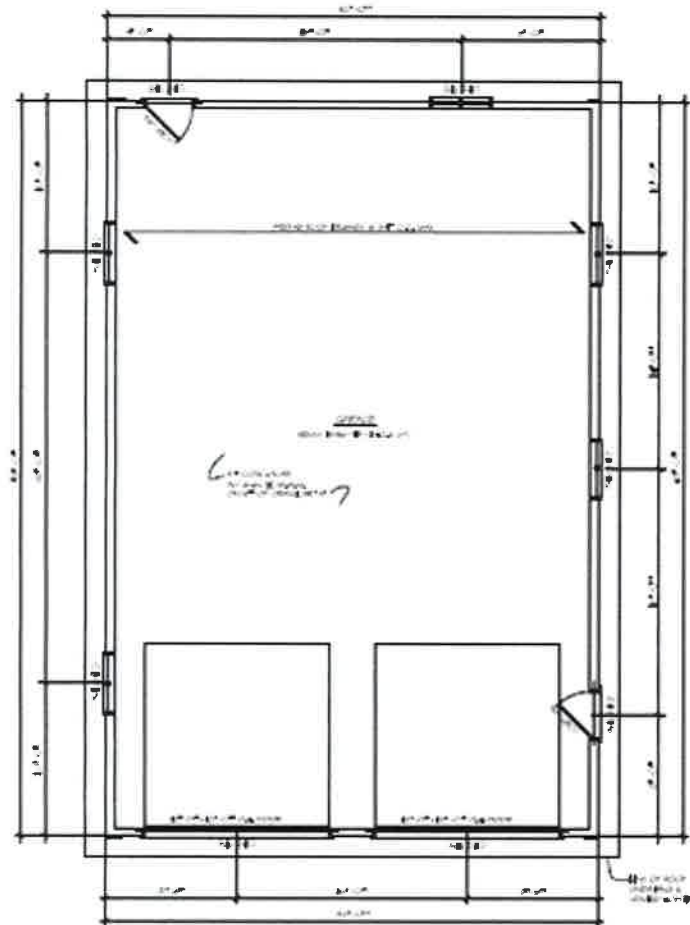


NOTES

1. All dimensions are in meters unless otherwise specified.
2. The site is located in the village of ...
3. The plot area is ...
4. The building area is ...
5. The building height is ...
6. The building is to be constructed of ...
7. The building is to be constructed on ...
8. The building is to be constructed in ...
9. The building is to be constructed in ...
10. The building is to be constructed in ...

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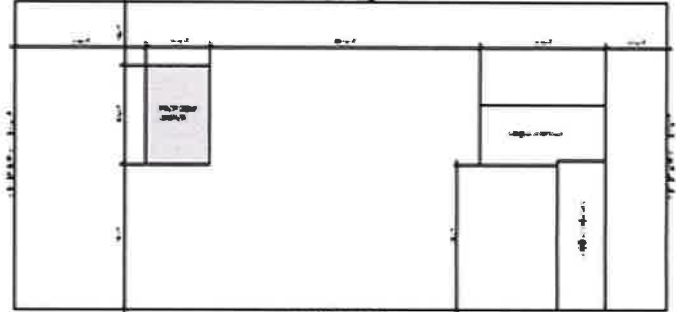


FLOOR PLAN
SCALE 1:100

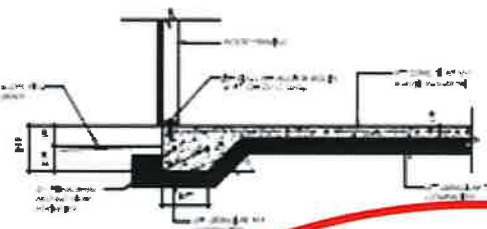


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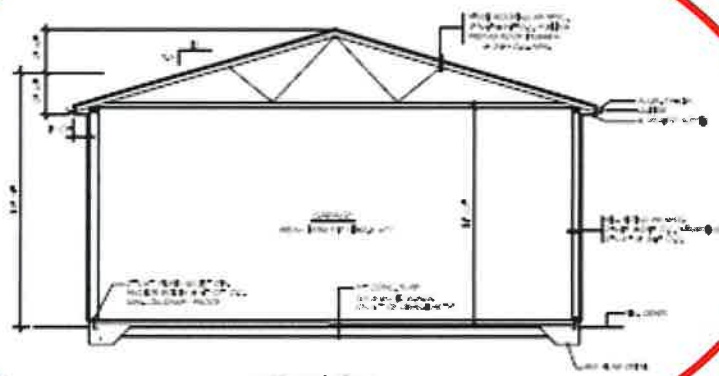
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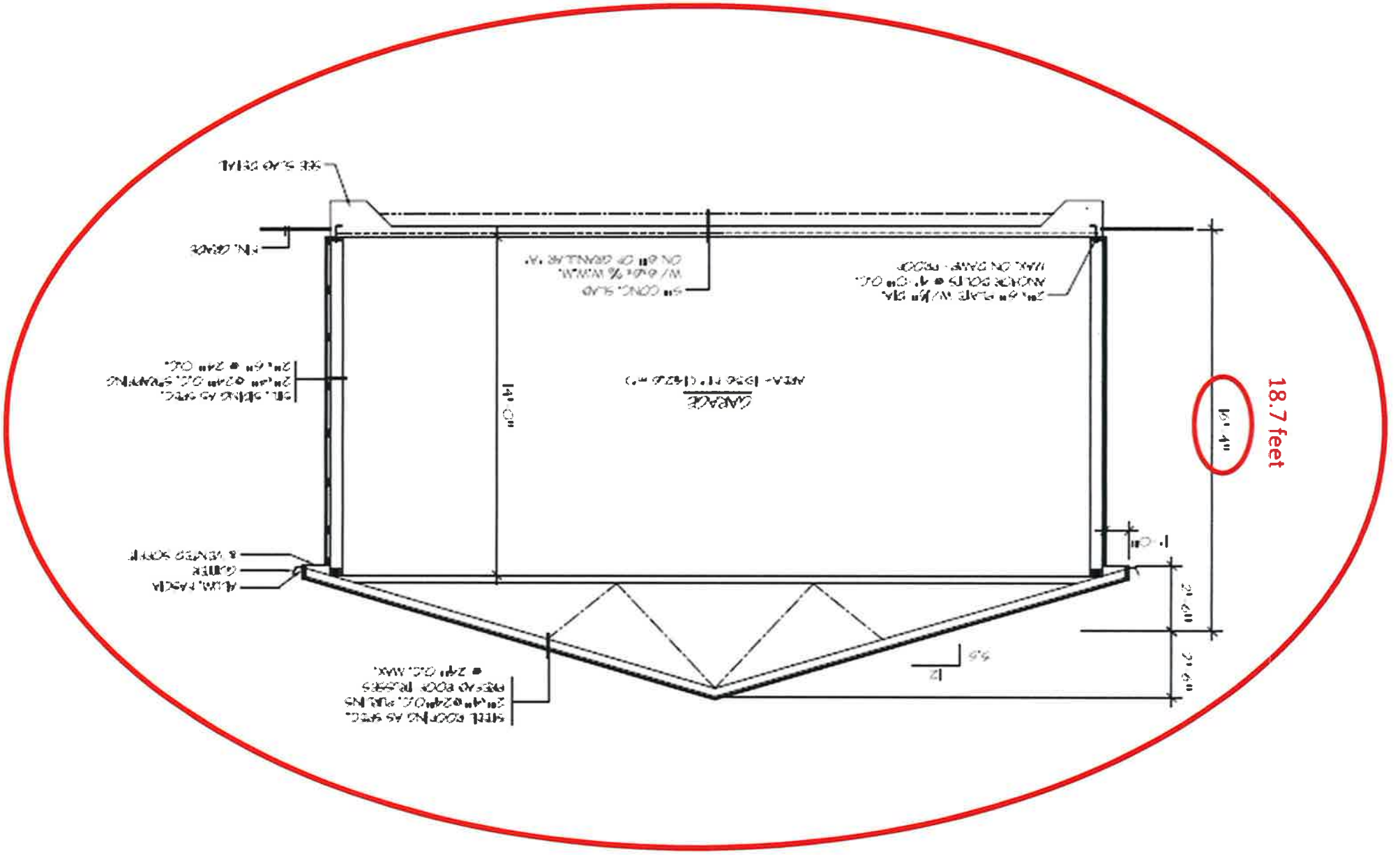
PLOT PLAN
SCALE 1:100



SLAB DETAIL
SCALE 1:100



SECTION
SCALE 1:100



18.7 feet

16.4\"

CAPAC
AREA - 1356 SF (125.0 m²)

14' 0\"

2' 6\"

2' 6\"

5.5
12

STEEL ROOFING AS SPEC.
2x4\" @ 24\" O.C. MAX.
RESERVED FOR FUTURE

ALUM. FASCIA
GUTTER
8 VENTED SOFFIT

2x4\" @ 24\" O.C. STAKE
2x4\" @ 24\" O.C.

2x4\" STAKE W/ 1/2\" DIA.
ANCHOR BOLTS @ 4' O.C.
MAX. ON DRAIN - 1\"

5\" CONC. SLAB
W/ 6x6\" W/ST. ON 8\" OF GRANULAR FILL

5\" CONC. SLAB
FIN. GRADE