

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Davis

Report Number COA2022-056

Public Meeting

Meeting Date: August 18, 2022

Time: 1:00 pm

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

Ward 6 – Geographic Township of Ops

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

Relief sought:

- 1) Section 2.1 (and companion Section 5.2) permits a maximum height of 5 metres; the proposed height is 5.7 metres.
- 2) Notwithstanding the permitted front yard setback of 9.0 metres, Section 2.22.4 requires a setback of 10 metres from a Township Road; the proposed setback is 9.0 metres.

The variance is requested at **251 Slanted Road** (File D20-2022-049).

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

Recommendations

That Report COA2022-056 – Davis, be received;

That minor variance application D20-2022-049 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 COA2022-056, 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 COA2022-056. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	To permit construction of a +/- 75.7 sq m detached accessory structure (garage)
Owners:	Kaitlyn and Nolan Davis
Applicants:	Same as Owners
Legal Description:	Part Lot 13, Concession 8 (being Part 1, RP 57R-7831)
Official Plan ¹ :	Prime Agricultural (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Agricultural 'A' (Township of Ops Zoning By-law 93-30)
Site Size:	0.5 ha (1.2 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.

Over time, it can be expected that property owners may endeavour to redevelop their lots to achieve a higher and better use. The existing dwelling does not contain an attached garage, and a garden/utility shed and lean-to shelter (firewood) do not meet the owners' storage needs. The proposed garage has been designed to complement the existing dwelling – in particular the 12/12 pitch of the roof. The location was chosen to both comply with the minimum front yard setback of the parent zone and general provisions for accessory buildings, and to provide an appropriate buffer from the treeline along the west side lot line and from the drilled well. On approach from the east, the site is screened from the road by existing trees.

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

¹ See Schedule 1

² See Schedule 2

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.

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. The proposed garage height (5.7 m) remains lower than the dwelling height (8.65 m), and comprises approximately one quarter of the dwelling's ground floor area – the garage will be subordinate in size to the primary dwelling.

Street setback provisions appear to have been written on the premise that, should a road allowance be of a non-standard width for its classification, that built form be adequately set back from it in the event the municipality acquired a road widening. The adjacent segment of the municipal road allowance exceeds the standard 20 m.

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.

Public Comments:

Staff received a phone call from a neighbouring property owner indicating he had no objection to the application. No other submissions received as of the writing of the staff report.

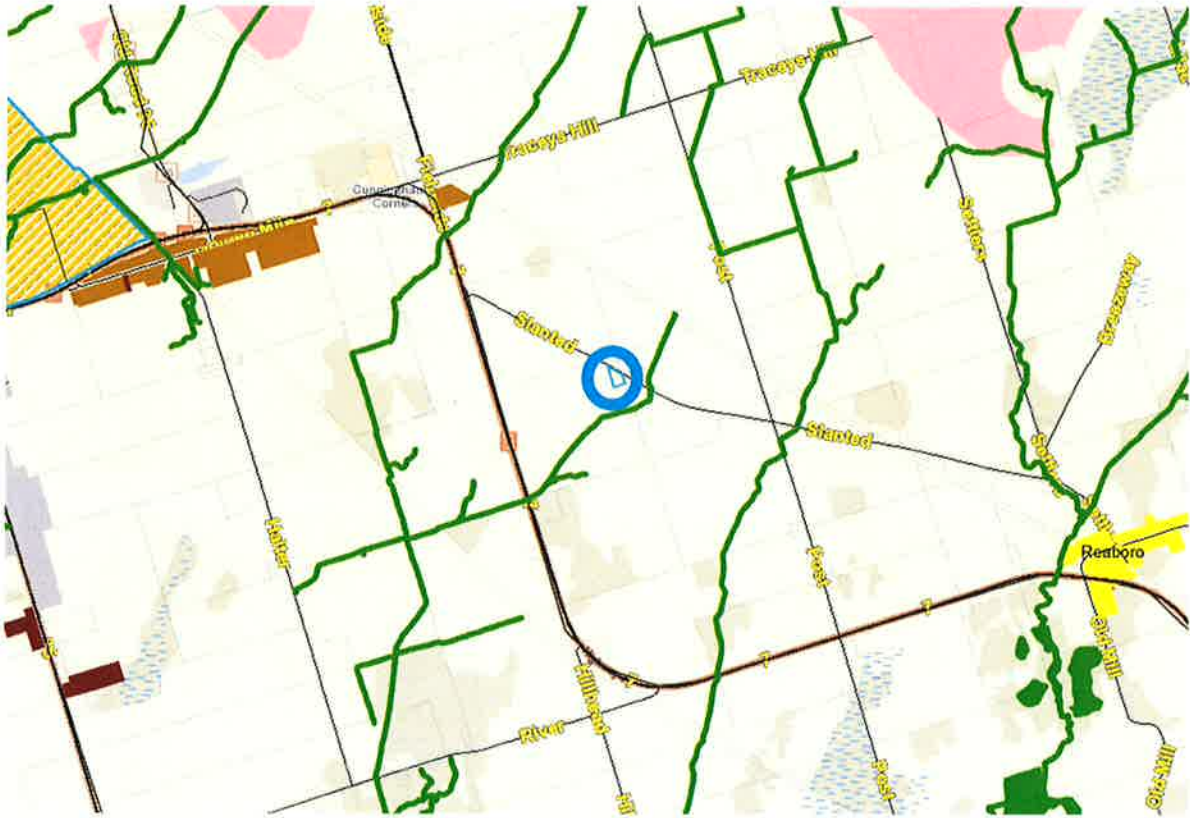
Attachments

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

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E-Mail: lbarrie@kawarthalakes.ca
Department Head: Richard Holy, Director of Development Services
Division File: D20-2022-049

Schedule 1 Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



15. Prime Agricultural Designation

Township of Ops Zoning By-law 93-30



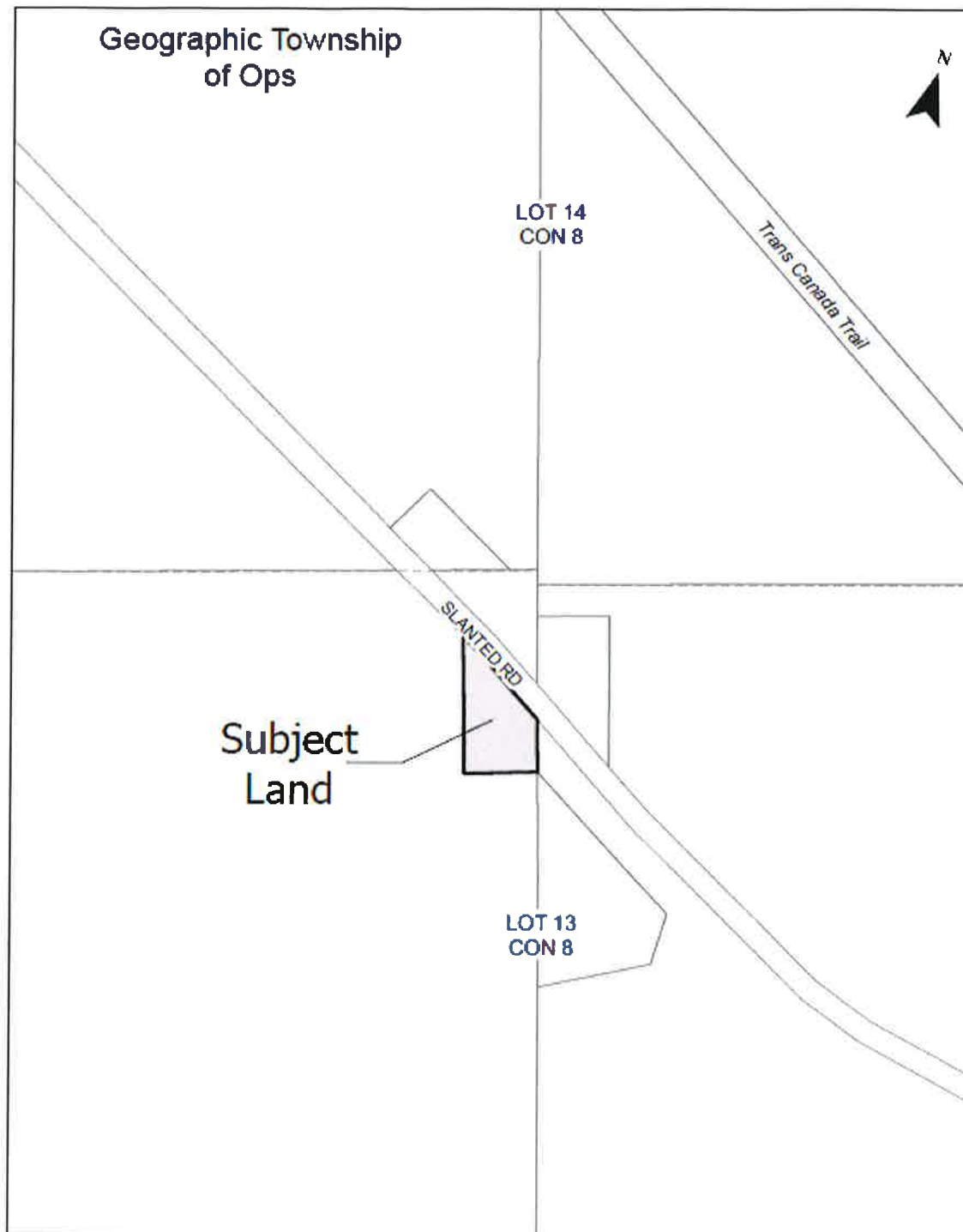
- 2.1 Accessory Uses
- 2.22 Street Setbacks
- Section 5 Rural Residential (RR) Zone
- Section 16 Agricultural (A) Zone

to

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LOCATION MAP



to

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AERIAL PHOTO

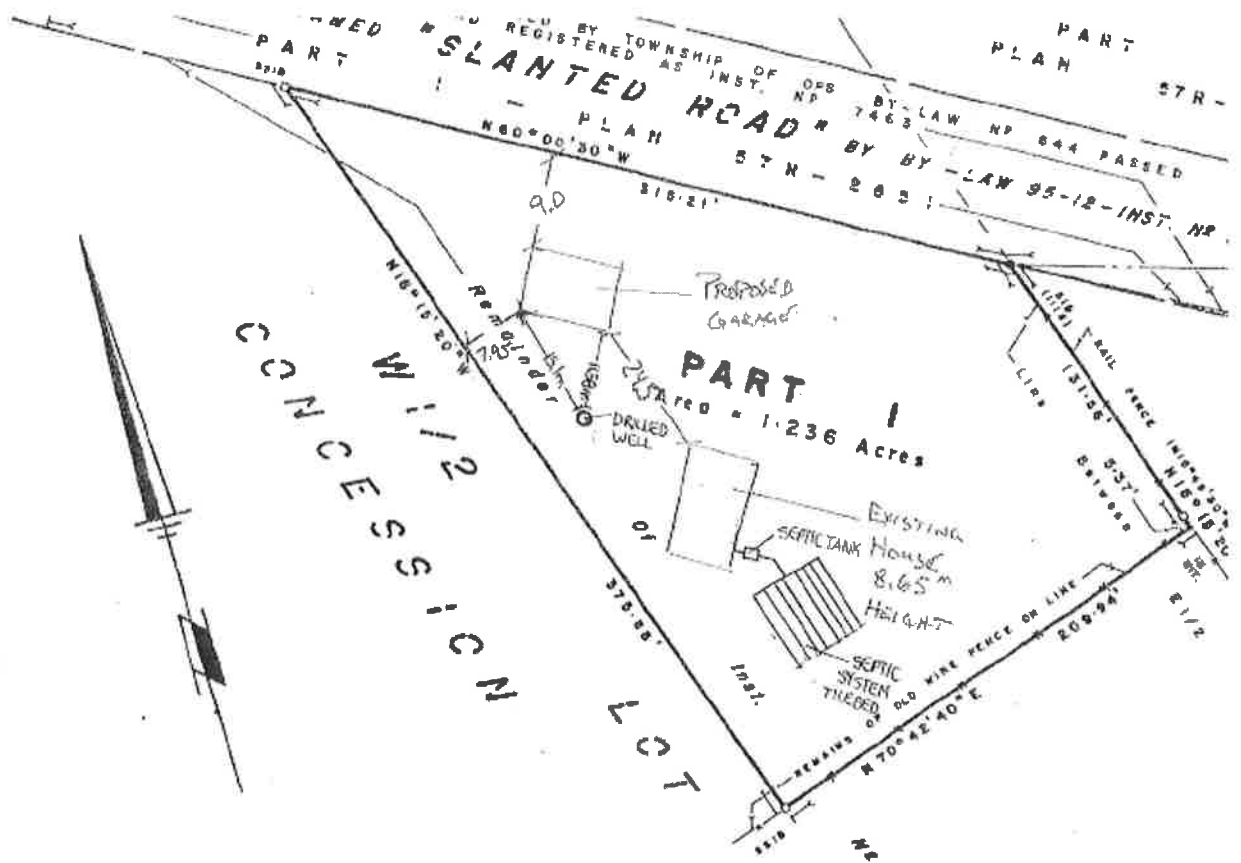


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APPLICANT'S SKETCH



to

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ELEVATION

