

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Wilcox**  
Report Number COA2022-051

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**Public Meeting**

**Meeting Date:** July 21, 2022  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward 3 – Geographic Village of Fenelon Falls**

**Subject:** The purpose and effect is to facilitate the construction of a residential garage. **Relief sought:**

- 1) By-law Section 5.1.4 permits a maximum lot coverage of 5% for accessory structures; the proposed coverage is +/- 9.8%.

The variance is requested at **35 Elliot Street** (File D20-2022-044).

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

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**Recommendations**

**That** Report COA2022-051 – Wilcox, be received;

**That** minor variance application D20-2022-044 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 COA2022-051, 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 COA2022-051. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

## Application Summary

Proposal:	Construction of a +/- 53.1 square metre (571.56 sq ft) single-storey 2-car detached garage
Owner:	Deborah Wilcox
Applicant:	Allan Wilcox
Legal Description:	Part Lots 105 and 106 on Plan 100
Official Plan <sup>1</sup> :	Low Density Residential (Village of Fenelon Falls Official Plan, 1989)
Zone <sup>2</sup> :	Residential Type One 'R1' (Village of Fenelon Falls Zoning By-law 89-25)
Site Size:	+/- 537.0 sq m (5,780.22 sq ft)
Site Servicing:	Municipal water and sewers
Existing Uses:	Residential
Adjacent Uses:	Residential, 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 constructed in 1951. A recent consent severed lands containing an encroaching driveway and gravel pad from abutting #39 Elliot to enlarge #35 Elliot in order to provide more interior side and rear yard space to accommodate the proposed garage. Though the consent increased the lot area of #35 Elliot, it remained deficient with respect to the minimum lot area requirement and was approved through Minor Variance File No. D20-2021-017.

The proposed garage adds much needed storage space on the property, in keeping with the built form in the surrounding area.

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

The proposed garage is permitted as-of-right in the Low Density Residential designation; performance and siting criteria are implemented through the Zoning By-law.

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

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<sup>1</sup> See Schedule 1

<sup>2</sup> See Schedule 1

The proposed garage is permitted as-of-right in the R1 zone. The undersized lot area is a contributing factor to the increased coverage; the overall lot coverage will be 21.5%, and does not exceed the maximum coverage permitted at 30%.

Proposed as a single-storey structure, the garage will remain subordinate to the larger footprint of the single-storey dwelling.

There are no concerns that the increased coverage will impair the lot's permeable surface to adequately manage stormwater.

**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

**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 – Consent Sketch



COA2022-051  
Appendices\_Wilcox.

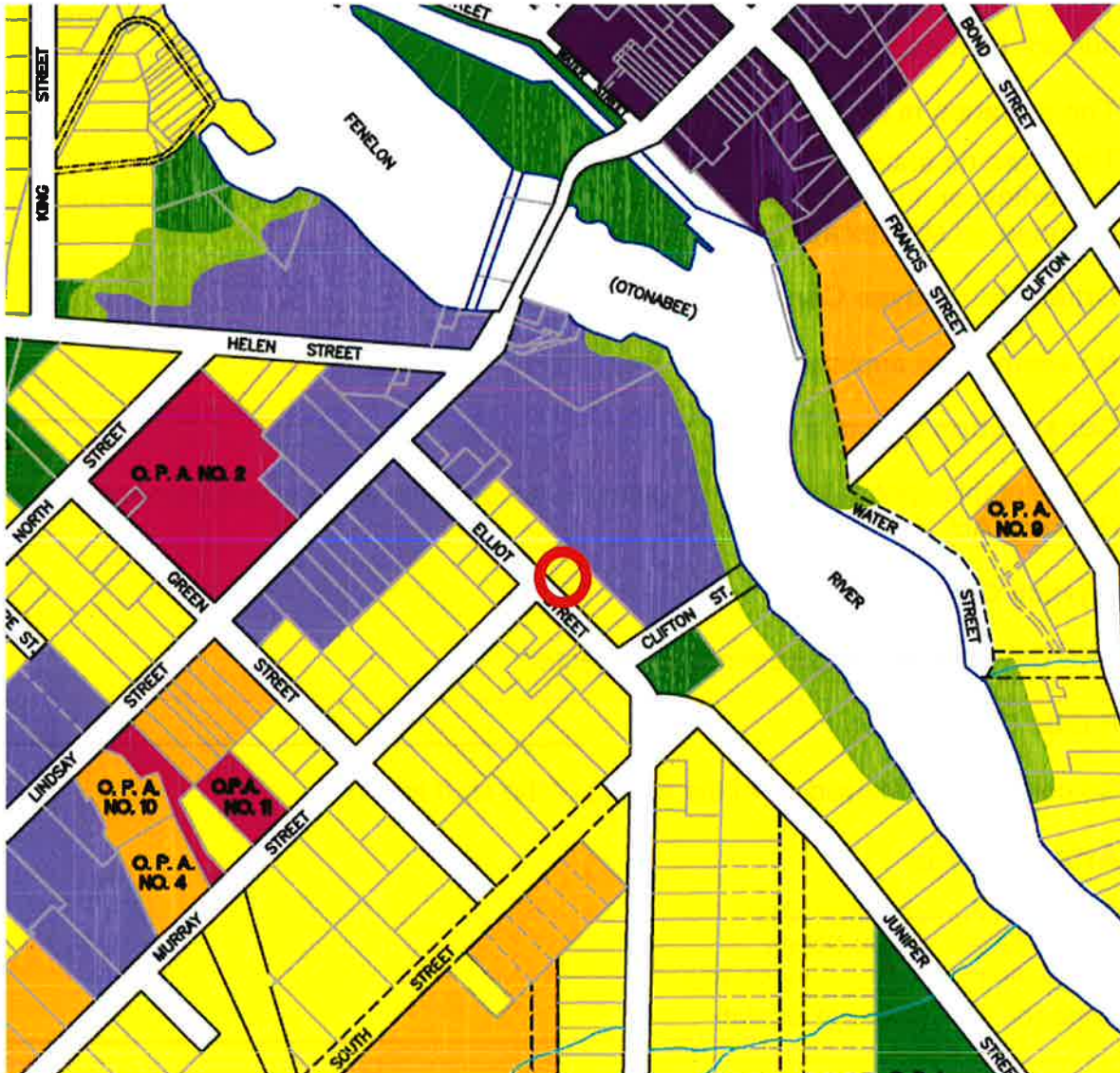
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<b>Phone:</b>	705-324-9411 extension 1240
<b>E-Mail:</b>	lbarrie@kawarthalakes.ca
<b>Department Head:</b>	Richard Holy, Director of Development Services
<b>Division File:</b>	D20-2022-044

## Schedule 1 Relevant Planning Policies and Provisions

### Village of Fenelon Falls Official Plan

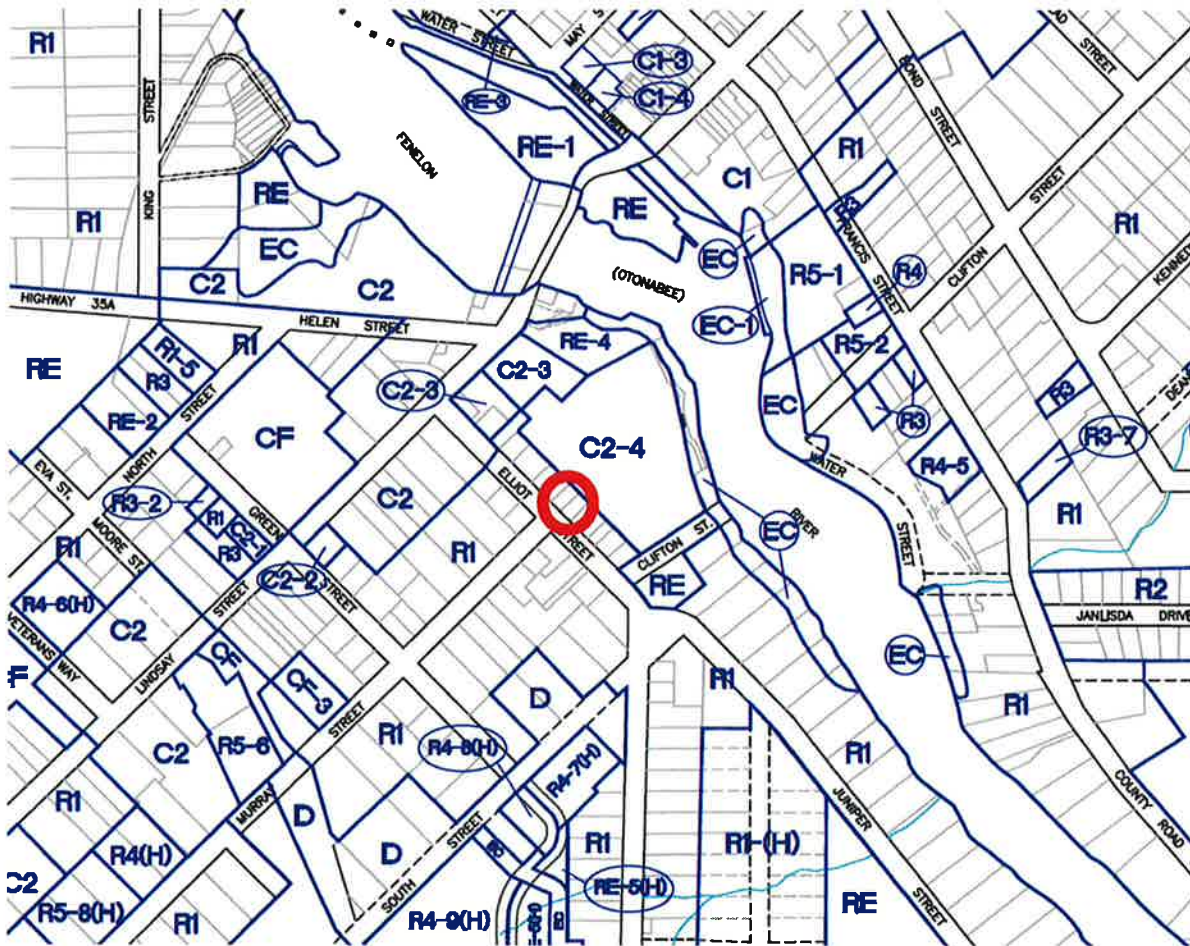
 LOW DENSITY RESIDENTIAL



- Part 3 Land Use Policies
- 3.4 Residential
- 3.4.1 General Principles



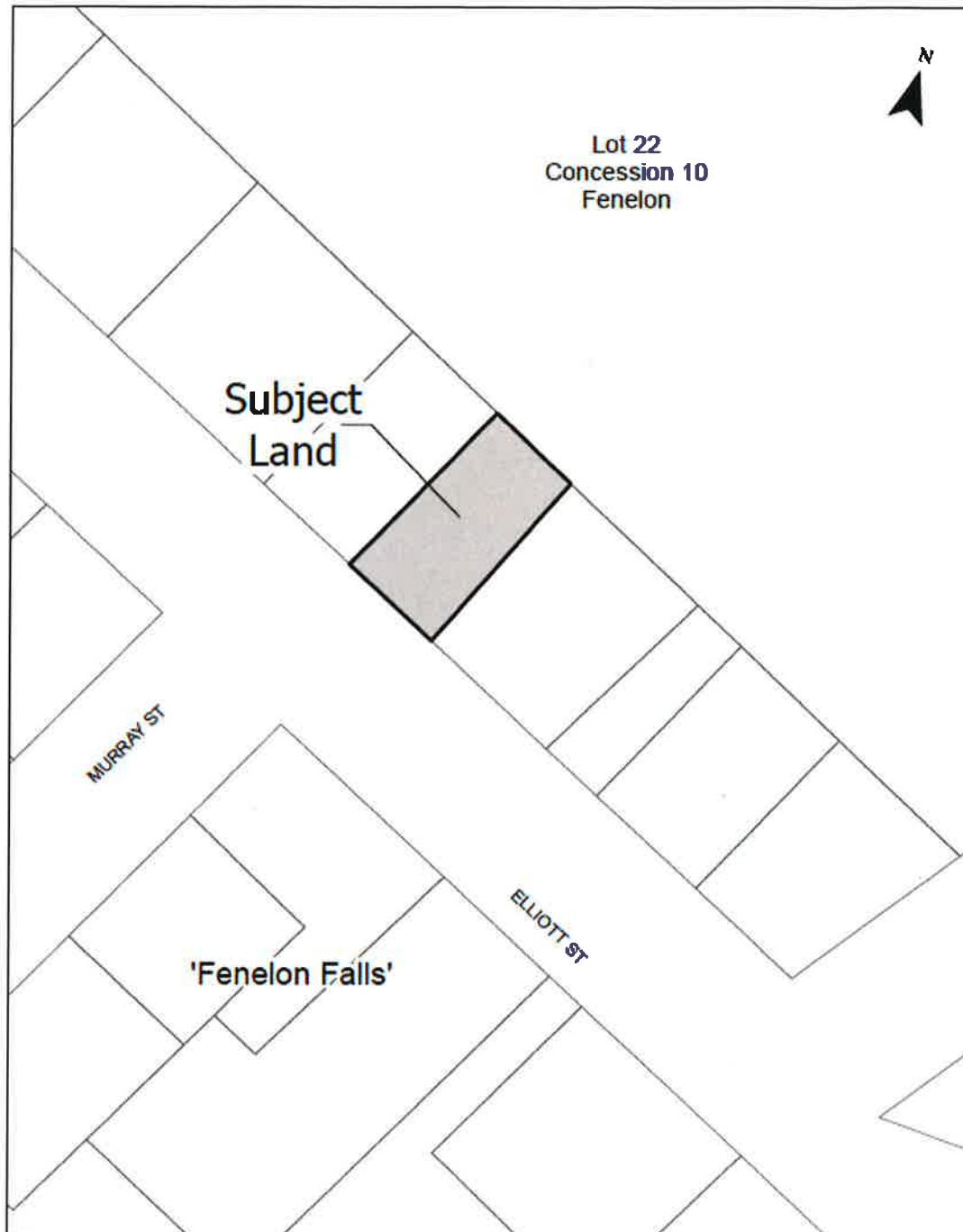
## Village of Fenelon Falls Zoning By-law 89-25



- 4.3 Residential Type One (R1) Zone
- Part 5 General Zone Provisions
- 5.1.4 Lot Coverage and Height



**LOCATION MAP**



to

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**AERIAL PHOTO**

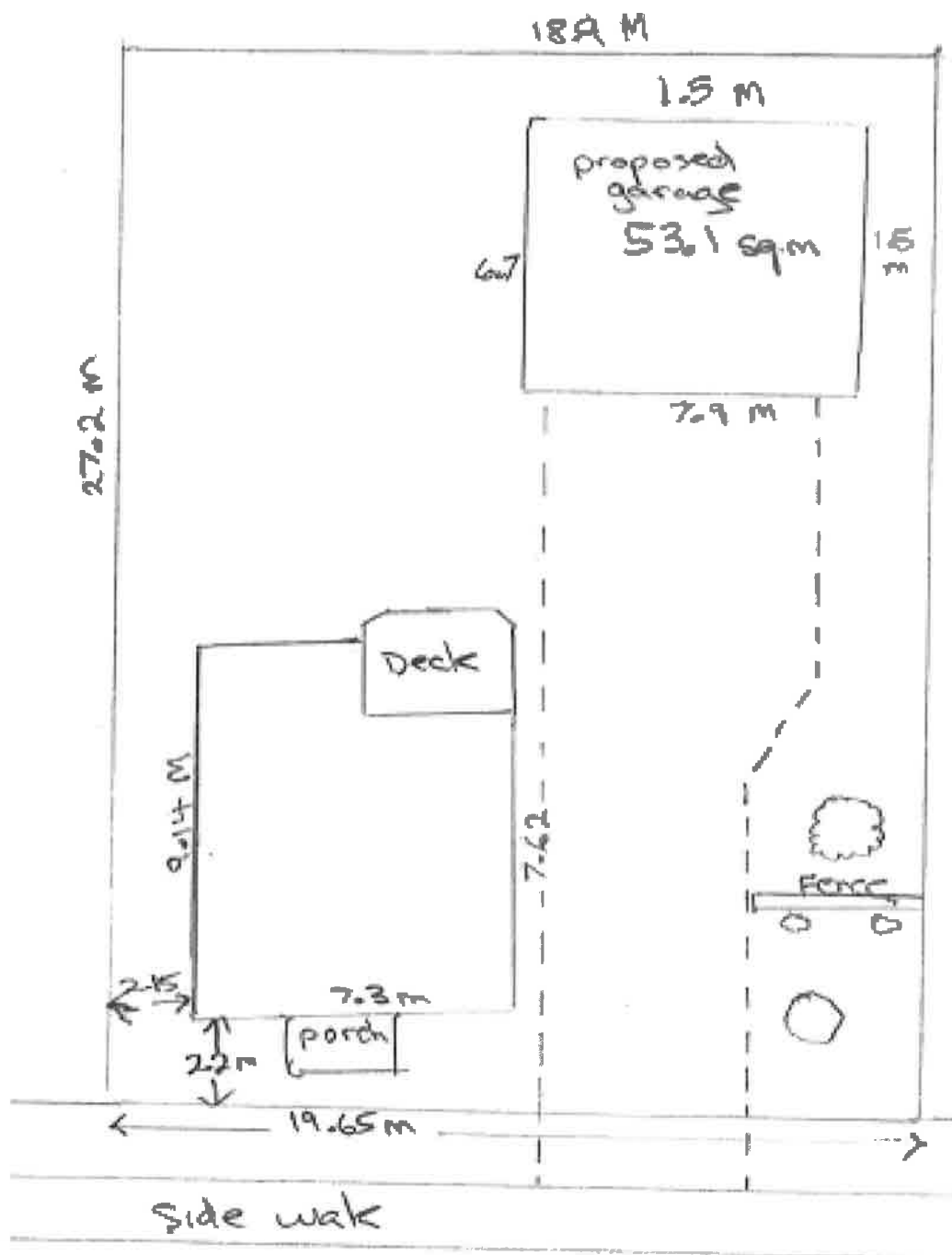




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## APPLICANT'S SKETCH



## CONSENT SKETCH

