

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Coombs
Report Number COA2022-067

Public Meeting

Meeting Date: September 22, 2022
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 6 – Geographic Township of Fenelon

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

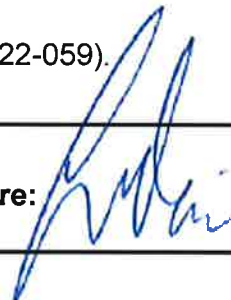
Relief sought:

1. Section 3.1.2.4 of the By-law requires a minimum front yard setback of 7.5 metres; the proposed setback is 4.8 metres.

The variance is requested at 32 Leslie Frost Lane (File D20-2022-059).

Author: Leah Barrie, RPP, Manager of Planning

Signature:



Recommendations

That Report COA2022-067 – Coombs, be received;

That minor variance application D20-2022-059 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 COA2022-067. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	To permit a +/- 41.6 sq m detached accessory building (garage)
Owners:	Drew Coombs
Applicant:	Garry Newhook
Legal Description:	Part Lot 7, Concession 9 (being Lot 15, Plan 143)
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Rural Residential Type Three 'RR3' (Township of Fenelon Zoning By-law 12-95)
Site Size:	1,106 sq m (0.27 ac)
Site Access:	Year-round municipal road
Site Servicing:	Private lake water draw and holding tank
Existing Uses:	Residential
Adjacent Uses:	Residential

Rationale

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

The existing cottage (circa 1929) does not contain an attached garage, and the boathouse does not provide adequate storage. The proposed garage provides a suitable area for storage otherwise lacking on the lot.

The property slopes from the road to the lake. The former garage was sited in the proposed location, where the grade is relatively flat. It is anticipated that much fill would be needed to site the garage towards the interior of the lot, which would also limit the open space between the house and garage for rear yard access.

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

The Waterfront designation permits residential uses and accessory uses thereto; performance and siting criteria are implemented through the Zoning By-law.

¹ See Schedule 1

² See Schedule 1

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

The RR3 zone permits residential uses and accessory uses thereto.

With the exception of the reduced front yard setback, the proposed garage complies with the remaining zone provisions. The encroachment is reasonable given the established building line along Leslie Frost Lane – thirteen other lots appear to contain structures within the front yard setback – the majority being accessory structures, and two being dwellings; another front yard setback encroachment is evident on the opposite side of the street as well. At 4.8 m, adequate space remains in the front yard to safely maneuver a vehicle to and from the lot.

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 considered.

Consultation Summary

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

Agency Comments:

DS-Building and Septic (Building): "No comments."

DS-Building and Septic (Septic): "A Sewage System Installation Report has been issued for this property under file SS2020-0297. The installation report was issued for the completed installation of a Class 5 Holding Tank to service the residential dwelling. Based on the site plan provided for the minor variance and the sewage system lot diagram, the proposed detached garage will be placed on the property to ensure adequate clearance distances to the holding tank. As such, the Building and Septic Division has no issue with the minor variance proposal as it relates to private on-site sewage disposal."

Kawartha Conservation: "As the proposed development is entirely outside of the significant woodland feature, we will not require an EIS as there will be no impacts to the feature as a result of the development. A permit pursuant to Ontario Regulation 182/06, including an erosion and sediment control plan is not required at this time as the proposed development is located completely outside of all Conservation Authority regulated areas on the subject property. Kawartha Conservation has no concern with the approval of Minor Variance Application D20-2022-059."

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 – Construction Drawings

Phone:	705-324-9411 extension 1240
E-Mail:	lbarrie@kawarthalakes.ca
Department Head:	Richard Holy, Director of Development Services
Division File:	D20-2022-059

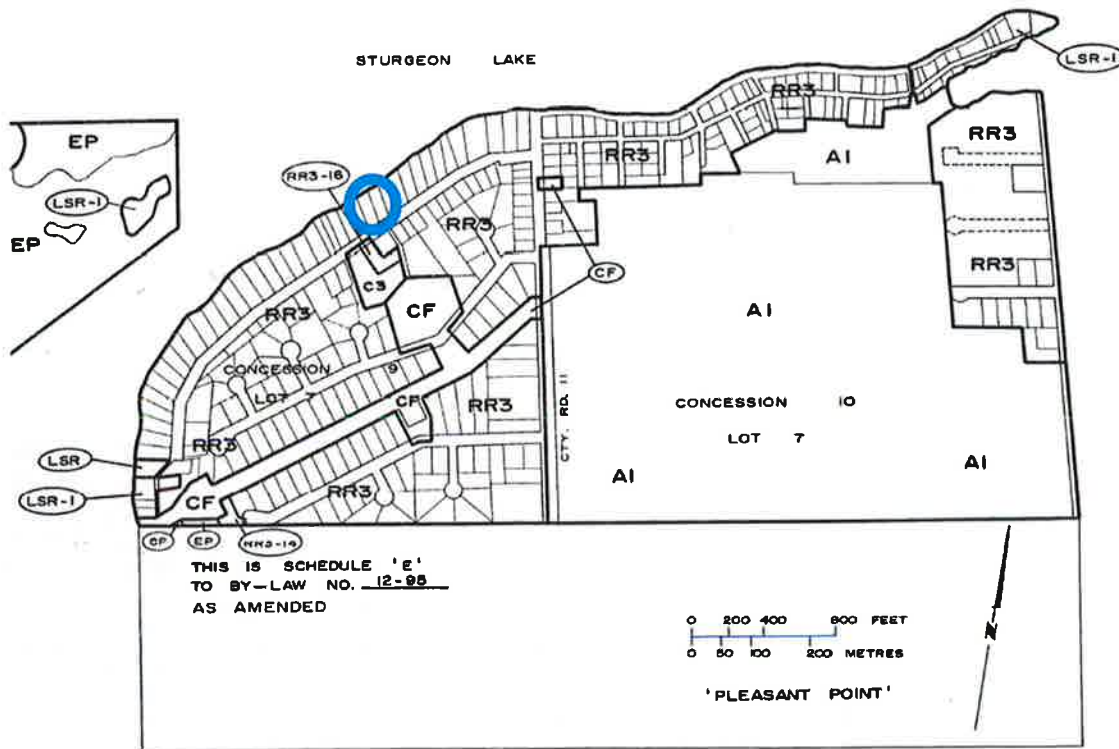
Schedule 1 Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



20. Waterfront Designation

Township of Fenelon Zoning By-law 12-95



Part 3 General Provisions

3.1.2.4 Where a lot fronts on a navigable waterway, a private garage shall be permitted between the main building on the lot and the street line, provided such private garage complies with the yard provisions of the applicable zone.

Part 13 Rural Residential Type Three (RR3) Zone

13.2.1.3 Yard Requirements (min.)

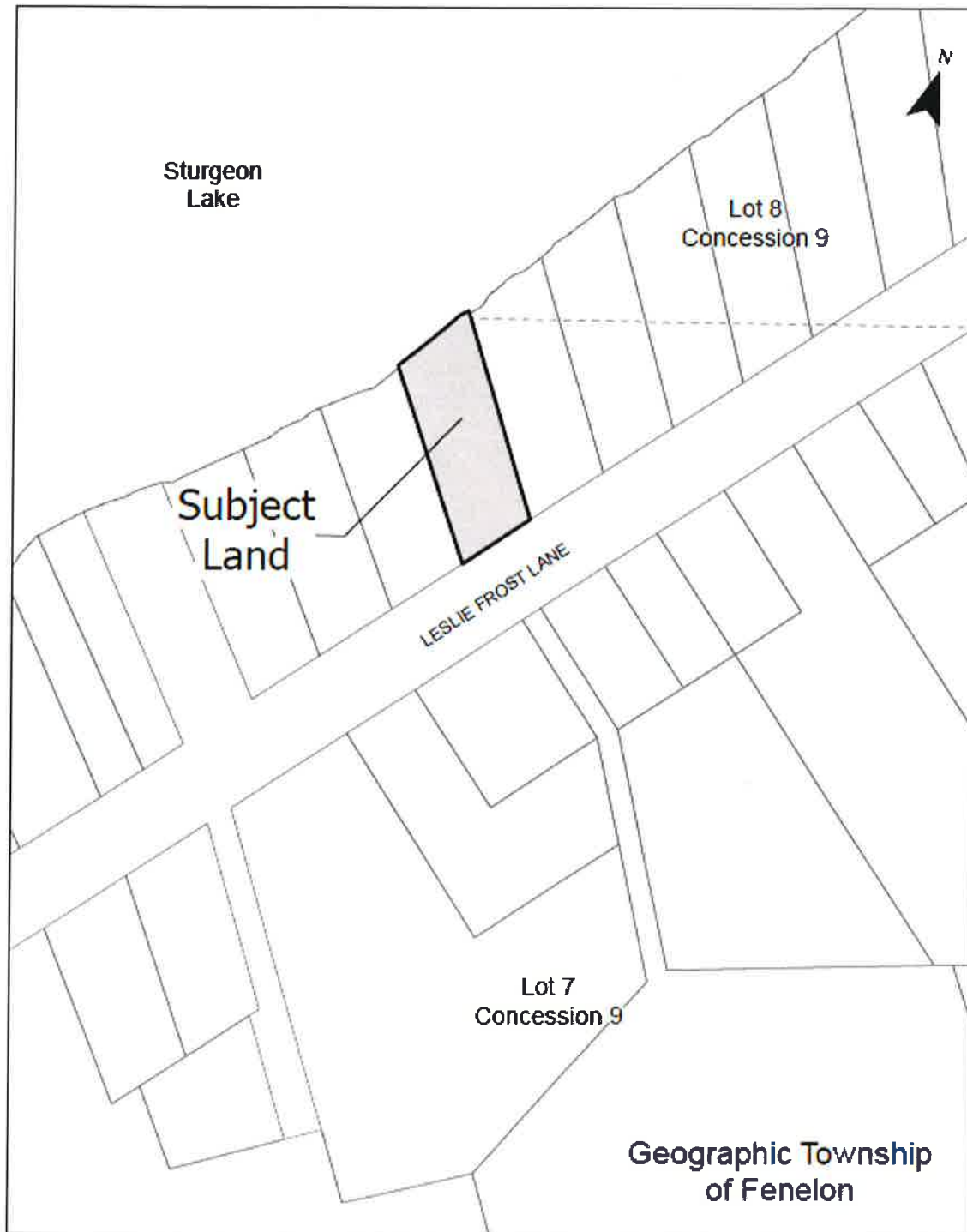
(a) front 7.5 m

to

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FILE NO: D20-2022-059

LOCATION MAP

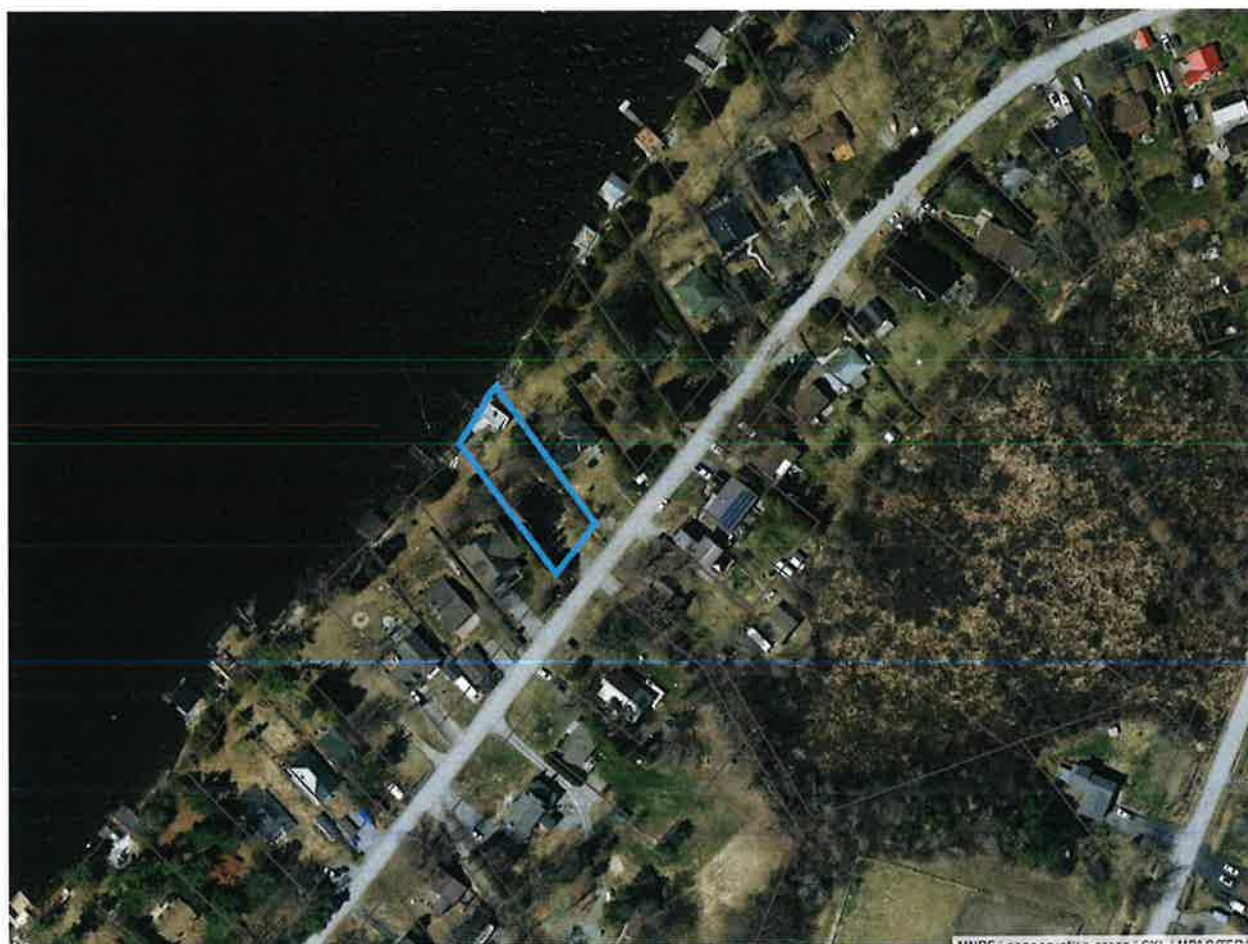


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REPORT COA2022-067

FILE NO: D20-2022-059

AERIAL PHOTO

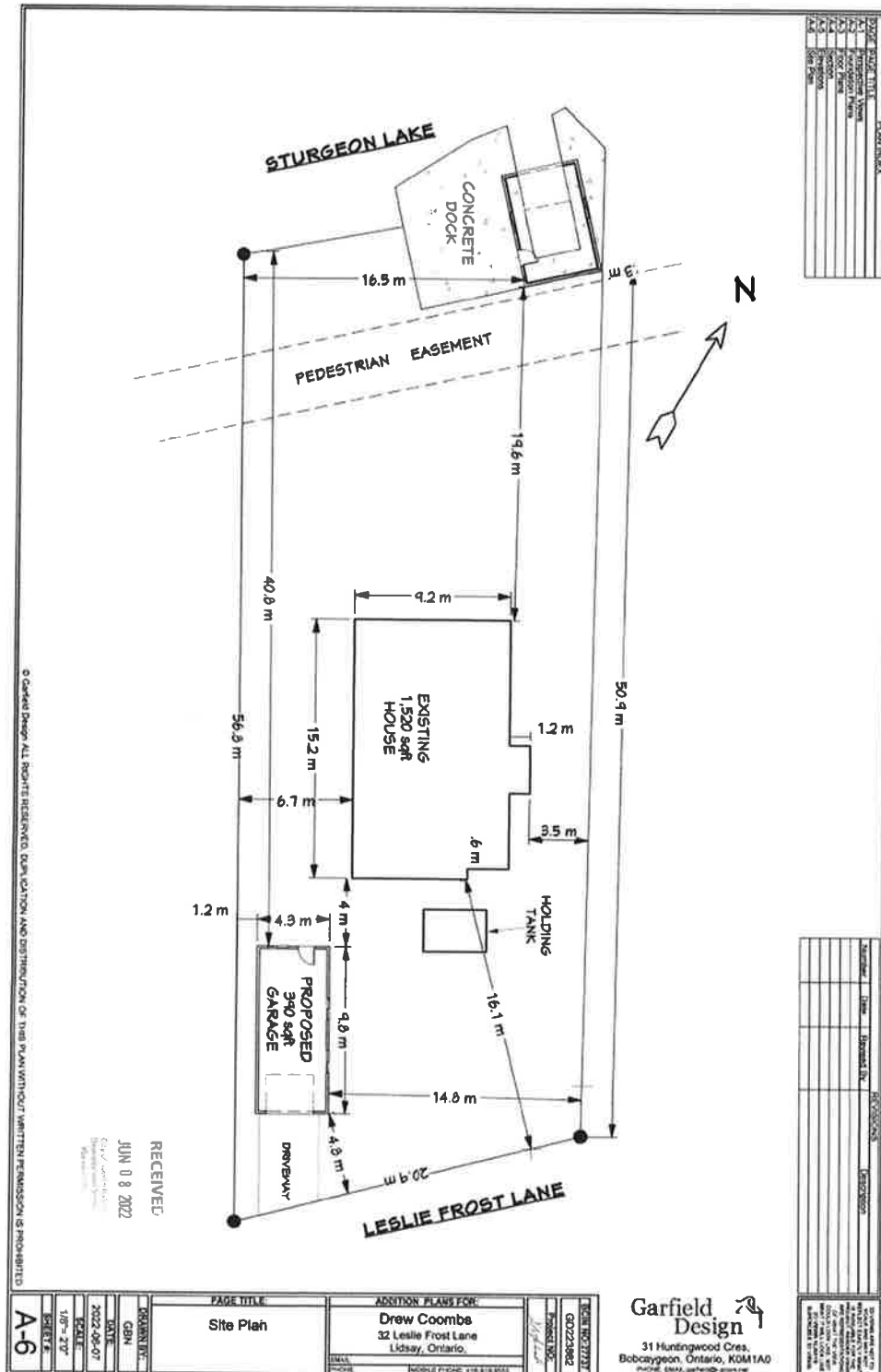


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APPLICANT'S SKETCH

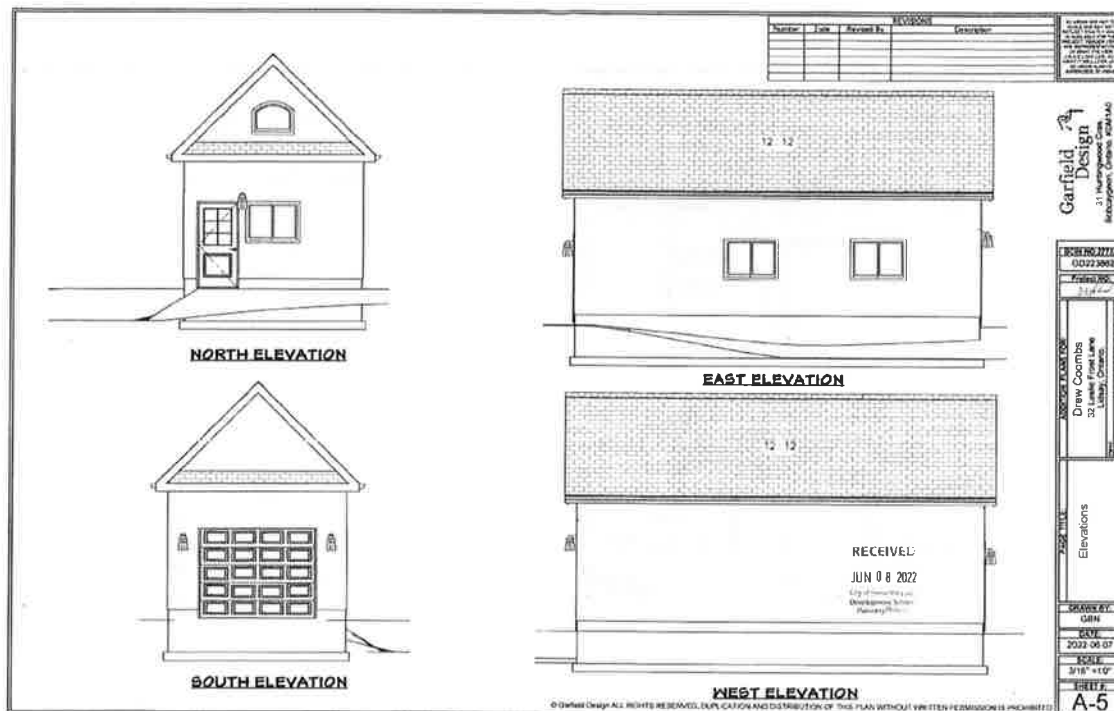
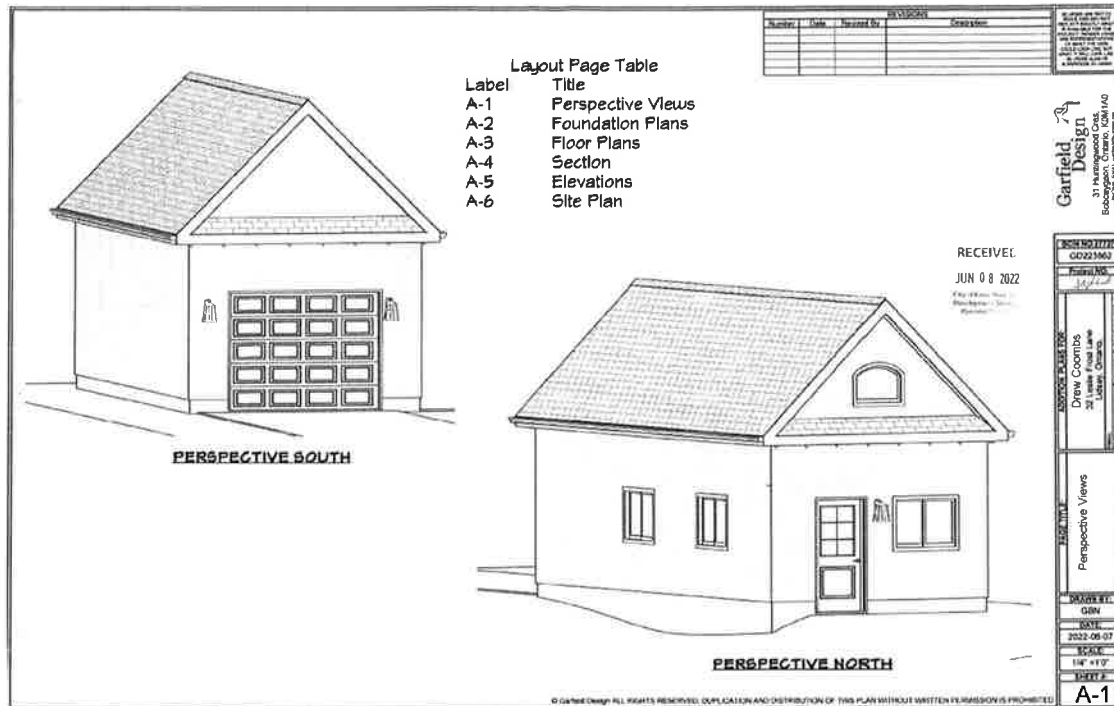


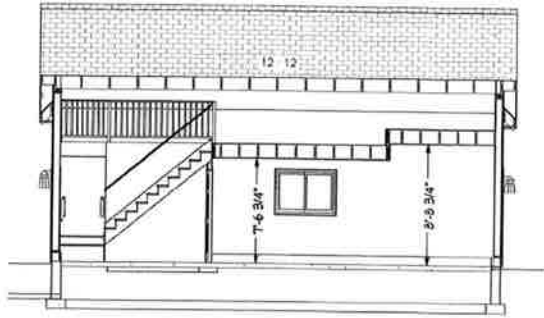
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REPORT COA2022-067

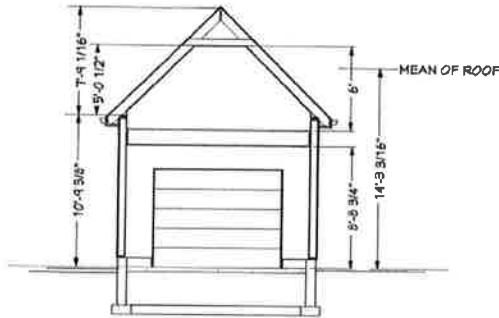
FILE NO: D20-2022-059

CONSTRUCTION DRAWINGS





SECTION A3-3



SECTION A3-1



SECTION A3-2

Number	Date	Revised By	Description

10. These drawings are to be used for the construction of the building shown. No other use is permitted without the written consent of the designer.

Garfield Design
31 Huntington Drive
Beverly Hills, CA 90210
Tel: 310.274.1140
Fax: 310.274.1141
www.garfielddesign.com

RECEIVED
JUN 08 2022
City of Fremont
Development Services
Planning Division

BCR NO. 27717
00223962
Project No.

ADDITIONAL COMMENTS
Drew Coombs
33 Laurel Forest Lane
Lafayette, Ontario
Tel: 519.881.1140
Fax: 519.881.1141
www.drewcoombs.com

Section

DRAWN BY:
GBM
DATE:
2022-06-07
SCALE:
3/16" = 1'-0"
SHEET #
A-4

