

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – MacCuish**  
Report Number COA2022-075

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**Public Meeting**

**Meeting Date:** October 27, 2022  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward 6 – Geographic Village of Omemee**

**Subject:** The purpose and effect is to facilitate construction of a detached accessory building (garage). **Relief sought:**

1. Section 3.1.3.1 for accessory buildings and structures permits a maximum lot coverage of 40% of the main building gross floor area; the proposed coverage is 52.54%.

The variance is requested at **131½ King Street West** (File D20-2022-067).

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

**Signature:** 

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**Recommendations**

**That** Report COA2022-075 – MacCuish, be received;

**That** minor variance application D20-2022-067 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 Appendices C and D submitted as part of Report COA2022-075, 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 COA2022-075. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

## Application Summary

Proposal:	To facilitate the construction of a +/- 62.43 sq m detached accessory building (garage)
Owners:	Daniel MacCuish
Applicant:	Same as owner
Legal Description:	Block 3, Lot 7, Plan 109
Official Plan <sup>1</sup> :	Urban Settlement Area (City of Kawartha Lakes Official Plan, 2012)
Zone <sup>2</sup> :	Residential Type One 'R1' (Village of Omemee Zoning By-law 1993-15)
Site Size:	929 sq m (10,000 sq ft)
Site Servicing:	Private individual well and municipal sanitary sewer
Site Access:	Year-round municipal road
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 +/- 119 sq m dwelling does not contain an attached garage, nor are any other accessory buildings present on the lot. The garage is intended for secure vehicle parking and storage of other items that cannot otherwise be accommodated in the dwelling.

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

The proposed garage is permitted in the Urban 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.**

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<sup>1</sup> See Schedule 1

<sup>2</sup> See Schedule 1

The proposed garage is permitted in the R1 zone and complies with all applicable zone provisions, with the exception of lot coverage. The By-law regulates the size of accessory buildings to ensure they remain subordinate to the primary use of the lot, and as a way to establish character in the neighbourhood.

Surrounding lots appear to contain a variety of garage shapes and sizes. The siting of the garage at the minimum rear yard setback provides separation from the dwelling with open space both behind and in front of the dwelling given the deep front yard setback; and, the proposed height is less than that of the primary dwelling effectively uphold the intent of the by-law.

For comparative purposes, similar urban by-laws regulate accessory coverage to the lot area as opposed to the ground floor area of the dwelling; following this principle, the proposed accessory coverage is only 6.7% of the lot area, and falls under the average urban accessory coverage in the 8-10% range.

**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:**

None applicable.

**Consultation Summary**

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

**Agency Comments:**

**ECA-Development Engineering Division:** "There is no concern or comment from an engineering perspective."

**Public Comments:**

No comments received as of the writing of the staff report.

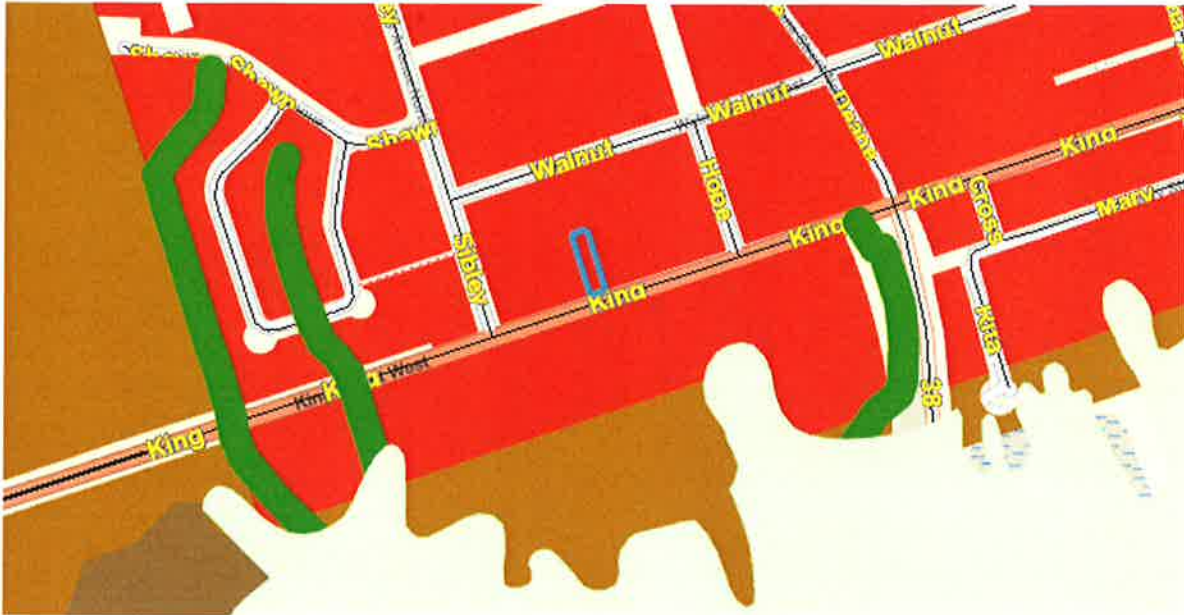
**Attachments**

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

**E-Mail:** lbarrie@kawarthalakes.ca  
**Department Head:** Richard Holy, Director of Development Services  
**Division File:** D20-2022-075

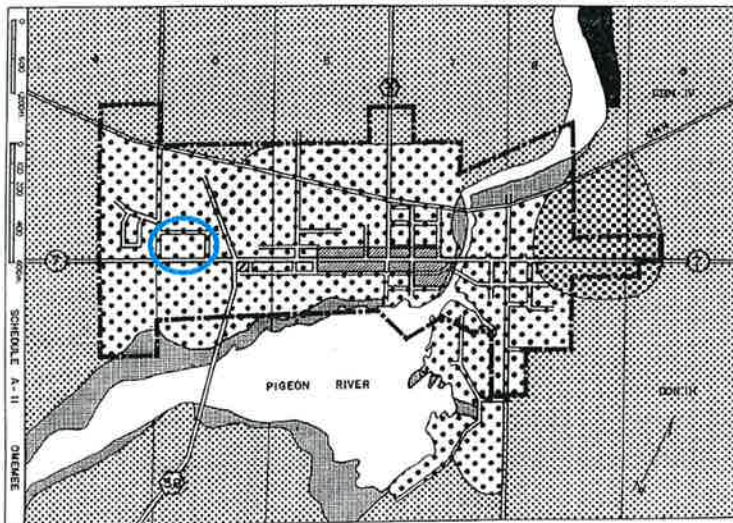
## Schedule 1 Relevant Planning Policies and Provisions

### City of Kawartha Lakes Official Plan



18. Urban Settlement Designation  
18.8 Omemee

### Victoria County Official Plan



- 6.2 Urban Designation

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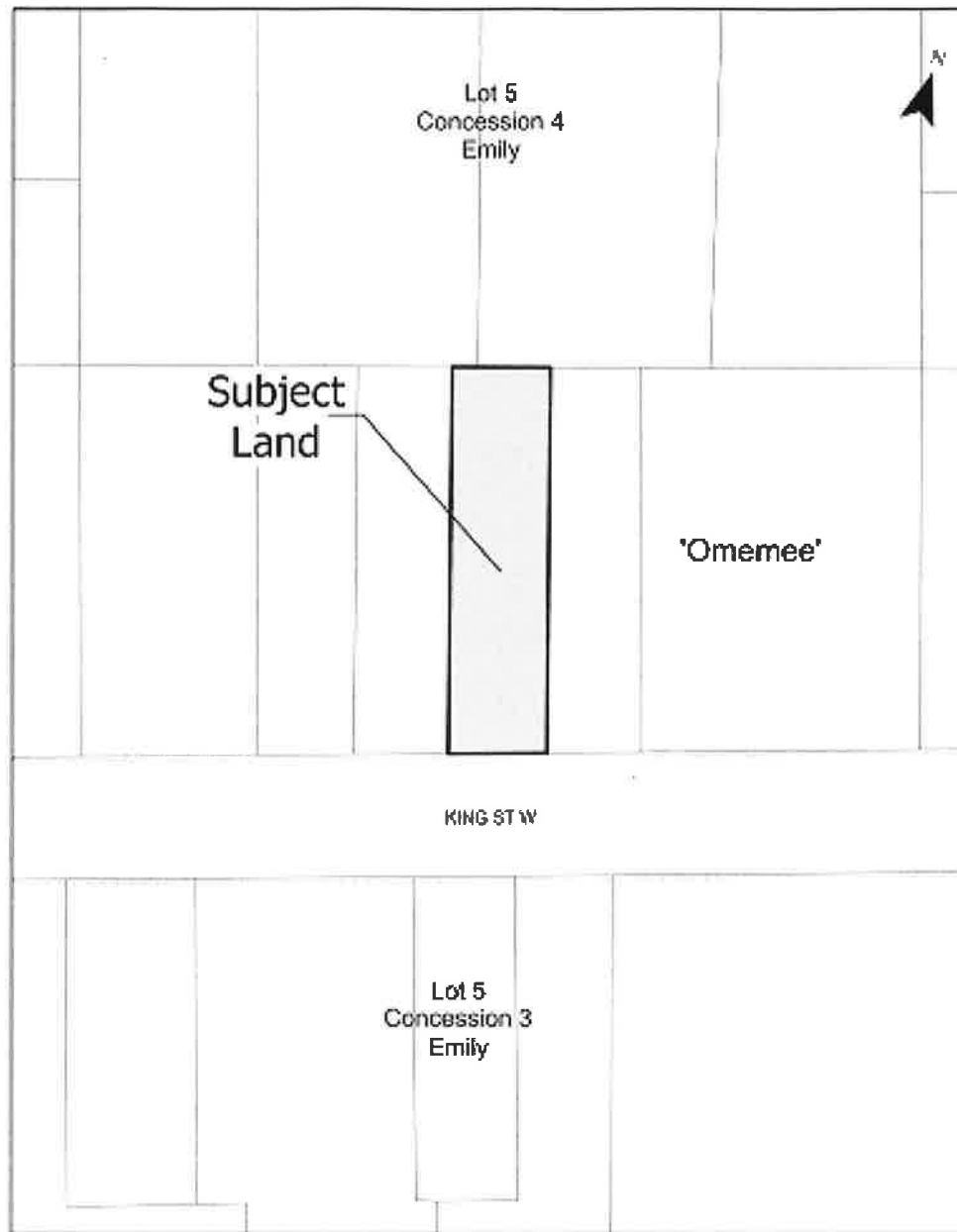
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LOCATION MAP

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**AERIAL PHOTO**





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## CONSTRUCTION DRAWINGS

