

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Arbour and Broomfield**  
Report Number COA2022-083

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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 4 – Geographic Township of Mariposa**

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

1. Section 3.1.2.2 requires accessory buildings to be 2 metres from the side lot line; the proposed setback is 1 metre.

The variance is requested at **115 Gilson Street** (File D20-2022-075).

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

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**Recommendations**

**That** Report COA2022-083 – Arbour and Broomfield, be received;

**That** minor variance application D20-2022-075 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 COA2022-083, 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 COA2022-083. 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 +/- 22.3 sq m (240 sq ft) detached accessory building (shed)
Owners:	Ricky John Arbour and Nancy Jean Broomfield
Applicant:	Same as owners
Legal Description:	Lot 19, Plan 57M-764
Official Plan <sup>1</sup> :	Development Plan Area Four 'DP-4' – Gilson Point, Mariposa (City of Kawartha Lakes Official Plan, 2012)
Zone <sup>2</sup> :	Rural Residential Type Three Exception Seven 'RR3-7' (Township of Mariposa Zoning By-law 94-07)
Site Size:	3,730.06 sq m (0.92 ac)
Site Servicing:	Private individual well and septic system
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 single detached dwelling was built in 2019 with an attached 3-car garage now used to park 4 vehicles and store tools; there are currently no accessory buildings on the lot. A temporary storage shelter will be removed to accommodate the new shed. The owners propose to use the new shed to store a riding lawn mower, push mower, robot mower, snow blowers, UTV (utility terrain vehicle) with plow, and garden tools, that cannot otherwise be accommodate indoors. The shed is prefabricated, constructed to Ontario Building Code standards of quality materials, in colours to complement the house.

The driveway terminates at the garage; located on a gravel pad beside the garage is a trailer/RV. The trailer is proposed to be relocated to a permitted secondary point of access and parking pad in the exterior side yard, in order to accommodate the new shed. Siting the shed beside the garage allows safe access to the main doors, while maintaining an appropriate setback from the house, creating a

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<sup>1</sup> See Schedule 1

<sup>2</sup> See Schedule 1

convenient direct approach from the street, without encumbering the open space amenity of the rear yard.

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

The proposed shed is permitted in the DP-4 designation, which primarily implements the detailed Environmental Evaluation that was carried out to facilitate development of the residential subdivision. 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 shed is permitted in the RR3-7 zone and complies with all applicable zone provisions, with the exception of minimum side yard setback. The existing trailer has been parked in the proposed shed location since the owners acquired the property; no further encroachment is proposed. The proposed reduced yard setback of 1 m provides sufficient room for access, to address exterior maintenance of the shed, and is not anticipated to interfere with the existing lot drainage. A wooden fence has been erected between the neighbouring properties and functions to buffer adjacent uses.

**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:**

**DS-Building and Septic Division (Septic):** "I was able to attend on the property at 115 Gilson Street today to review the sewage system as it relates to the proposal to construct a shed. I was able to locate the sewage system distribution lines and confirm that the proposed shed location will meet the required clearance distance under the Ontario Building Code. As such, I have no concerns with the minor variance proposal as it relates to private on-site sewage disposal."

**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 – Shed Design

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**Phone:** 705-324-9411 extension 1240  
**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

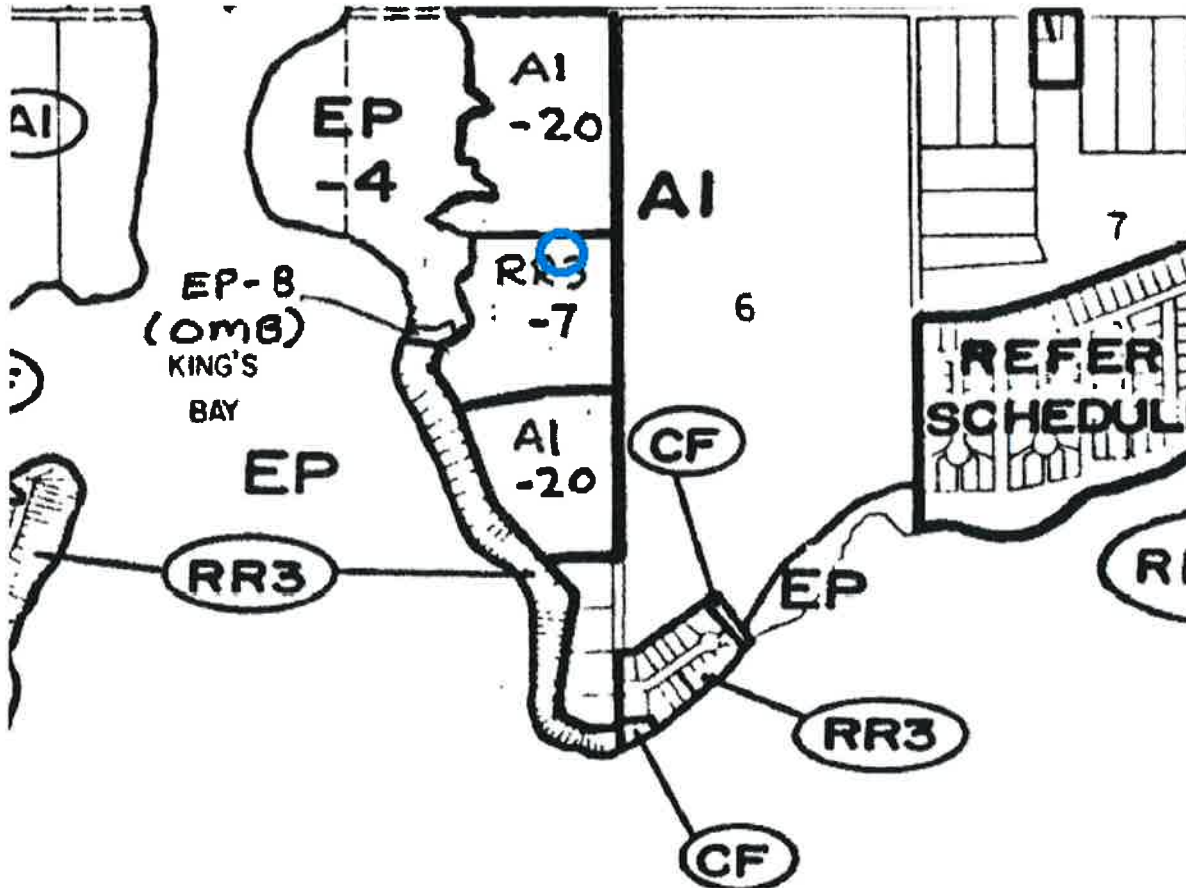
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#### City of Kawartha Lakes Official Plan



31.12 Development Plan Area Four (DP-4) – Gilson Point, Mariposa

## Township of Mariposa Zoning By-Law 94-07



### Part 3 General Provisions

- 3.1.2.2 An accessory building may be erected not closer than 2 metres from a rear lot line and 2 metres from the side lot line nor closer to a flanking street than the required front yard setback for the zone in which it is located and shall not be closer than 4 metres to a residential building located on the same lot.

to

REPORT COA2022-083

FILE NO: D20-2022-075

**LOCATION MAP**

**D20-2022-075**



to

REPORT COA2022-083

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**AERIAL PHOTO**

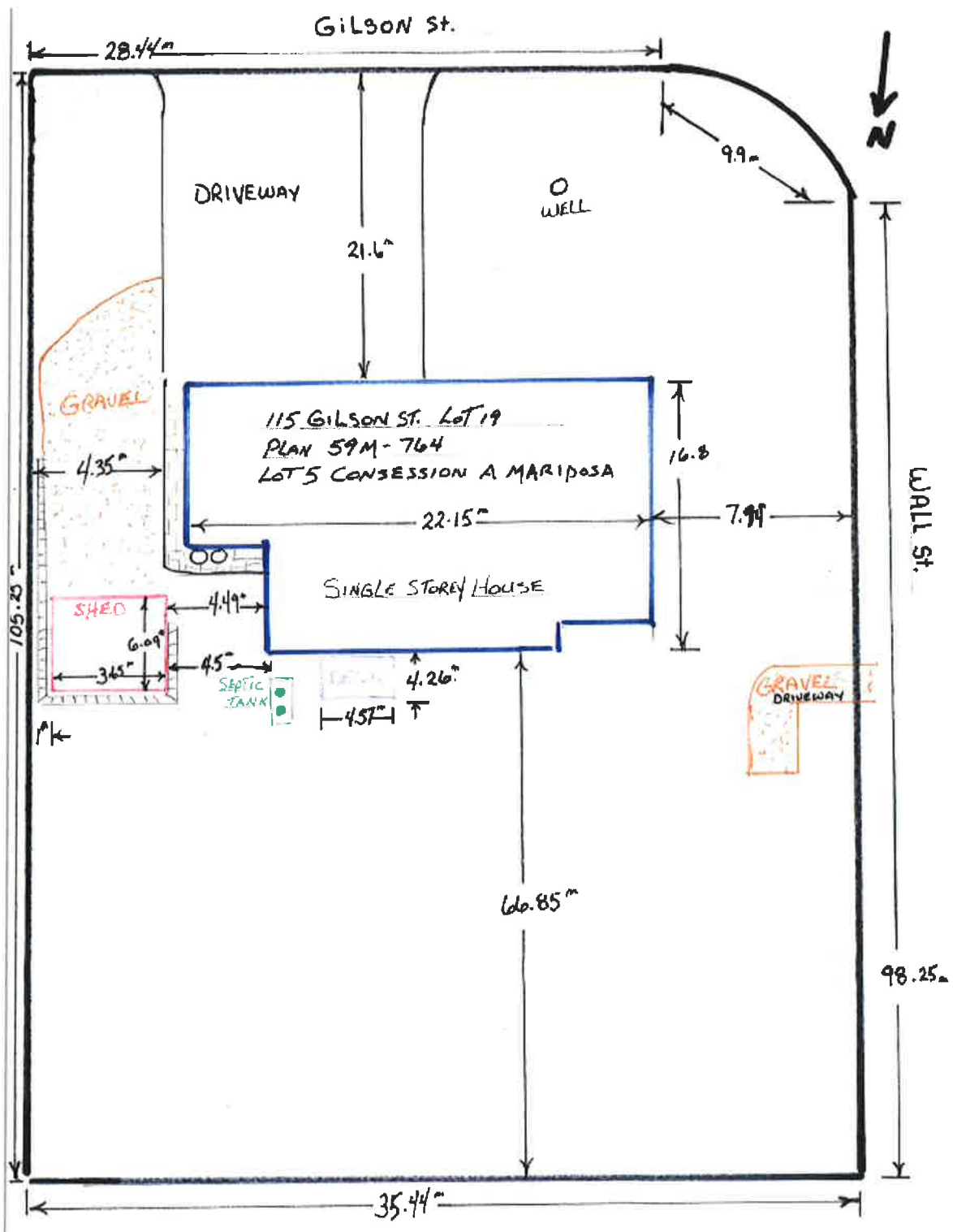


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## APPLICANT'S SKETCH



to

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## SHED DESIGN

