

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Johnston
Report Number COA2022-087

Public Meeting

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

Ward 1 – Geographic Township of Carden

Subject: The purpose and effect is to facilitate the construction of a residential addition to the existing dwelling.

Relief sought:

1. Section 2.2 d) requires an interior side yard setback of 3 metres on one side and 1.2 metres on the other side plus 1 metre for each additional or partial storey above the first; in this instance, the nature of the addition constitutes a partial storey and as such requires a setback of 2.2 metres. The existing setback on the east side is +/-1.4 metres (NE corner)/0.97 metres (SE corner) and the proposed setback for the addition on the west side is +/- 1.2 metres.

The variance is requested at **181 McGuire Beach Road** (File D20-2022-078).

Author: Katherine Evans, Planner II **Signature:** *Katherine Evans*

Recommendations

That Report COA2022-087 – Johnston, be received;

That minor variance application D20-2022-078 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 COA2022-087, 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 COA2022-087. 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 +/- 28.05 sq. m addition to the existing dwelling
Owners:	Gord Johnston
Applicant:	Same as owner
Legal Description:	Part Lot 2, Concession 6 (being Part Lot 11, Plan 336; and, Lot 11 A, Trent Canal Plan 2102A)
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Limited Service Residential (LSR) Zone (Township of Carden Zoning By-law 79-2)
Site Size:	1624.05 sq. m (17,481.13 sq. ft)
Site Access:	Unassumed road
Site Servicing:	Private individual well and septic system
Existing Uses:	Residential
Adjacent Uses:	Residential

Rationale

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

The subject property is situated in an established residential neighbourhood that borders the northern shore of Canal Lake. The residential built form along McGuire Beach Road is comprised of 1 and 2 storey single detached dwellings of varying ages. The subject property is located on the south side of McGuire Beach Road and has frontage on the water. According to Municipal Property Assessment Corporation (MPAC), the dwelling on the subject property was constructed in 1992.

¹ See Schedule 1

² See Schedule 1

The proposed addition will increase the function of the dwelling by adding much needed office space to support a permanent remote work position. Due to the sloping topography of the property and the layout of the existing split level dwelling with its walk out basement, the addition is proposed to be on 3 piers approximately 2.46 metres above grade. This will allow the addition to be in line with the main floor of the home.

The rear yard is accessed on the same side of the property as the proposed addition. As the addition is above the grade of this portion of the property, the backyard can continue to be accessed in this location, and equipment such as a lawnmower can still be taken from the front yard to the rear yard.

Given the above analysis, the variance is considered desirable and appropriate for the use of land.

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

The property is designated Waterfront within the City of Kawartha Lakes Official Plan. Low density residential uses are permitted within this 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.

The subject property is zoned Limited Service Residential (LSR) Zone under the Township of Carden Zoning By-law 79-2.

The zoning by-law requires a side yard setback of 3 metres on one side and 1.2 metres on the other side plus 1 metre for each additional or partial storey above the first. After attending the site, it was determined that because of the layout of the dwelling with the walkout basement, the proposed addition is a partial storey above the first and therefore, the additional 1 metre setback applies.

The purpose of an interior side yard is to manage massing, and to provide sufficient space for lot drainage, access between the front and rear yards, and building maintenance. As the addition is to be on piers above grade, it will not impede access between yards and will continue to allow for any required building maintenance to be performed at the side of the dwelling.

The interior side yard setback also serves as a privacy barrier between the abutting properties. Due to the vegetation along the property line and the absence of windows on the western wall of the addition, no land use compatibility or privacy issues are anticipated.

The variance is minor in nature.

There are no anticipated impacts on environmental features; neighbouring properties; or, the function of the 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 Division (Septic): “A sewage system use permit has been located and reviewed for this proposal. Based on an evaluation of the site plan and the use permit, it has been determined that the proposed addition will not encroach on the required clearance distances to the system. In addition, an evaluation of the proposed addition, as it relates to sewage system capacity, was conducted. The addition will not cause an increase in total daily sewage flow and thus will not affect the performance of the system. As such, the Building and Septic Division has no issue with the proposal for minor variance.”

DS-Building and Septic Division (Building): “Spatial separation could be a potential issue (size of openings could be restricted, noncombustible materials may be required) can be addressed at building permit stage.”

Public Comments:

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

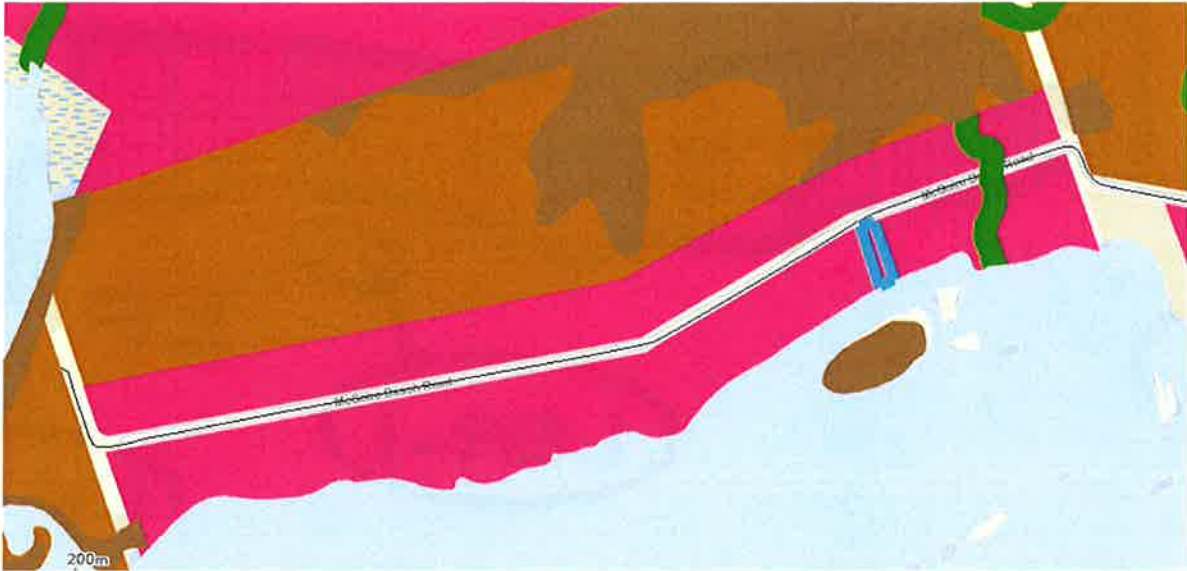
Attachments

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

Phone:	705-324-9411 extension 1883
E-Mail:	kevans@kawarthalakes.ca
Department Head:	Richard Holy, Director of Development Services
Division File:	D20-2022-078

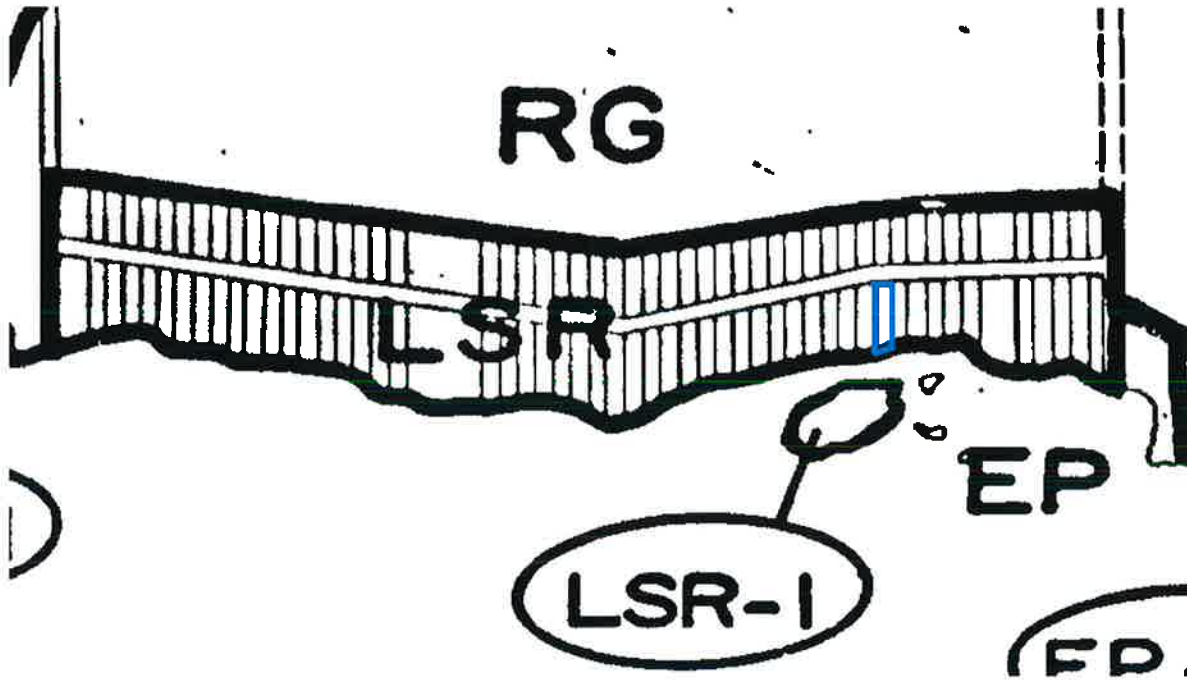
Schedule 1 Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



20. Waterfront Designation

Township of Carden Zoning By-law 79-2



2.2 LSR Zone Requirements

- d. Minimum Side Yard shall be 3 metres on one side, 1.2 metres on the other side plus 1 metre for each additional or partial storey above the first

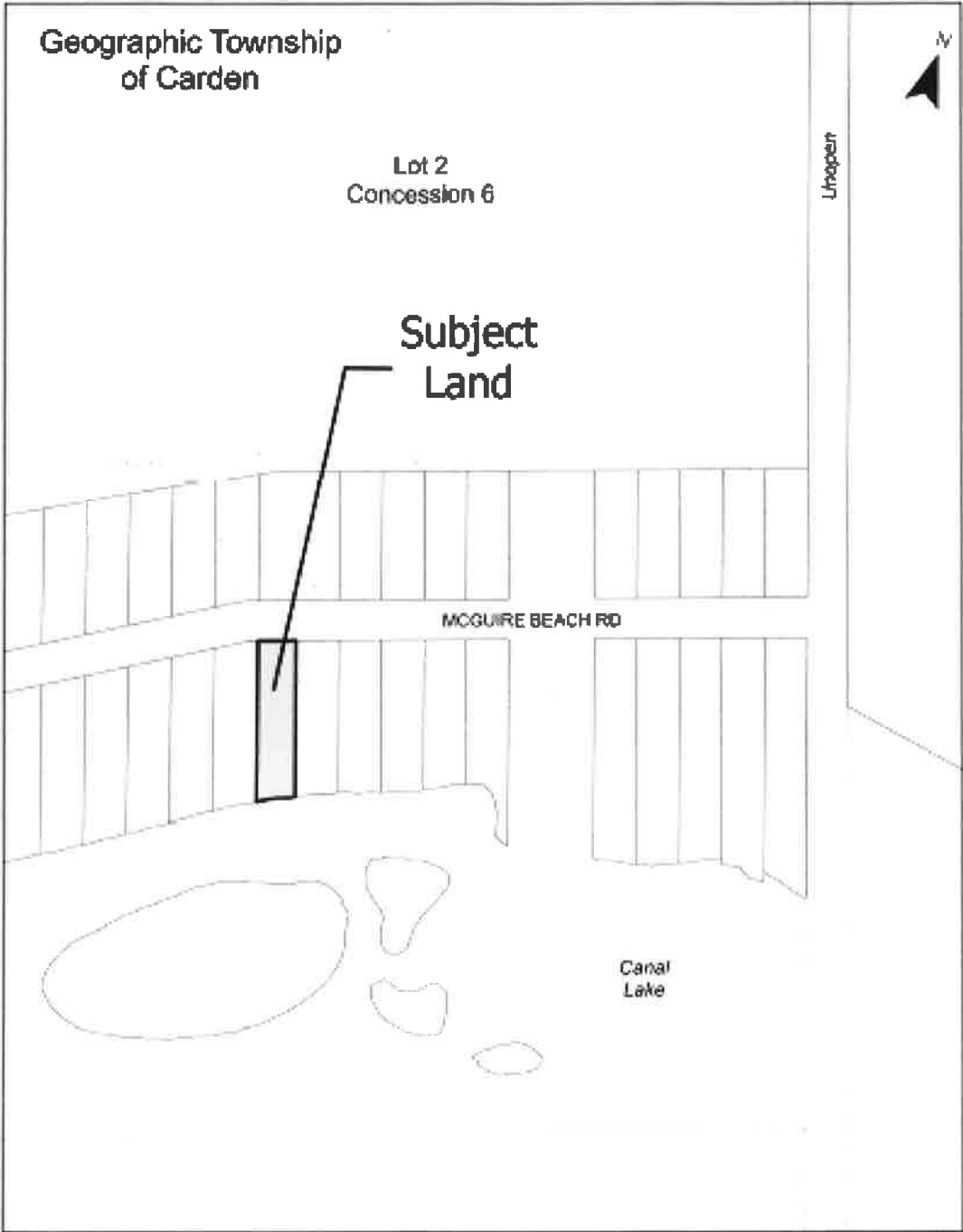
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REPORT COA2022-087

FILE NO: D20-2022-078

LOCATION MAP

D20-2022-078



to

REPORT COA2022-087

FILE NO: D20-2022-078

AERIAL PHOTO



to

REPORT COA2022-087

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APPLICANT'S SKETCH

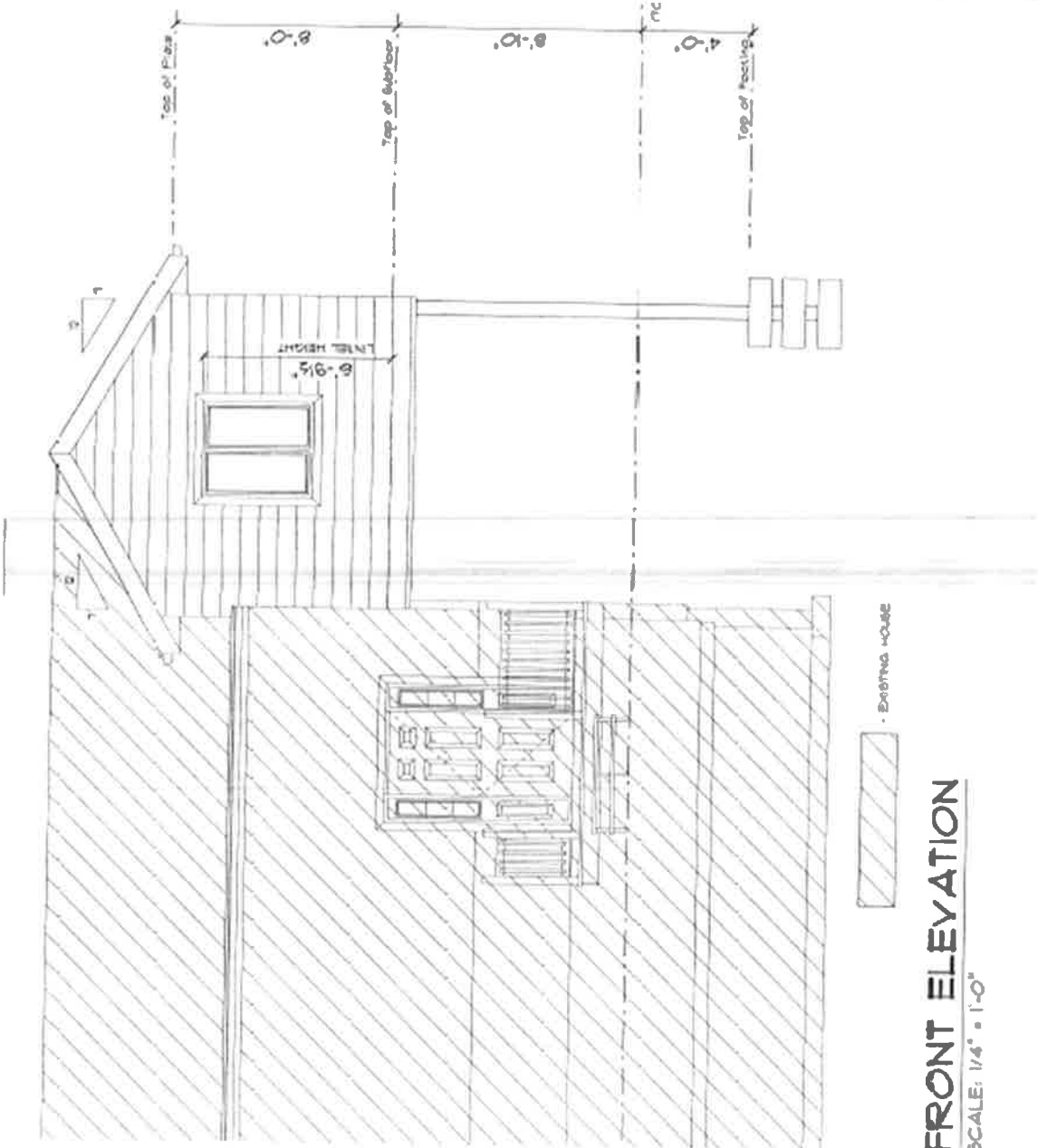


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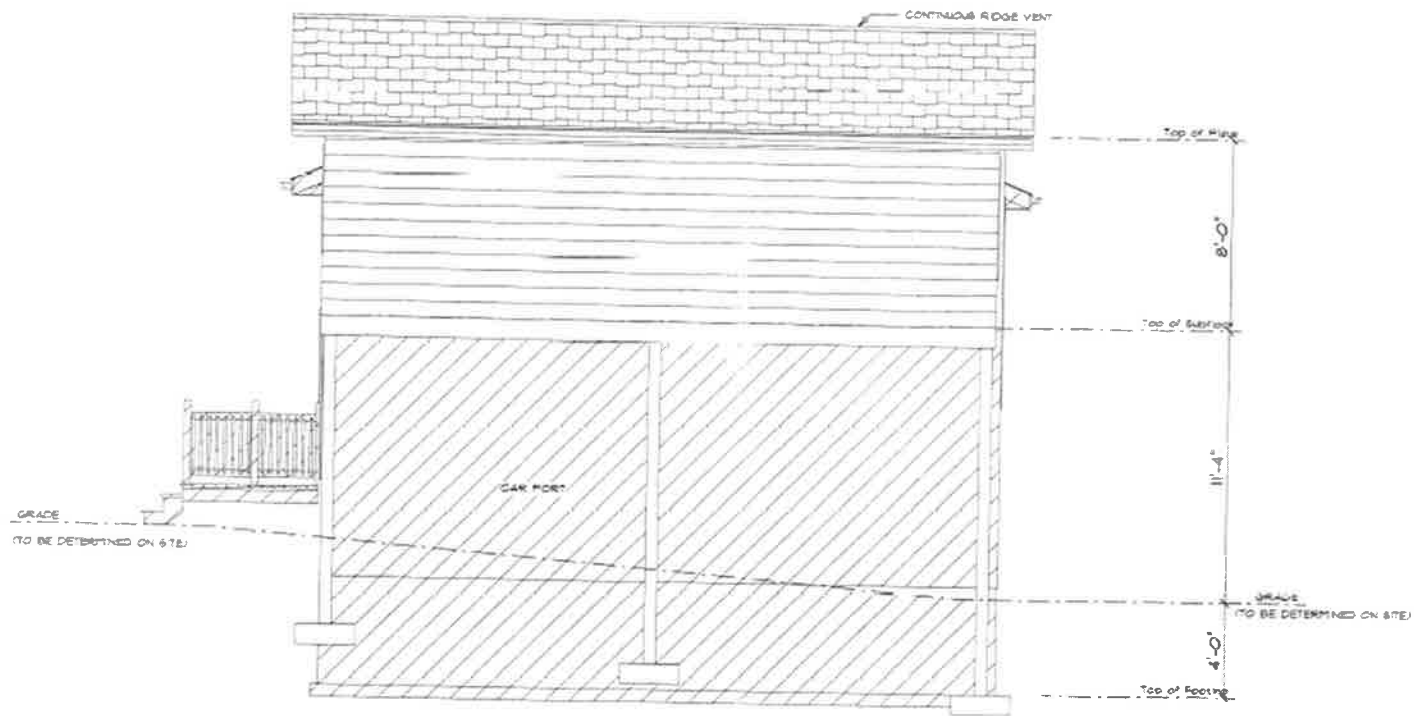
REPORT COA2022-087

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CONSTRUCTION DRAWINGS

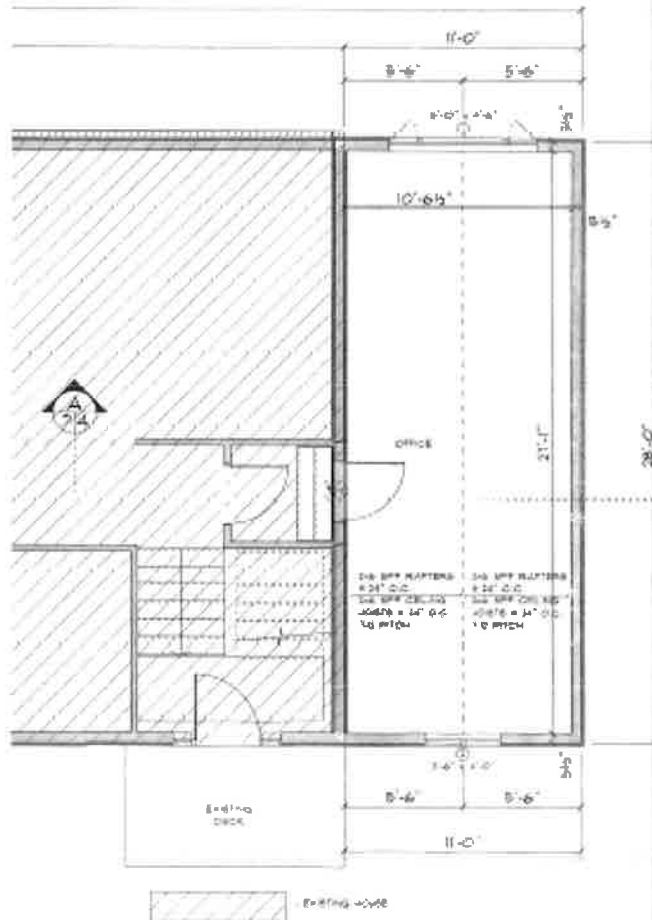


FRONT ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



OPENING SCHEDULE				
OPENING ID	SIZE	COUNT	GRILLE	LIBRARY NAME
1	8'-10" x 4'-0"	1	No	Window/Door
2	7'-0" x 4'-0"	1	No	Window/PC/DAS
3	7'-0"	1	No	Window/Door/Loosier

NOTE:
 ALL DIMENSIONS & ROOF PITCHES
 TO BE SUPPLIED BY SUBMITTER
 BEFORE ANY CONSTRUCTION IS TO BEGIN.
 SHOULD ANY DISCREPANCIES BE FOUND ON
 THESE PLANS, PLEASE CONTACT KINGDOM
 DRAFTING & DESIGN TO CORRECT THAT
 CORRECTIONS TO THE DRAWING MAY BE MADE
 IF NECESSARY.

NOTE:
 ALL UNLESS NOTED LOAD-BEARING
 WALLS TO BE 2x10 SPP AS PER CBC
 2.2.2.3.4 TABLE 4-10. ALL OTHER
 OTHERWIS
 (AND PER CBC 2.2.2.3.4.1)

MAIN FLOOR PLAN

SCALE: 1/4" = 1'-0"
 308 SQ. FT. ADDITION
 OVER CAR PORCH