

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Balram and Khan-Balram
Report Number COA2021-009

Public Meeting

Meeting Date: February 18, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 5 – Former Town of Lindsay

Subject: The purpose and effect is to request relief from the following provisions to construct a sunroom and covered deck:

1. Section 7.2(f) to reduce the minimum rear yard from 7.5 metres to 6.6 metres; and
2. Section 7.3.39(ii) to increase the maximum lot coverage from 45% to 49.1%.

The variances are requested at 155 Springdale Drive, former Town of Lindsay (File D20-2021-004).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2021-009 Balram and Khan-Balram be received;

That minor variance application D20-2021-004 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C submitted as part of Report COA2021-009, which shall be attached to and form part of the Committee's Decision; and
- 2) **That** the building construction related to the minor variances 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 COA2021-009. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The application was deemed complete January 20, 2021.

Proposal: To construct an approximately 30.12 square metre (324.2 square foot) roof and an approximately 14.49 square metre (156 square foot) sunroom on top of an unenclosed deck.

Owners: David Balram and Bibi Khan-Balram

Applicant: David Balram

Legal Description: Lot 58, Plan 57M-804

Official Plan: 'Residential' within the City of Kawartha Lakes Official Plan

Zone: 'Residential Type Two Special Thirty-Four (R2-S34) Zone' within the Town of Lindsay Zoning By-law 2000-75

Site Size: 513.19 square metres

Site Servicing: Municipal water, sanitary, and storm water systems

Existing Uses: Residential

Adjacent Uses: North, West, East: Residential
South: Jennings Creek Ravine

Rationale:

1) Are the variances minor in nature? Yes
And

2) Is the proposal desirable and appropriate for the use of the land? Yes

The subject property is within a newly developed subdivision on the north side of Lindsay. The lot is on the south side of Springdale Drive. The lots on the south side of Springdale Drive abut a ravine containing Jennings Creek.

The property is at a transitional zone in rear yard depths. The lots to the west have deeper rear yards and the lots to the east have shallower rear yards. The rear yard depth on the subject property is consistent with the depths to the east.

The dwelling is a single storey with a walkout basement due to a change in grade between Springdale Drive and the Jennings Creek ravine. All dwellings along the south side of Springdale Drive have a walkout basement design due to this grade change. All dwellings on this side have decks of varying lengths along with stairs in order to provide access between the main floor and landscaped amenity space within the rear yard. As a result, there is already

sizeable massing and less privacy between properties due to the pronounced deck structures.

There is an existing uncovered deck that spans the length of the dwelling's rear wall. The proposal will place a sunroom on the east side of the deck, and a roof over the balance of the deck.

The proposed additions will increase the functionality of the dwelling and deck by providing covered rear yard amenity space.

Due to the above analysis, the variances are minor in nature and desirable and appropriate for the use of the land.

3) Do the variances maintain the intent and purpose of the Zoning By-law?
Yes

The property is zoned 'Residential Type Two Special Thirty-Four (R2-S34) Zone' within the Town of Lindsay Zoning By-law 2000-75.

The zone category permits single detached dwellings and the exception permits decks to project further into the rear yard and for an increased lot coverage.

Part of the rationale behind the rear yard provision is to provide sufficient residential amenity space for the dwelling. The existing deck defines the portion of the rear yard that remains for landscaped open space. As the development is proposed on top of the existing deck, no additional landscaped open space is to be removed.

Another function of the rear yard setback is to provide spatial separation between rear yards opposite from one another. This spatial separation provides privacy and sufficient area to carry out recreational and leisure activities.

However, in this case the land opposite the rear yard is a ravine, so there is no privacy or massing impact to consider in this direction. Further, as the proposed development is to be contained on the existing deck, there is no loss of privacy anticipated on the abutting properties to the side that has not already been established by the existing deck. It is actually anticipated that the sunroom, by introducing fully enclosed amenity space, will result in the increase of privacy on the eastern side of the lot.

The 4.1 % increase to lot coverage is not anticipated to be perceptible, as the development is proposed on an existing deck structure, and the existing deck structure is already a prominent feature within the rear yard.

Therefore, the variances maintain the general intent and purpose of the Zoning By-Law.

4) Do the variances maintain the intent and purpose of the Official Plan?
Yes

As the Lindsay Secondary Plan as part of the City of Kawartha Lakes Official Plan is under appeal, the Town of Lindsay Official Plan (Official Plan) applies. The lands are designated 'Residential' within the Official Plan. The subject property is within a neighbourhood that would be classified as Low Density

Residential. Low density residential uses include single detached dwellings, and an addition to a single detached dwelling is proposed. In consideration of the above the variances maintain the general intent and purpose of the Official Plan.

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

The property is serviced by municipal sewer, water, and storm water systems.

Consultations:

Notice of this application was circulated in accordance with the requirements of the Planning Act. Comments have been received from:

Agency Comments:

Development Engineering (February 4, 2021): No concerns.

Public Comments:

No comments received as of February 8, 2021.

Attachments:



Appendices A-D to
Report COA2021-00

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch
Appendix D – Department and Agency Comments

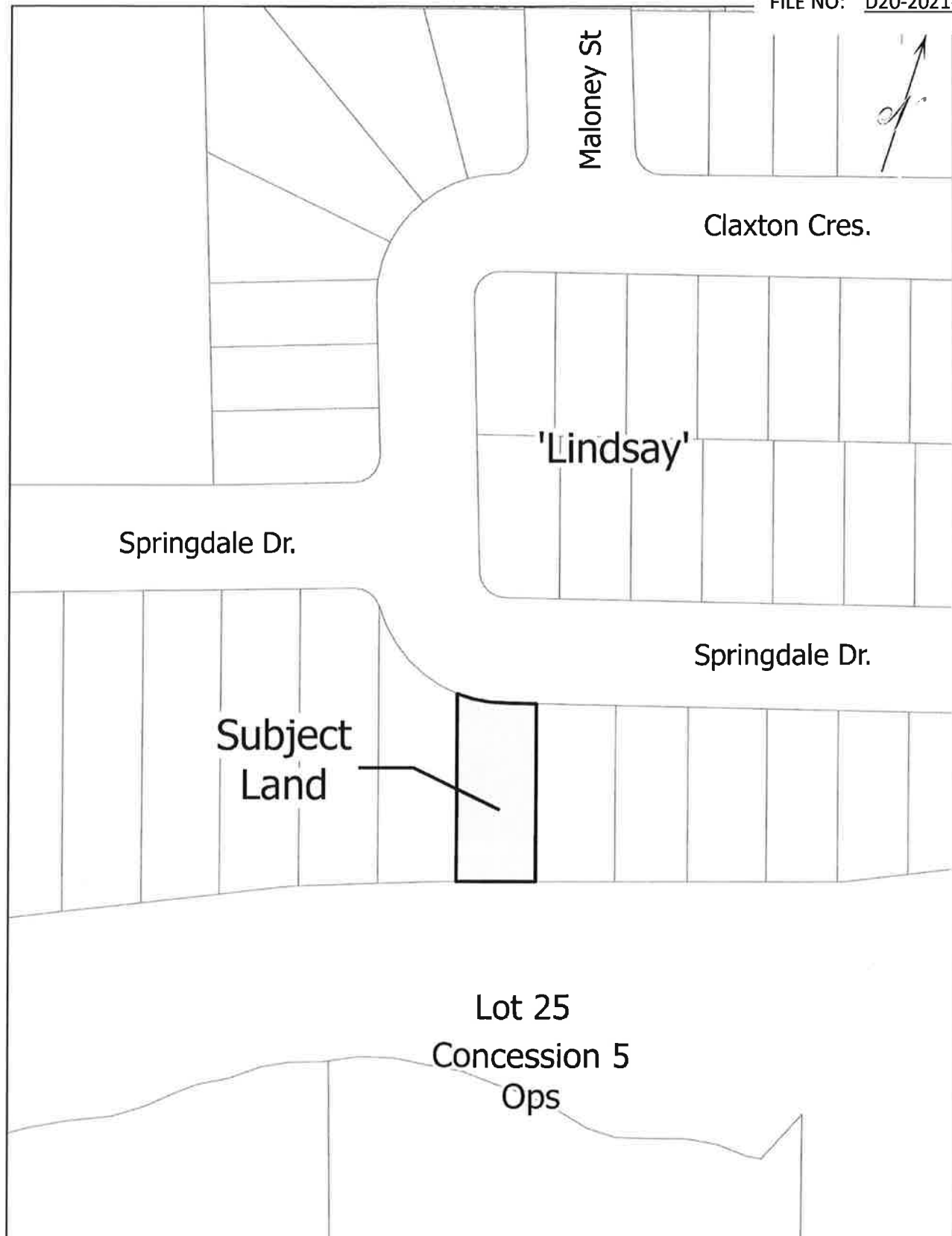
| | |
|-------------------------|--|
| Phone: | 705-324-9411 extension 1206 |
| E-Mail: | dharding@kawarthalakes.ca |
| Department Head: | Chris Marshall, Director of Development Services |
| Department File: | D20-2020-004 |

to

REPORT COA2021-009

FILE NO: D20-2021-004

D20-2021-004

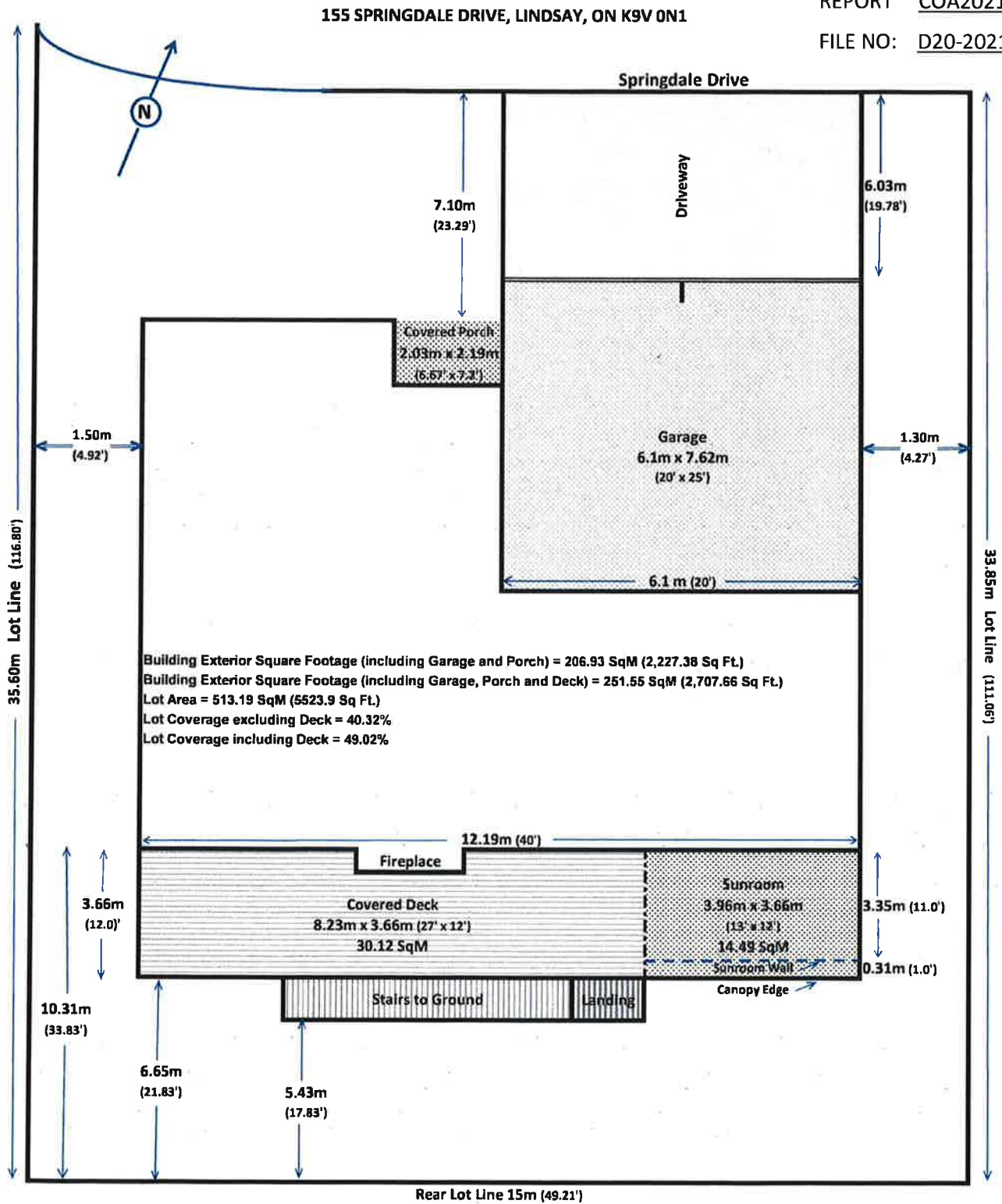




to

REPORT COA2021-009

FILE NO: D20-2021-004



David Harding

From: Mark LaHay
Sent: Thursday, February 4, 2021 2:21 PM
To: David Harding; Kent Stainton
Cc: Charlotte Crockford
Subject: FW: 20210204 D20-2021-004 - Engineering review

APPENDIX " D "
to

REPORT COA2021-009

FILE NO. D20-2021-004

FYI - file

From: Kim Rhodes
Sent: Thursday, February 4, 2021 2:08 PM
To: Mark LaHay
Cc: Christina Sisson ; Kirk Timms ; Benjamin Courville
Subject: 20210204 D20-2021-004 - Engineering review

Please see the message below from Christina Sisson:

Hello Mark – further to our engineering review of the following:

Minor Variance – D20-2021-004
155 Springdale Drive
Lot 58, Plan 57M-804
Former Town of Lindsay

It is the understanding by Engineering that the purpose and effect is to request relief from the following provisions to construct a sunroom and covered deck:

1. Section 7.2(f) to reduce the minimum rear yard from 7.5 metres to 6.6 metres; and
2. Section 7.3.39(ii) to increase the maximum lot coverage from 45% to 49.1%.

From an engineering perspective, we have no objection to the proposed Minor Variance.

Please do not hesitate to contact our office if you have any questions.

Thanks,

CHRISTINA

Christina Sisson, P.Eng.
Supervisor, Development Engineering
Lean Six Sigma Black Belt
Engineering & Corporate Assets, City of Kawartha Lakes
705-324-9411 ext. 1152 (office) 705-878-3186 (mobile) www.kawarthalakes.ca