

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – David and Lisa Ellenzweig
Report Number COA2021-010

Public Meeting

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

Ward: 6 – Former Village of Omemee

Subject: The purpose and effect is to request relief from Section 8.2.1.3(a) to reduce the minimum front yard from 7.5 metres to 5.9 metres in order to permit an addition to the existing single detached dwelling.

The variance is requested at 42 Mary Street West, former Village of Omemee (File D20-2021-005).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2021-010 Ellenzweig, be received;

That minor variance application D20-2021-005 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 and elevations in Appendix D submitted as part of Report COA2021-010, which shall be attached to and form part of the Committee's Decision; and
- 2) **That** the 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 COA2021-010. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: This application was deemed complete January 25, 2021.

Proposal: To permit the construction of an approximately 8.5 metre x 4.5 metre (15 x 28 foot) addition to the front of the single detached dwelling.

Owners: Lisa and David Ellenzweig

Applicant: Scott Mainhood

Legal Description: 42 Mary Street West, Part Park Lot 4, Plan 109, former Village of Omemee, City of Kawartha Lakes

Official Plan: 'Urban' within the County of Victoria Official Plan

Zone: 'Residential Type One Floodplain (R1(F)) Zone' within the Village of Omemee Zoning By-law 1993-15

Site Size: 978.9 square metres (10,536 square feet)

Site Servicing: Private individual well and municipal sanitary sewer system.

Existing Uses: Residential

Adjacent Uses: North, East, and West: Residential
South: Vacant Residential Land, Wetland

Rationale:

1) Is the variance minor in nature? Yes

And

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

The subject property is situated in an established residential neighbourhood near the centre of the Omemee settlement area. The north side of the street is bordered by through lots with frontage on Mary Street West and King Street West. The buildings on those lots were constructed closer to and face King Street West, leaving deeper rear yards facing Mary Street West. The south side of the street is comprised of dwellings of varying ages with heights from 1-1.5 storeys, the predominant built form being of 1 storey design. The front yards are all relatively uniform, ranging from around 5-8 metres in depth according to the City's mapping system. The proximity of built form in relation to the street on the south side establishes a unique character of low rise buildings closer to the street. The application proposes a built form in keeping with that established along the south side of the street.

The proposal will replace and expand upon the footprint of an existing enclosed porch. The addition will be 2.1 metres closer to the road and contain the master bedroom, ensuite bathroom, and entry foyer. The dwelling's front door is proposed to face west to the driveway. The addition will provide for the

reconfiguration of the dwelling's main floor and provide easier entry. Access is currently obtained by walking around to the sliding door in the rear.

The proposed addition will increase the functionality of the dwelling.

The new wall to face the street proposes three windows, two gables, and three cladding materials: stone veneer, siding, and shakes. These design features create visual interest and add to the character of the streetscape.

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

3) Does the variance maintain the intent and purpose of the Zoning By-law?
Yes

The property is zoned Residential Type One (R1) Zone' within the Village of Omemee Zoning By-law 1993-15. There is also a Flood Plain (F) symbol. The R1 Zone permits single detached dwellings and the F symbol denotes lands that may be subject to flooding and lays out specific flood proofing requirements. The F symbol requirements will be addressed by the Kawartha Region Conservation Authority through its permitting process as the lands are within its Regulated Area.

Part of the intent behind the front yard setback is to regulate the overall proximity of built form to the street to reduce land use conflicts between uses, provide space for vehicle parking, and protect for other road functions, such as snow storage. In this circumstance, parking is provided to the west of the dwelling, and the line of built form established by the abutting properties identifies that snow storage and road proximity is not an issue with the reduced setback.

Therefore, the variance maintains the general intent and purpose of the Zoning By-Law.

4) Does the variance maintain the intent and purpose of the Official Plan?
Yes

As the Omemee Secondary Plan as part of the City of Kawartha Lakes Official Plan is under appeal, the Victoria County Official Plan (VCOP) applies. The lands are designated 'Urban' within VCOP. As the subject property is within a neighbourhood that would be classified as Low Density Residential within VCOP, low density residential uses and accessory buildings are permitted.

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 a private well and municipal sanitary sewer system.

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-E to
Report COA2021-010

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

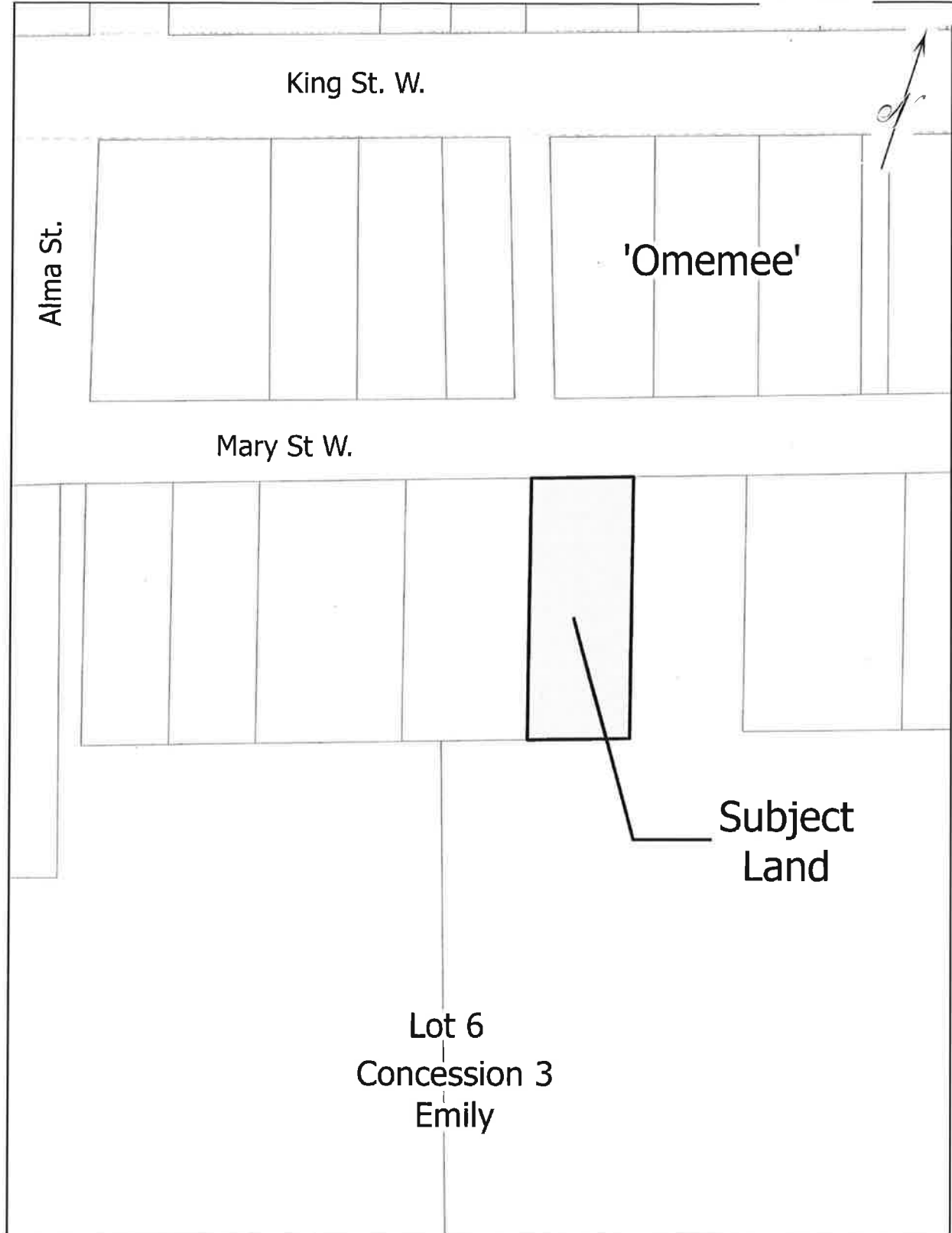
Phone:	705-324-9411 extension 1206
E-Mail:	dharding@kawarthalakes.ca
Department Head:	Chris Marshall, Director of Development Services
Department File:	D20-2021-005

to

REPORT COA2021-010

FILE NO: D20-2021-005

D20-2021-005





GEOMATICS
MAPPING

42 Mary Street West, former Village of Omemee



0.06

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

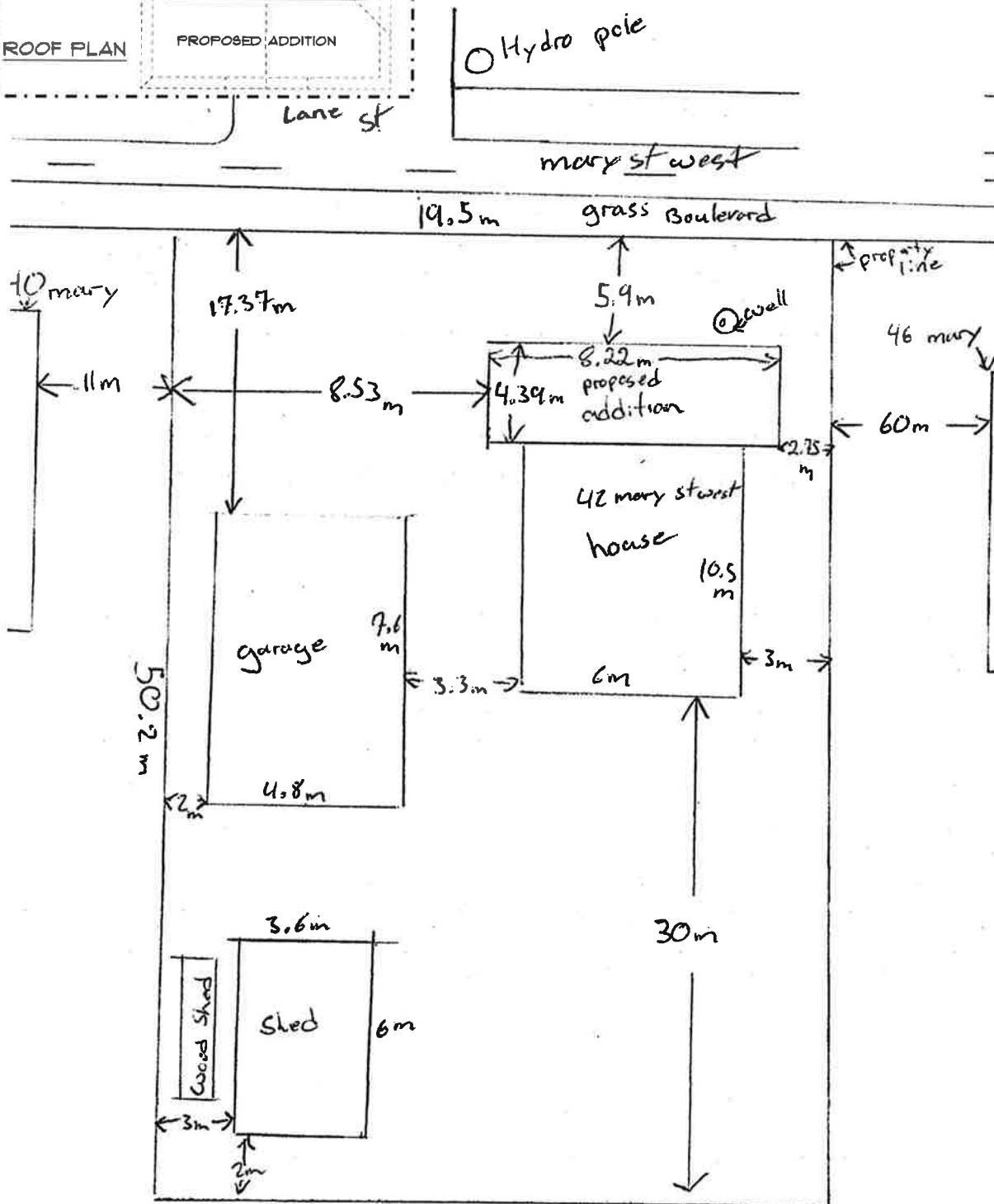
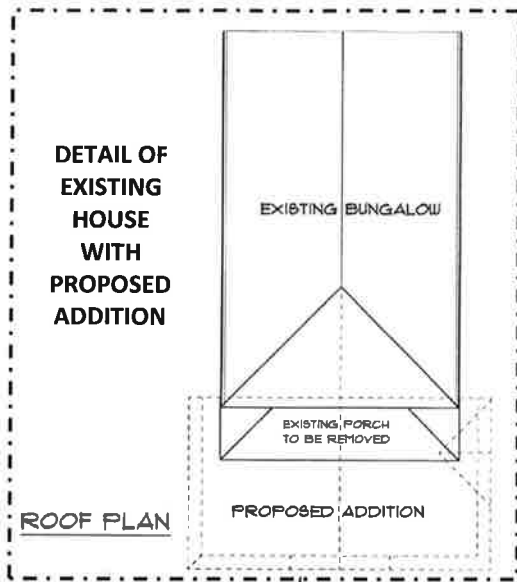
APPENDIX " B "
to
REPORT COA2021-010
FILE NO: D20-2021-005

APPENDIX " C "

to

REPORT COA2021-010

FILE NO: D20-2021-005

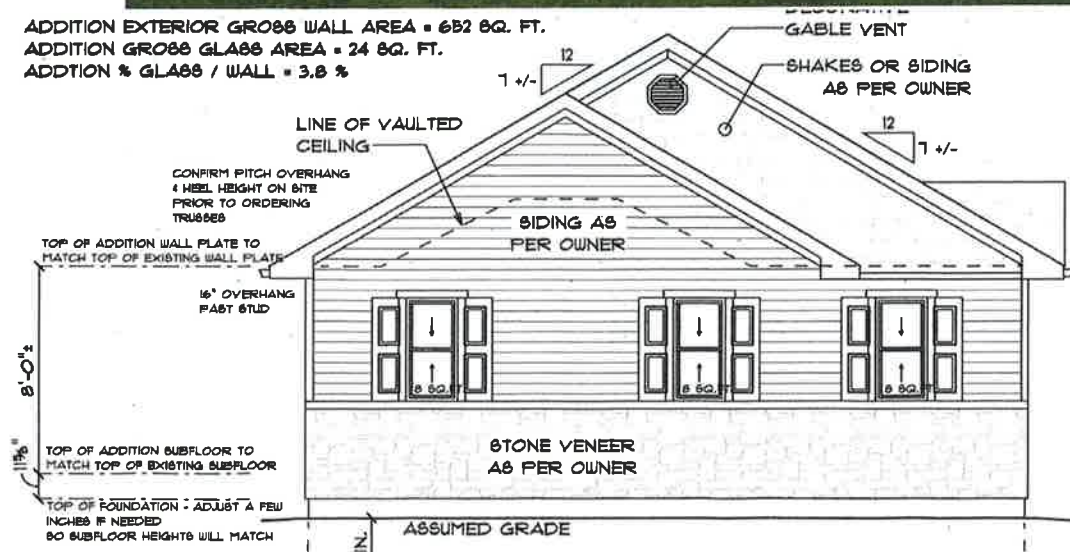


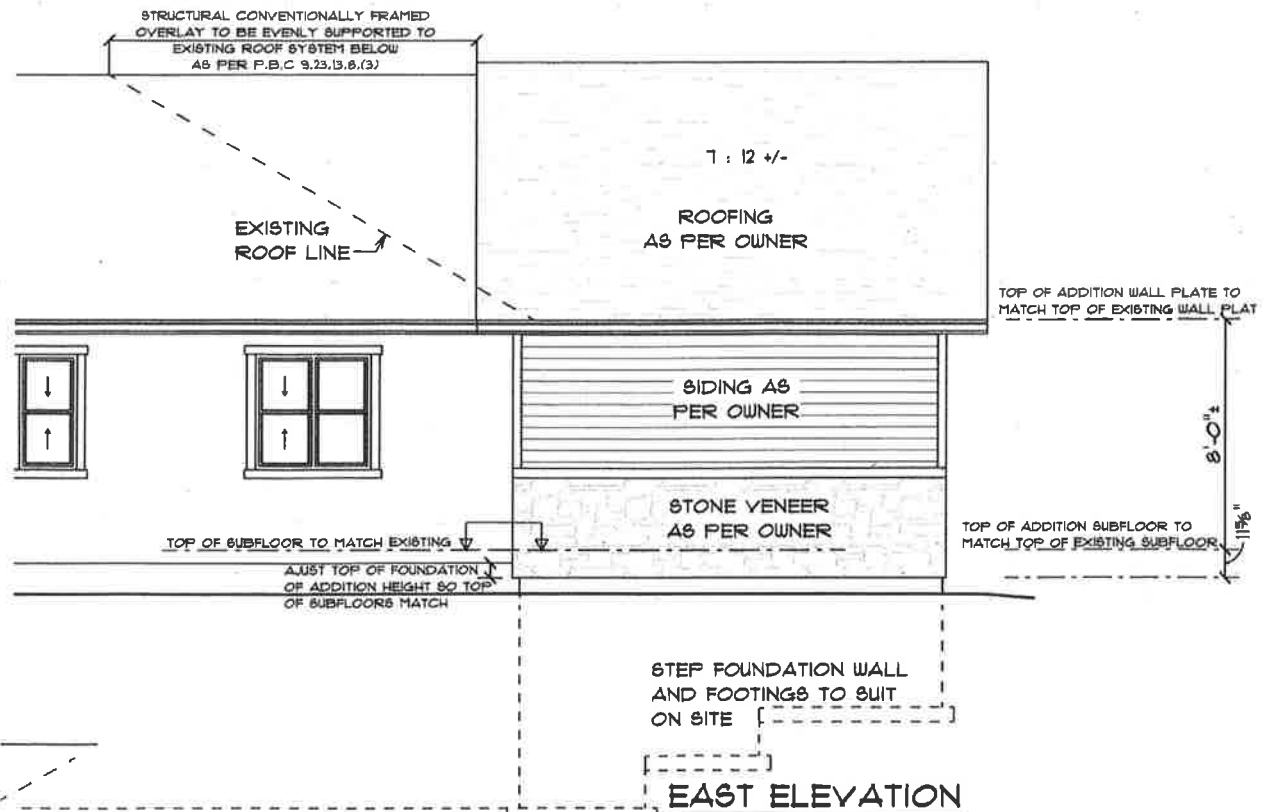
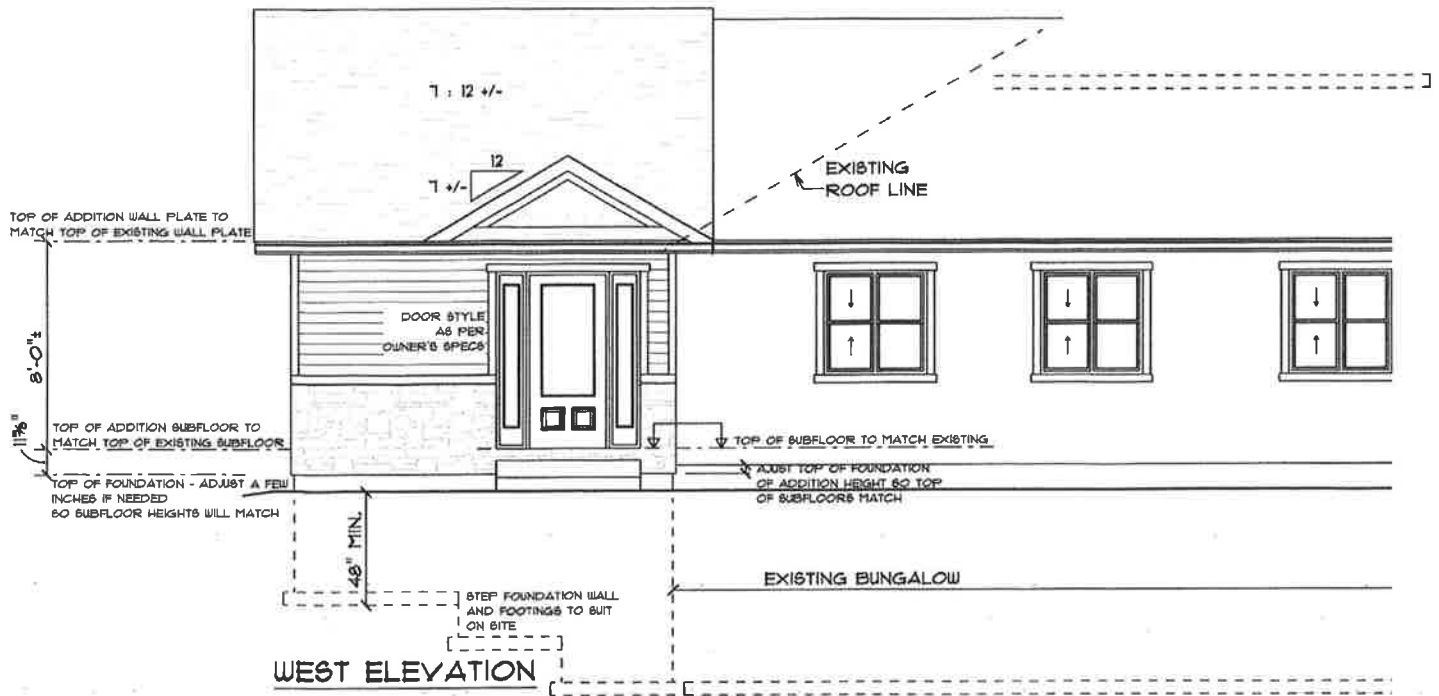
NORTH ELEVATION

to

REPORT COA2021-010FILE NO: D20-2021-005

ADDITION EXTERIOR GROSS WALL AREA = 652 SQ. FT.
 ADDITION GROSS GLASS AREA = 24 SQ. FT.
 ADDITION % GLASS / WALL = 3.8 %





David Harding

From: Mark LaHay
Sent: Thursday, February 4, 2021 2:22 PM
To: David Harding; Kent Stainton
Cc: Charlotte Crockford
Subject: FW: 20210204 D20-2021-005 - Engineering review

APPENDIX " E "
to
REPORT COA 2021-010
FILE NO. D20-2021-005

FYI - file

From: Kim Rhodes
Sent: Thursday, February 4, 2021 2:09 PM
To: Mark LaHay
Cc: Christina Sisson ; Kirk Timms ; Benjamin Courville
Subject: 20210204 D20-2021-005 - Engineering review

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-005
42 Mary Street West
Part Park Lot 4, Plan 109
Former Village of Omemee

It is the understanding by Engineering that the purpose and effect is to request relief from Section 8.2.1.3(a) to reduce the minimum front yard from 7.5 metres to 5.9 metres in order to permit an addition to the existing single detached dwelling.

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.
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Lean Six Sigma Black Belt
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