

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Paul and Patti Stringer**  
Report Number COA2021-018

---

**Public Meeting**

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

---

**Ward: 8 – Geographic Township of Emily**

**Subject:** The purpose and effect is to request relief from Section 3.1.2.1 to permit the construction of an accessory building (detached garage with attached carport) in the front yard of the subject property.

The variance is requested at 28 Liberty Lane, geographic Township of Emily (File D20-2021-011).

---

**Author:** Kent Stainton, Planner II

**Signature:**



---

**Recommendations:**

**Resolved That** Report COA2021-018 Stringer, be received;

**That** minor variance application D20-2021-011 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 COA2021-018, which shall be attached to and form part of the Committee's Decision;
- 2) **That** notwithstanding the definition of front yard, the granting of the variance will not be interpreted to permit the placement of any other structure or accessory building between the front wall of the dwelling and the front lot line; and
- 3) **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 COA2021-018. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Background:** The application involves the construction of a new detached garage with attached carport partially within the front yard of the subject property.  
This application was deemed complete on March 1, 2021.

**Proposal:** To construct a new 56.95 square metre (613 square feet) detached garage with a 36.85 square metre (396.65 square feet) attached carport. The total area of the proposed development is 93.8 square metres (1,009.66 square feet).

**Owners:** Paul and Patti Stringer

**Applicant:** Tom deBoer (TD Consulting Inc.)

**Legal Description:** 28 Liberty Lane, Lot 65, Plan 6, Part Lot 16, Concession 7, geographic Township of Emily, City of Kawartha Lakes

**Official Plan:** Waterfront within the City of Kawartha Lakes Official Plan

**Zone:** Rural Residential Type Two (RR2) Zone within the Township of Emily Zoning By-law 1996-30

**Site Size:** 1,458.65 square metres (15,700 square feet)

**Site Servicing:** Private individual well and septic system

**Existing Uses:** Residential

**Adjacent Uses:** North, East, South: Rural Residential  
West: Rural Residential, Agricultural

**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 situated in rural subdivision south of where the Pigeon River transitions into Pigeon Lake. The surrounding lots consist of single detached bungalows (along Liberty Lane) with MPAC noting the dwelling on the property was constructed in 1974. The deep, rectangular lots were developed with the dwellings located near the midpoint of the lot. The proposal benefits from the location of the dwelling, as the garage can be located partially within the front yard without detracting from the prominence of the adjacent bungalows. A larger agricultural parcel exists to the west of the subject lands

with the eastern boundary of the parcel denoted by mature conifer trees effectively screening the property from the lots along Liberty Lane.

As there is no garage on the property, the proposed location represents the most convenient location in terms of accessibility from both the driveway and the dwelling. Given the location of the well in relation to the northern wall of the dwelling, an attached garage or carport is not possible. The location of the well also prevents vehicular access from being permanently established from the north side of the dwelling in order to locate a detached garage in the rear yard of the subject lands.

The proposed location of garage will be located equidistant to the rear yard of neighbouring 30 Liberty Lane. A wooden fence currently delineates the property boundaries and provides privacy between lots. Moreover, there are no windows present on the southern wall of the dwelling at 30 Liberty Lane. Therefore, no massing impacts through the presence of the carport and garage will be created through the proposal.

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 Rural Residential Type Two (RR2) in the Township of Emily Zoning By-law 1996-30. The intent of the zoning by-law is to restrict the placement of accessory buildings within a front yard, relegating them to side or rear yards. Side and rear yards are usually less visually prominent locations in comparison to a front yard. As it is usually the most visible yard from the street, front yards have the greatest ability to shape the character of the street through their appearance and use. The location provision ensures that accessory buildings and uses do not dominate the streetscape. The proposed 21.6 metre setback from the front lot line further assists in mitigating the prominence of the building. As the garage is not proposed directly in front of the dwelling, the dwelling will continue to appear as the principal use when viewed from the road. The presence of several mature conifers within the front yard will also assist in detracting from the location of the proposed garage and carport.

The established building line of several neighbouring lots, including 10 – 20 and 30 Liberty Lane is located closer than the existing detached dwelling on the subject lands. Since the closest point of the carport is actually setback further from the road than the neighbouring dwelling at 30 Liberty Lane, visual impacts will be negligible. The function of the front yard is still maintained to the south, while the proposed encroachment into the front yard by the carport and garage will blend in with the overall building line along Liberty Lane.

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**

The property is designated Waterfront within the City of Kawartha Lakes Official Plan, as the Plan of Subdivision is comprised of waterfront back-lots. Low density residential uses, along with accessory uses are anticipated within this designation.

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 individual well and private septic 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 Division (March 4, 2021): No concerns.

Building Division (March 4, 2021): No concerns, noting that Building Permits will be required.

**Public Comments:**

No comments have been received as of March 9, 2021.

**Attachments:**



Appendices A-D to  
COA2021-018.pdf

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Department and Agency Comments

---

**Phone:** 705-324-9411 extension 1367

**E-Mail:** [kstainton@kawarthalakes.ca](mailto:kstainton@kawarthalakes.ca)

**Department Head:** Chris Marshall, Director of Development Services

**Department File:** D20-2021-011

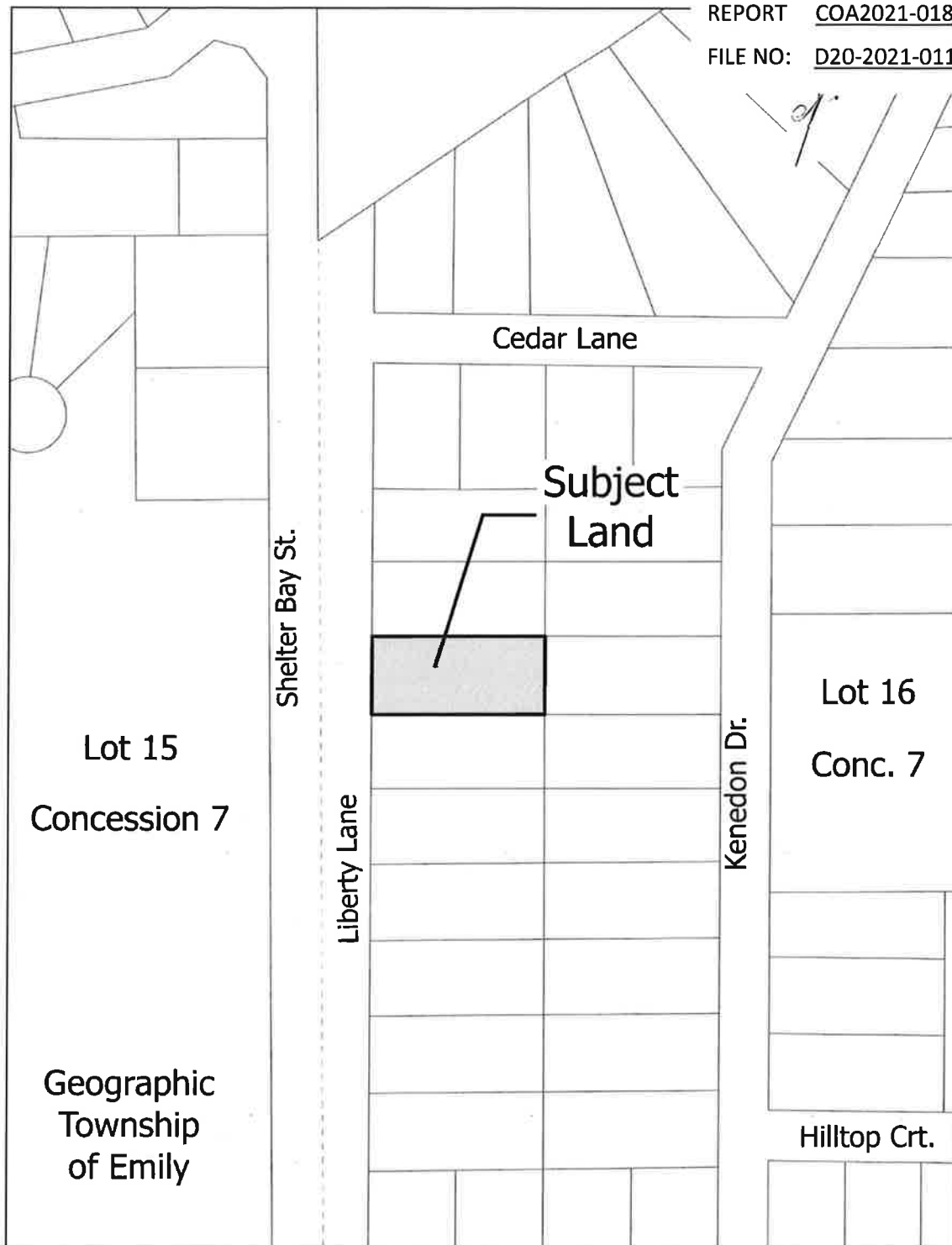
APPENDIX " A "

D20-2021-011

to

REPORT COA2021-018

FILE NO: D20-2021-011





0.11 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

#### Legend

- Property Roll Number
- Lots and Concessions

#### Notes

Notes

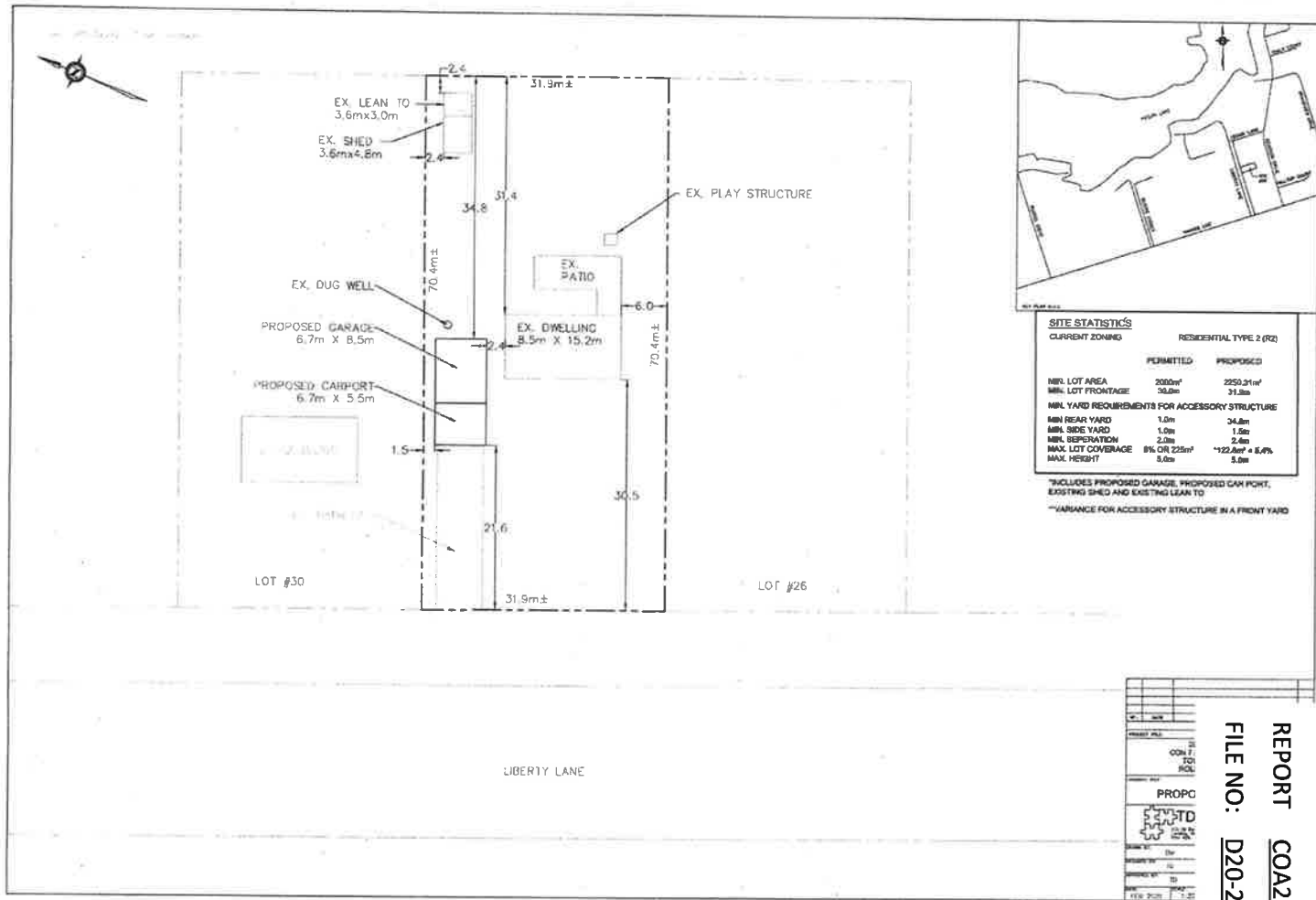
APPENDIX " B "  
to  
REPORT COA2021-018  
FILE NO: D20-2021-011

# APPENDIX " C "

to

REPORT COA2021-018

FILE NO: D20-2021-011



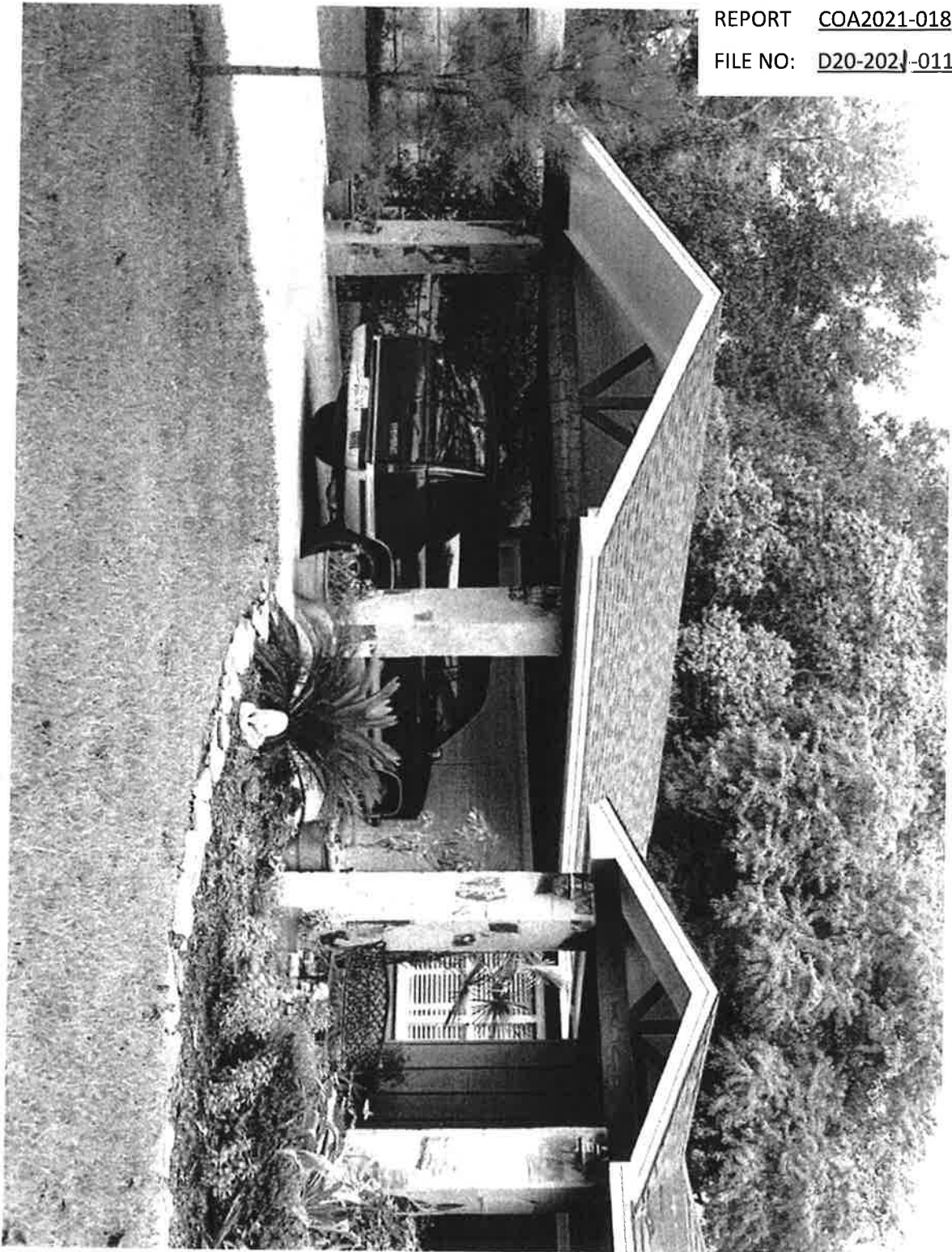


APPENDIX " D "

to

REPORT COA2021-018

FILE NO: D20-2021-011





## Kent Stainton

---

**From:** Mark LaHay  
**Sent:** Thursday, March 4, 2021 1:58 PM  
**To:** David Harding; Kent Stainton  
**Cc:** Charlotte Crockford  
**Subject:** FW: 20210304 D20-2021-011 - Engineering review

APPENDIX E  
to  
REPORT COA2021-018  
FILE NO. D20-2021-011

FYI - file

**From:** Kim Rhodes  
**Sent:** Thursday, March 4, 2021 1:32 PM  
**To:** Mark LaHay  
**Cc:** Christina Sisson ; Kirk Timms ; Benjamin Courville  
**Subject:** 20210304 D20-2021-011 - Engineering review

**Please see the message below from Christina Sisson:**

---

Good afternoon morning Mark – further to our engineering review of the following:

Minor Variance – D20-2021-011  
28 Liberty Lane  
Lot 65, Plan 6, Part Lot 18  
Geographic Township of Emily

It is the understanding by Engineering that the purpose and effect is to request relief from Section 3.1.2.1 in order to facilitate the construction of a detached garage and associated carport, which is not part of the main building in the front yard of the subject lands.

*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](http://www.kawarthalakes.ca)



## Kent Stainton

---

**From:** Derryk Wolven  
**Sent:** Thursday, March 4, 2021 12:53 PM  
**To:** Charlotte Crockford  
**Subject:** RE: Notice of Public Hearing for Minor Variance D20-2021-011, 28 Liberty Lane, Emily

Please be advised building division has no concerns with the above noted application. Building permits required.

Derryk Wolven  
Plans Examiner  
City of Kawartha Lakes  
705-324-9411 ext 1273  
[www.kawarthlakes.ca](http://www.kawarthlakes.ca)

