

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Connors
Report Number COA2024-015

Public Meeting

Meeting Date: February 22, 2024
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 facilitate the addition of a sunroom.

Relief sought:

1. Section 6.2.f. of the Zoning By-law requires a minimum rear yard setback of 7.5 metres. The proposed rear yard setback is 5.5 metres.
2. Section 6.3.25. of the Zoning By-law permits a maximum 40% lot coverage for all buildings and structures. The proposed lot coverage is 40.5%.

The variance is requested at **101 Springdale Drive** (File D20-2024-005).

Author: Ahmad Shahid, Planner II **Signature:** 

Recommendations

That Report COA2024-015 – Connors, be received;

That minor variance application D20-2024-005 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 and elevation drawings in Appendix D submitted as part of Report COA2024-015, 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 COA2024-015. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Construction of a sunroom addition
Owners:	Robert and Joan Connors
Applicant:	Syed Ahmed
Legal Description:	Lot 10, Plan 57M802
Official Plan ¹ :	Residential (Town of Lindsay Official Plan, 2000)
Zone ² :	Residential One Exception Twenty (R1-S20) Zone (Town of Lindsay Zoning By-law 2000-75)
Site Size:	485.62 square metres (0.12 acres)
Site Access:	Municipal year-round maintained road
Site Servicing:	Municipal water and sewer systems
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 a new residential neighbourhood on the northern edge of the former Town of Lindsay. The neighbourhood consists of primarily single-storey dwellings with walkout basements. The property is rectangular in shape with access from Springdale Drive. The property currently contains a single-storey dwelling with attached garage and rear deck (2023), as well as a rear deck.

The proposal seeks to construct a sunroom addition in place of the existing rear deck. The proposed sunroom addition will not result in an expansion of the existing building footprint, and therefore no yard amenity space will be impacted. The

¹ See Schedule 1

² See Schedule 1

proposed sunroom addition will effectively add enclosed living space without any expansion to the existing building footprint as it in place of the existing deck.

Therefore, the variances are considered desirable and appropriate for the use of land.

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

The subject property is designated Residential under the Town of Lindsay Official Plan (2000). The Town of Lindsay Official Plan (2000) remains in effect until its repeal, to which then the Lindsay Secondary Plan shall be applicable.

The Residential designation allows for a variety of residential uses and densities. The subject property is considered low density to which single-detached dwellings and accessory structures are permitted. Performance and siting criteria is implemented through the Zoning By-Law.

Therefore, the variances are considered to maintain the general intent and purpose of the Official Plan.

The variance maintains the general intent and purpose of the Zoning By-law.

The subject property is zoned Residential One Exception Twenty (R1-S20) Zone under the Town of Lindsay Zoning By-law 2000-75. The R1-S20 Zone permits a single detached dwelling and accessory structures/uses. The proposal complies with all provisions of the Zoning By-law except the minimum rear yard setback and maximum lot coverage.

Section 6.2.f. of the Zoning By-law requires a minimum 7.5 metre rear yard setback. The proposed rear yard setback remains unchanged at 5.5 metres. The intention of a rear yard setback is to ensure adequate amenity space and open space is provided. The current rear yard setback is 5.5 metres from an uncovered, unenclosed rear deck. The proposed sunroom addition seeks to enclose the existing footprint of the rear deck. Although the rear yard setback remains unchanged, because the sunroom is an enclosed space, it is not permitted to encroach into any setback. Furthermore, as the proposed sunroom is 2.74 metres above the rear finished grade level, it does not take up any area ground level and allows for use of the rear yard at finished grade. As a result, the proposed sunroom supports the intention of the Zoning By-law of providing adequate amenity space and the discrepancy is minimal.

Section 6.3.25. of the Zoning By-law permits a maximum 40% lot coverage for all buildings and structures. The intention of regulating lot coverage is to maintain a balance between built form and open space, ensuring there is space for greenspace, landscaping, and all of which play an important role with lot drainage and stormwater management. Furthermore, limiting lot coverage prevents overcrowding, contributing to a more aesthetically pleasing environment. The proposed lot coverage is 40.5%. The discrepancy between the minimum lot coverage and the proposed lot coverage is minimal, with a difference of only 0.5%.

Furthermore, as the proposed sunroom addition is above-ground, it is not anticipated to impact the existing drainage pattern. Moreover, it will continue to allow for the use of the rear yard at ground level, providing an area for open space amenities. Therefore, the proposed lot coverage variance is minimal and supports the overall intention of the Zoning By-law.

Therefore, the variance is considered to maintain the general intent and purpose of the Zoning By-Law.

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:

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 (Building): “No comments.”

Public Comments:

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

Attachments

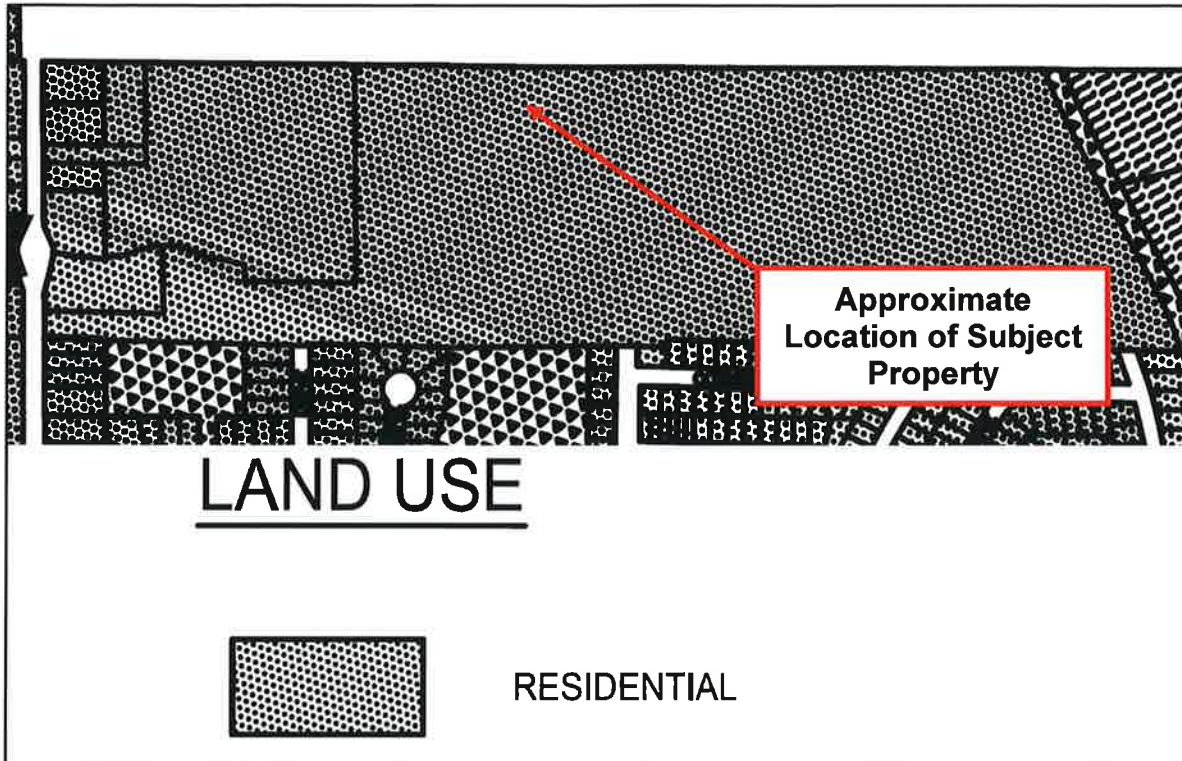
- Appendix A – Location Map
- Appendix B – Aerial Imagery
- Appendix C – Applicant’s Sketch
- Appendix D – Elevation Drawings

Phone: 705-324-9411 extension 1367
E-Mail: ashahid@kawarthalakes.ca
Department Head: Leah Barrie, Director of Development Services
Division File: D20-2024-005

Schedule 1

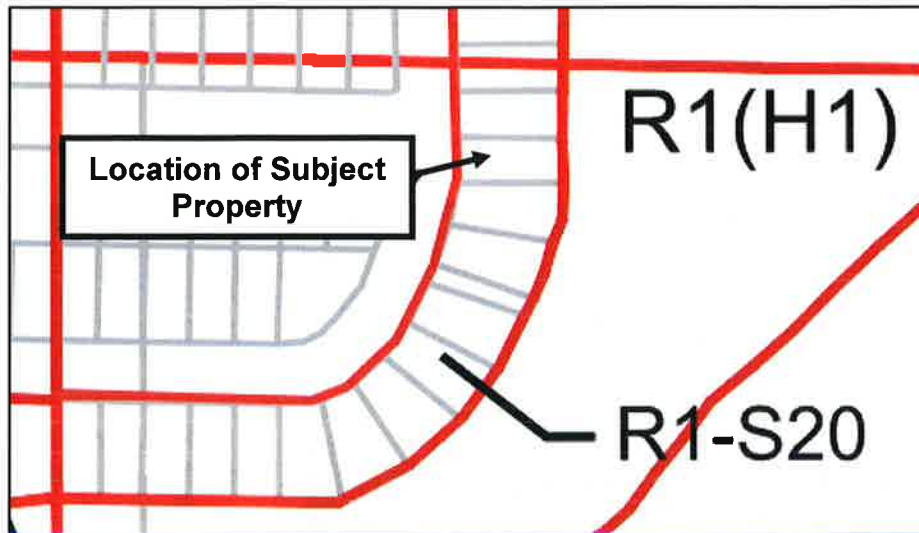
Relevant Planning Policies and Provisions

Town of Lindsay Official Plan



Section 4.1 Residential Designation

Town of Lindsay Zoning By-law 2000-75



SECTION 5: GENERAL PROVISIONS FOR ALL ZONES

5.2 ACCESSORY BUILDINGS, USES & STRUCTURES

d) Provision for Accessory Structures

Notwithstanding the minimum setback provisions of this By-Law, flag poles, garden trellises, retaining walls and fences may be permitted in the front, rear and side yard and exterior side yard setback areas of all Zones provided they comply with all other provisions of this By-Law, including the Daylighting Triangle provisions. Notwithstanding the minimum setback provisions of this By-Law, steps, decks and/or porches, which are not covered or enclosed and less than 0.6m from average finished grade, may be permitted in the front, rear, side yard and exterior side yard setback areas of all Zones, provided they comply with all other provisions of this By-Law.

SECTION 6: RESIDENTIAL ONE (R1) ZONE

6.2 R1 ZONE REQUIREMENTS

f. Minimum rear yard setback 7.5 m

6.3.25 R1-S20 Zone

Notwithstanding Subsections 6.2 (h) and 5.24, on land zoned R1-S20 the following requirements shall apply:

- i) The maximum lot coverage for all buildings shall be 40%; and
- ii) An open deck and or steps with a maximum height of 4.3 metres may extend a distance of not more the 3.85 metres into the rear yard setback.

All other requirements of the R1 Zone and the By-law continue to apply.

APPENDIX " A "

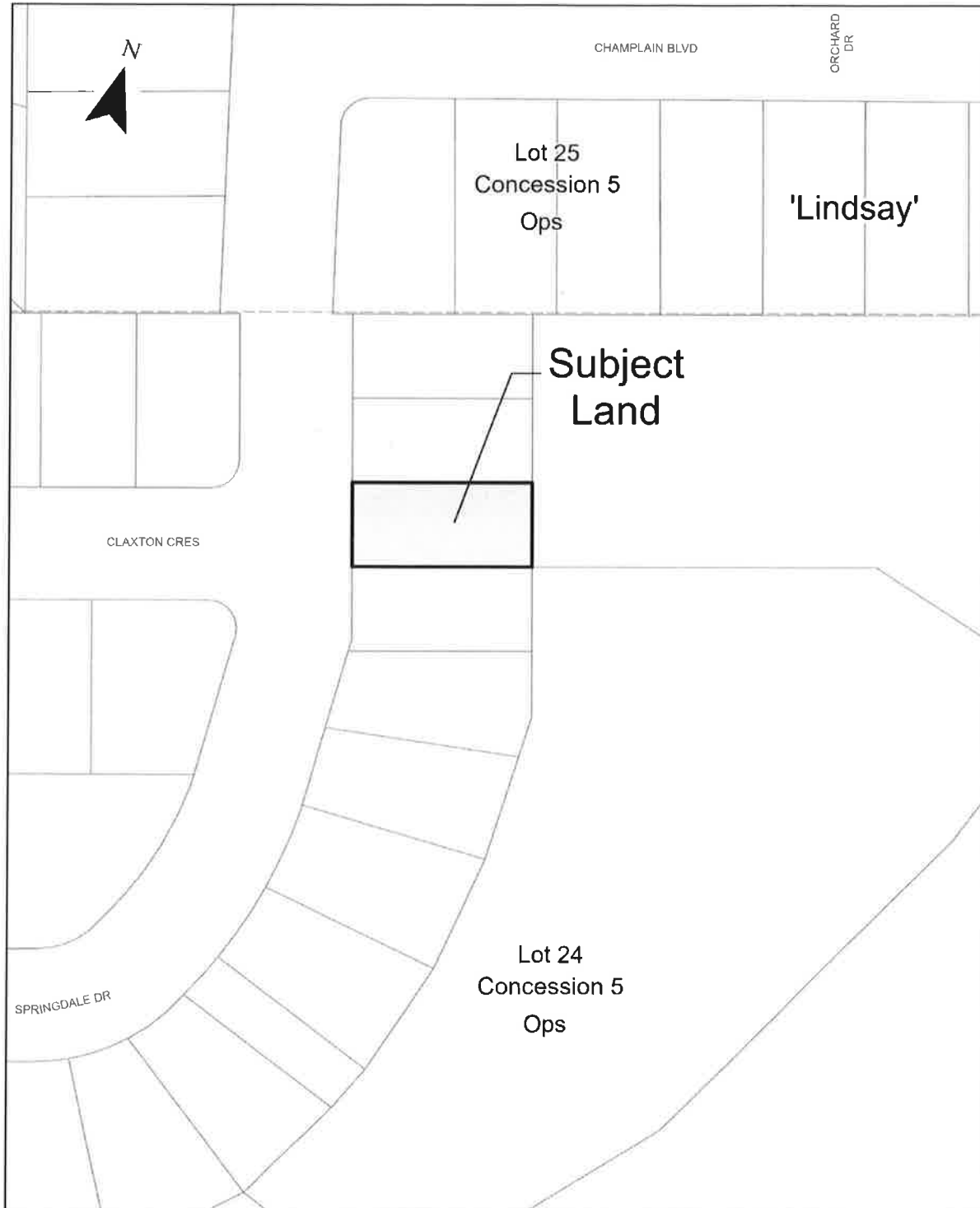
to

REPORT COA2024-015

FILE NO: D20-2024-005

LOCATION MAP

D20-2024-005



APPENDIX " B "

to

REPORT COA2024-015

FILE NO: D20-2024-005

AERIAL IMAGERY (2018)

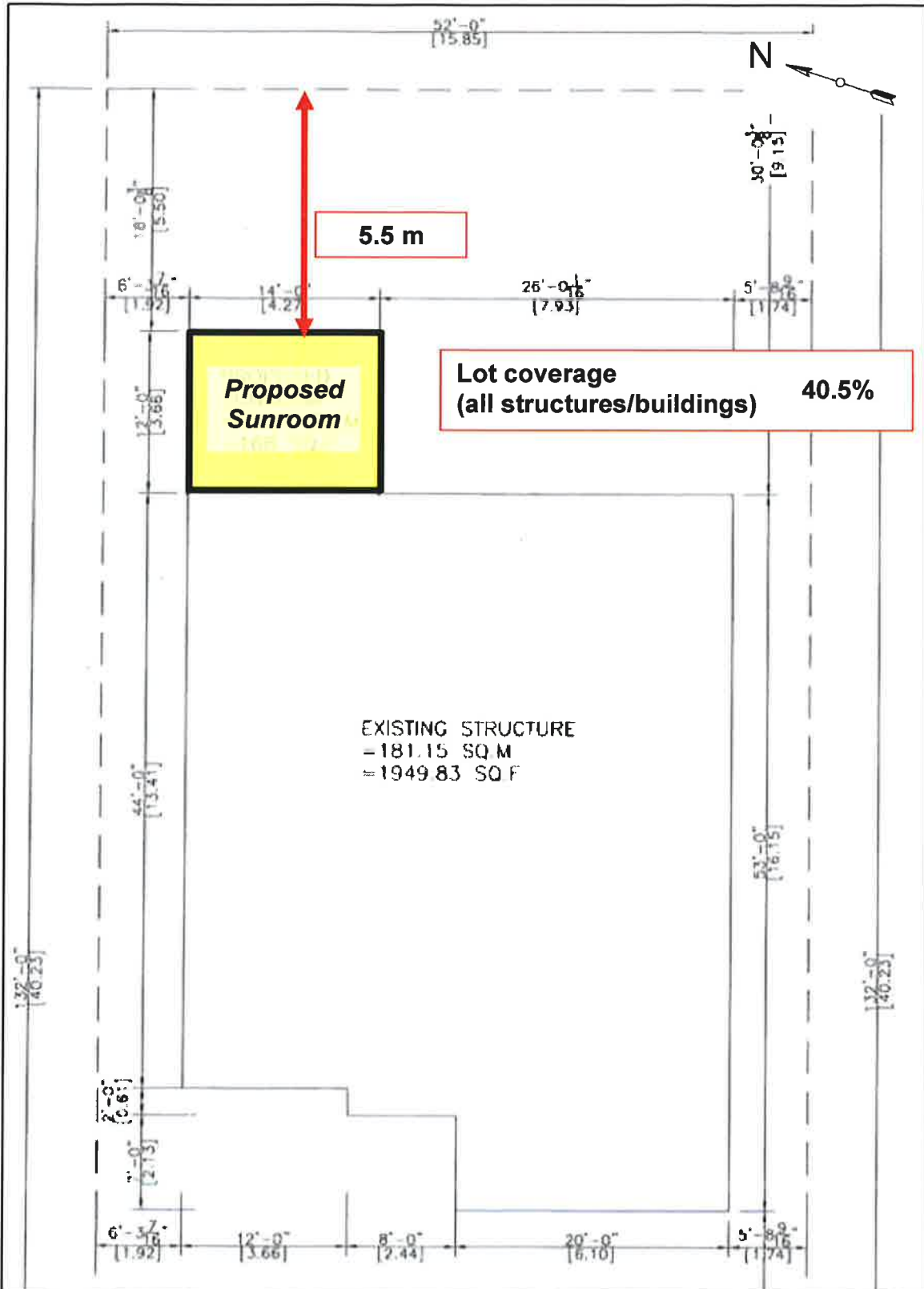


to

APPLICANT'S PROPOSED SKETCH

REPORT COA2024-015

FILE NO: D20-2024-005



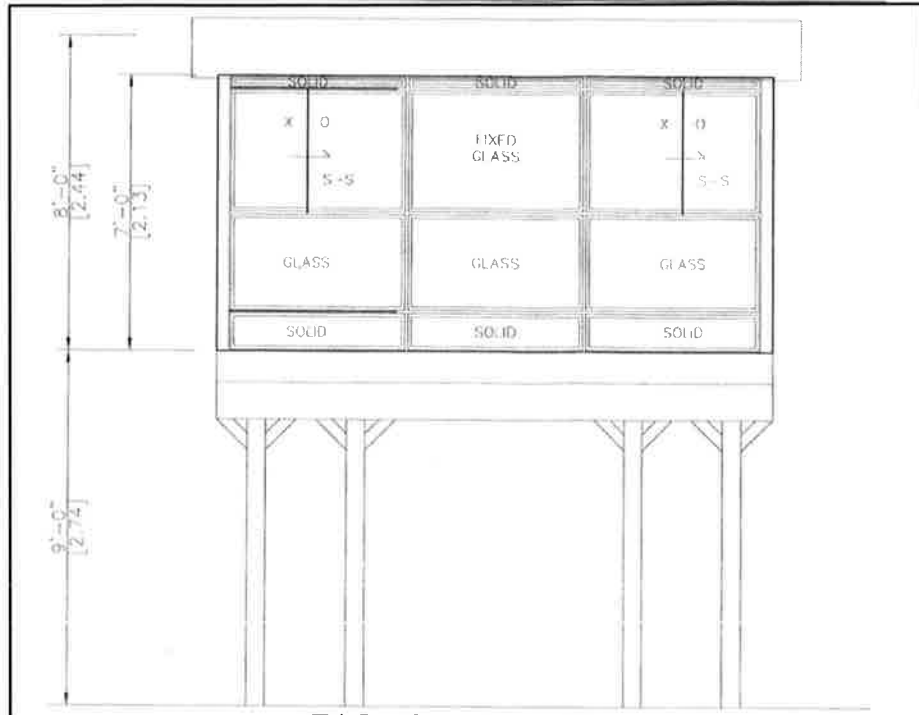
APPENDIX " D "

to

ELEVATION DRAWINGS

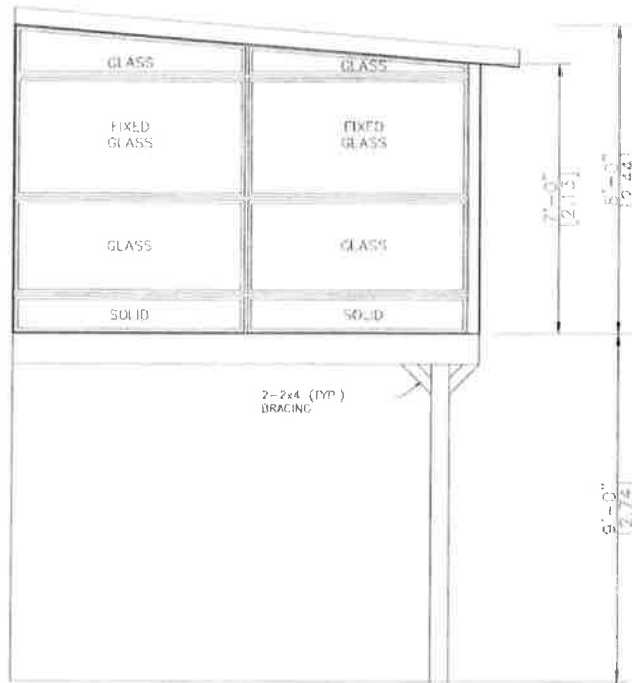
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EAST ELEVATION

SCALE 1/4"=1'-0"



NORTH ELEVATION

SCALE 1/4"=1'-0"