

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Speciale
Report Number COA2024-017

Public Meeting

Meeting Date: February 22, 2024
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 4 – Geographic Township of Mariposa

Subject: The purpose and effect is to facilitate raising the existing dwelling to allow for a basement walkout, additions to the existing dwelling, a new deck, and a detached garage.

Relief sought:

1. Section 14.2.1.4. of the Zoning By-law requires a 30 metre minimum water setback. The proposed water setback from the deck is 15.0 metres and 18.05 metres from the dwelling.

The variance is requested at **55 Glassford Road** (File D20-2024-007).

Author: Ahmad Shahid, Planner II

Signature: 

Recommendations

That Report COA2024-017 – Speciale, be received;

That minor variance application D20-2024-007 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 COA2024-017, 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 COA2024-017. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Raise the existing dwelling to allow for a walkout basement, additions to the dwelling, new deck, and a new detached garage.
Owners:	Tina & Giuseppe Speciale
Applicant:	Giuseppe Speciale
Legal Description:	Part Lots 21 and 22, Concession C (being Lot 4 of Plan 394)
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Rural Residential Type Three (RR3) Zone (Township of Mariposa Zoning By-law 94-07)
Site Size:	1,374 square metres (0.34 acres)
Site Access:	Municipal year-round maintained road
Site Servicing:	Private individual well and holding tank
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 on the northern shore of Lake Scugog, with access from Glassford Road. The residential built form along Glassford Road is comprised of a mix of one-storey and two-storey single detached dwellings. Moreover, according to the Municipal Property Assessment Corporation (MPAC), the majority of the dwellings along Glassford Road were constructed in the 1960's, many with accessory structures constructed more recently and the majority with various extents of renovations and more recent additions since their construction. There

¹ See Schedule 1

² See Schedule 1

are also a few properties with single detached dwellings constructed in the mid-to-late 2010's. The properties along Glassford Road have varying proximities to the road and Scugog Lake, many with detached garage and/or other accessory structures in the front yard. The property currently contains a one-storey frame dwelling (1962) with an attached deck and a shed.

The proposal seeks to raise the existing dwelling to allow for a basement walkout, as well as additions to the dwelling, replace the existing deck with a rear deck, and a detached garage. The proposal seeks to remove the existing overhang and shed.

Considering the age of the existing dwelling and deck, it can be expected for property owners to redevelop their properties to strive to achieve the highest and best use. Many of the property owners have redeveloped their properties with new dwellings, accessory structures, and/or major alterations. The existing dwelling is currently 3.6 metres in height, the proposed height is 5.5 metres. As a result, the proposed walkout basement will be achieved through both alterations to grade as well as an increase in height. The proposed basement walkout and additions to the existing dwelling will increase the usable space of the dwelling, providing additional living area. Furthermore, the proposed detached garage aligns with the development trend and character along Glassford Road as it is to be situated in the front yard. Moreover, the proposed detached garage will provide opportunities for indoor parking and storage.

Given the above analysis, the variance 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 Waterfront under the City of Kawartha Lakes Official Plan. The objective of the Waterfront designation is to recognize low density residential development as the primary land use. Policy 3.11.2. of the Official Plan prescribes various criteria that would allow for the construction and/or expansion of an building or structure into a water setback to be considered. The proposed redevelopment supports this policy as the water setback is greater than 15 metres, and a substantial space for an environmental buffer is provided. Moreover, the proposed redevelopment supports the objectives of the Waterfront designation as it does not change the existing low-density residential land use, maintains a low profile and preserves the existing shoreline. Performance and siting criteria is implemented through the zoning by-law.

Therefore, the variance is 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 Rural Residential Type Three (RR3) Zone under the Township of Mariposa Zoning By-law 94-07. The RR3 Zone permits a single detached dwelling, vacation dwelling, and accessory structures. The proposal

complies with all provisions of the Zoning By-law except the minimum water setback.

Section 14.2.1.4. of the Zoning By-law requires a minimum 30 metre water setback. The intent of the rear yard setback and water setback is to protect built form from natural hazards, and protect and enhance the ecological function of waterbodies by creating a buffer between built form and water for the establishment and preservation of vegetation. The existing water setback is non-compliant at 15.7 metres. The proposed water setback is 15.0 metres from the proposed new deck and 18.05 metres to the proposed raised dwelling with additions. As the proposed redevelopment seeks to utilize the existing dwelling, options are limited for placement. It is important to mention, neither the proposed deck nor the additions to the existing dwelling further expand into the rear yard. The proposed redevelopment seeks to expand towards the side yard, however, due to the curved-shape of the shoreline, this results in a closer edge of the shoreline to the proposed redevelopment. Similarly, the existing water setback from the current deck is 15.7 metres and 18.75 metres from the current dwelling. In comparison to the existing water setback, the proposed water setback is 0.7 metres closer to the deck and 0.75 metres closer to the dwelling. As a result, the discrepancy is minimal between the existing and proposed water setback.

Therefore, the variances 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.”

DS – Building and Septic (Septic): “A sewage system installation report was located for the property to evaluate the capacity allowances of the existing Class 5 Holding Tank. Additionally, a site visit was conducted to review the proposed clearance distances from the proposed dwelling additions and garage. The proposed dwelling changes will not cause a change in the total daily sewage flow and the holding tank is of adequate size to accommodate the construction. The

minimum required clearance distances will be maintained for the holding tank from both the dwelling additions and the proposed detached garage. As such, the Building and Septic Division has no concerns with the minor variance proposal as it relates to private on-site sewage disposal.”

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 – Floor Plans

Phone: 705-324-9411 extension 1367
E-Mail: ashahid@kawarthalakes.ca
Department Head: Leah Barrie, Director of Development Services
Division File: D20-2024-007

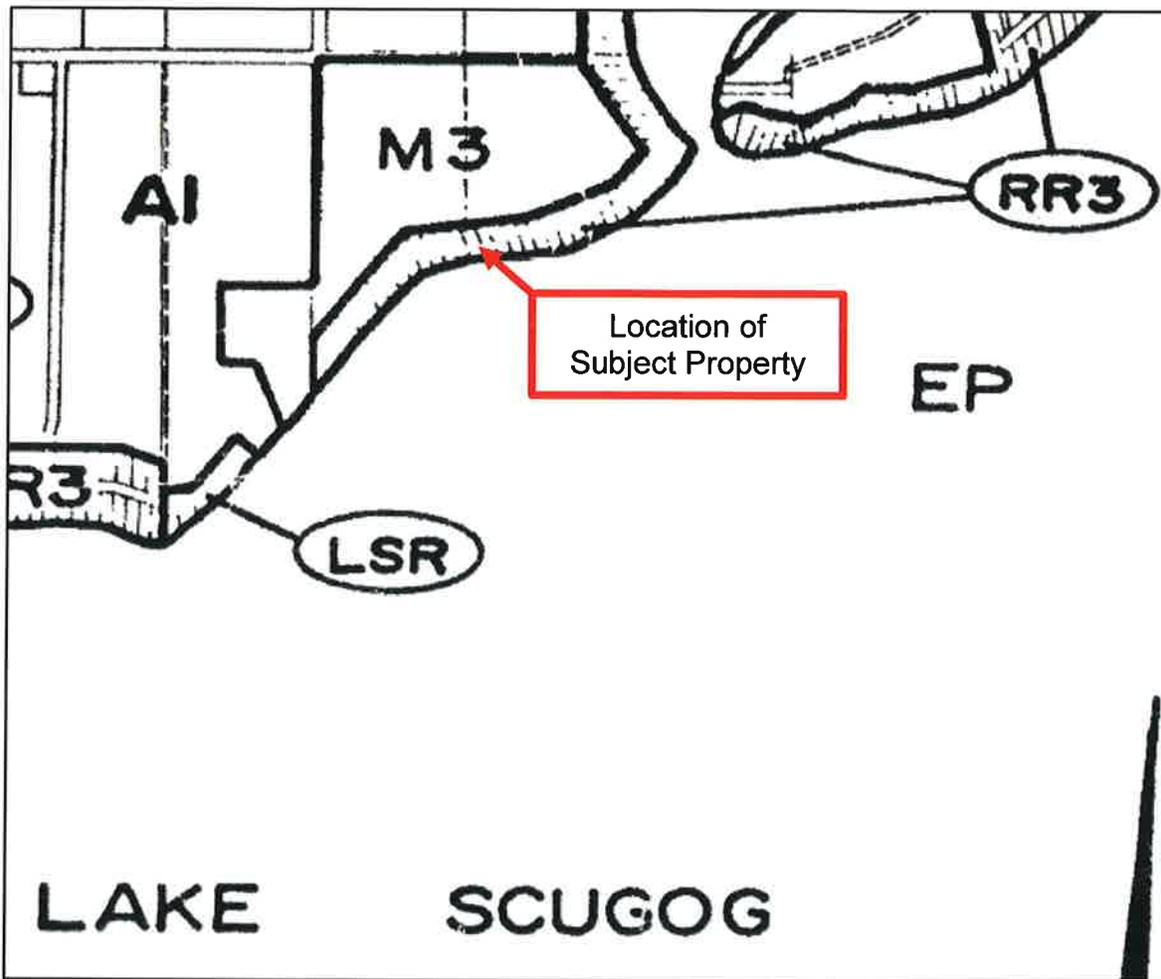
Schedule 1 Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



Section 20 – Waterfront Designation

Township of Mariposa Zoning By-law 94-07



SECTION 3 – GENERAL PROVISIONS

3.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

3.1.2 LOCATION

3.1.2.3 Where a lot fronts on a navigable waterway, a private garage shall be permitted between the main building on the lot and the street line, provided such private garage complies with the yard provisions of the applicable zone.

SECTION 14 – RURAL RESIDENTIAL TYPE THREE (RR3) ZONE

14.2 ZONE PROVISIONS

14.2.1.4 Water setback (min.) 30 m

APPENDIX " A "

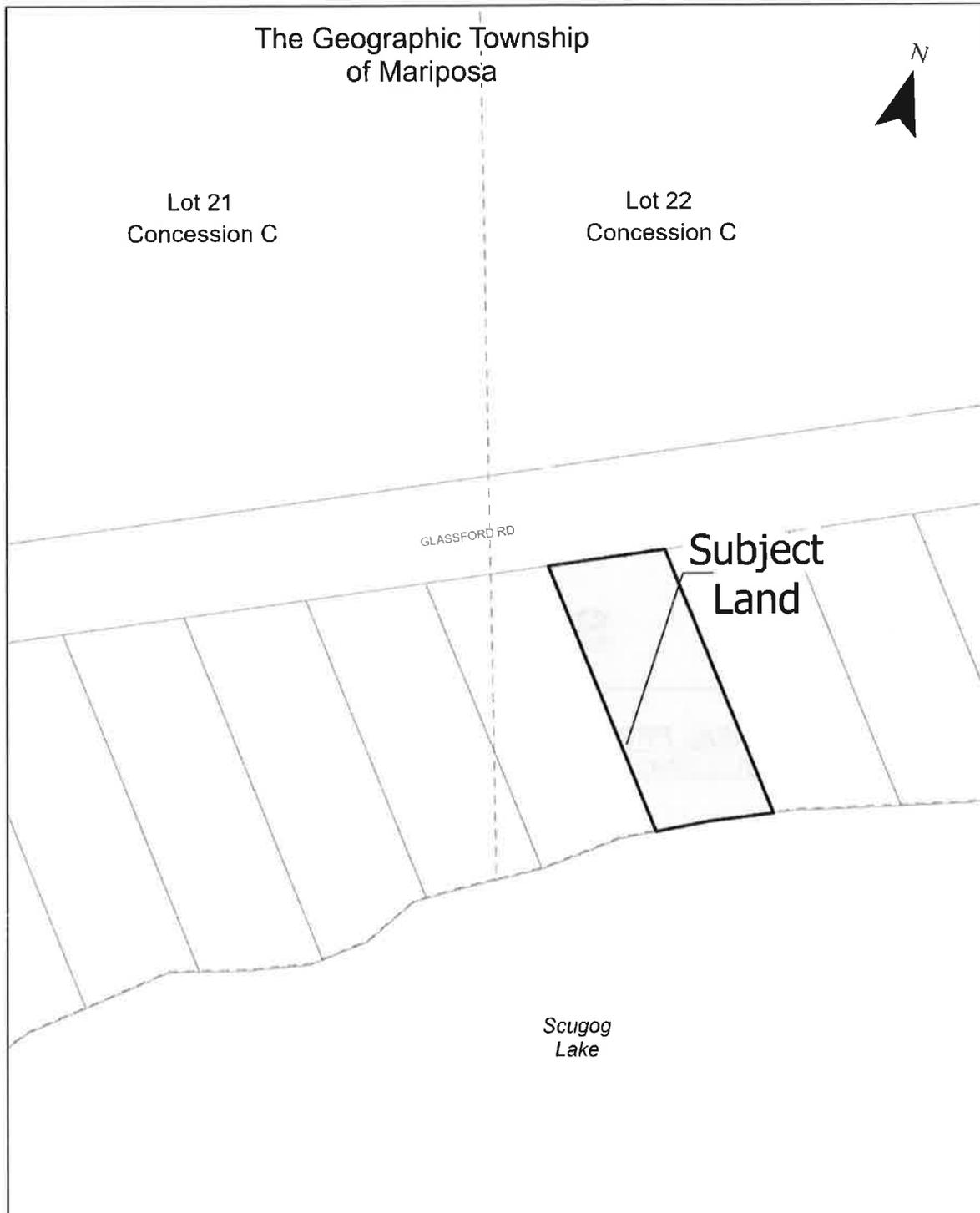
to

REPORT COA2024-017

FILE NO: D20-2024-007

LOCATION MAP

D20-2024-007



APPENDIX " B "

to

REPORT COA2024-017

FILE NO: D20-2024-007

AERIAL IMAGERY (2018)

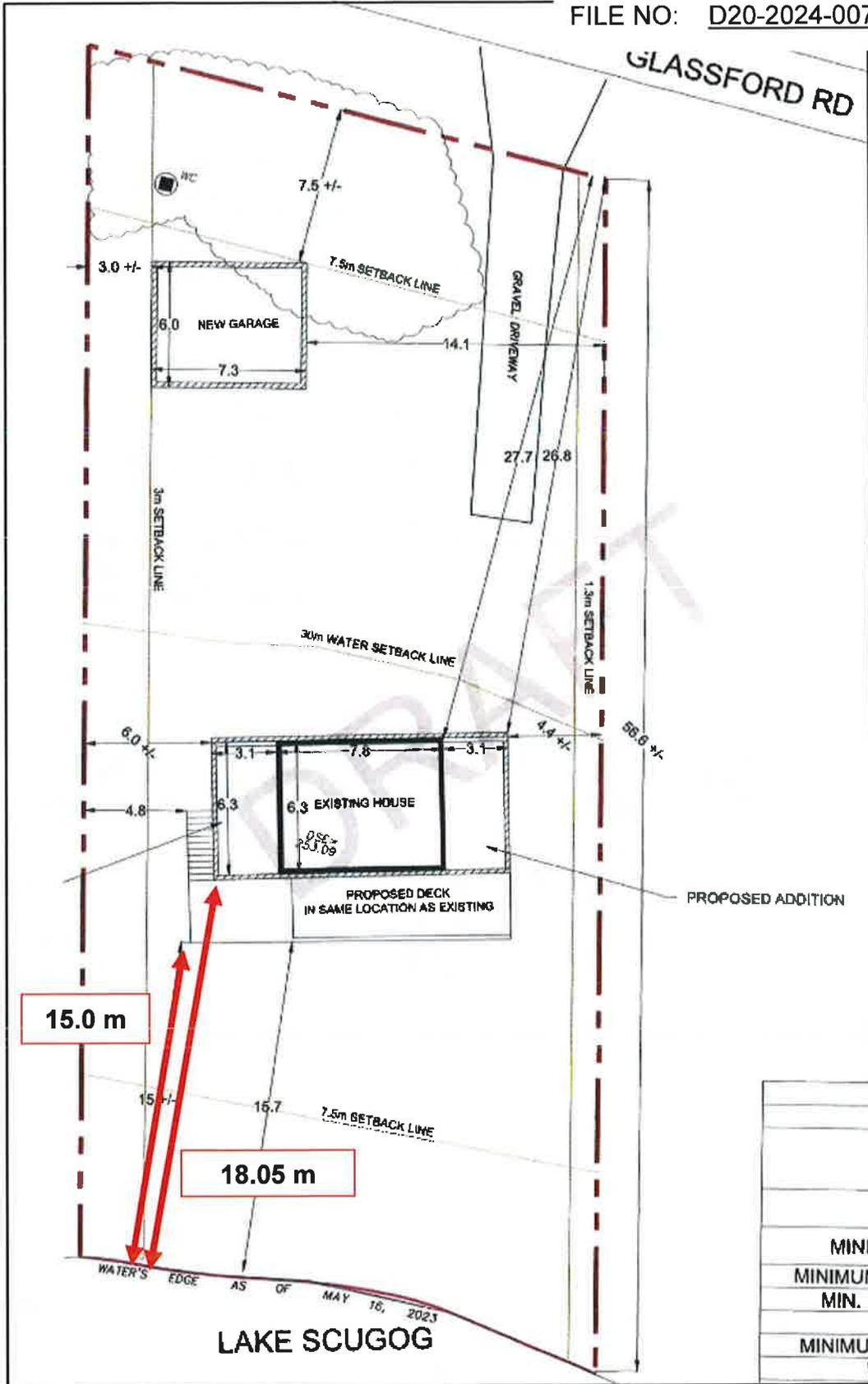


to

REPORT COA2024-017

FILE NO: D20-2024-007

APPLICANT'S SKETCH



MINI
MINIMUM
MIN.
MINIMUM

APPENDIX " D "

to

REPORT COA2024-017

FILE NO: D20-2024-007

FLOOR PLANS

