

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Reid

Report Number COA2024-072

Public Meeting

Meeting Date: August 22, 2024

Time: 1:00 pm

Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 1 – Geographic Township of Carden

Subject: The purpose and effect is to facilitate the recognition of existing accessory structures and the construction of a new detached garage.

Relief sought:

1. Section 14.1 b) of the Zoning By-law provides that accessory structures are permitted in the interior side or rear yard; the proposed garage is to be located in the front yard and two existing sheds are currently located in the front yard; and,
2. Section 14.1 c) i) of the Zoning By-law permits a maximum lot coverage for accessory structures of 8%; the proposed accessory structure lot coverage is 13%.

The variance is requested at **75 Campbell Beach Road** (File D20-2024-063).

Author: Katherine Evans, Planner II **Signature:** 

Recommendations

That Report COA2024-072 – Reid, be received;

That minor variance application D20-2024-063 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 COA2024-072, which shall be attached to and form part of the Committee's Decision;

- 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; and,
- 3) **That** the tarp storage structure identified in Appendix E be removed within a period of twenty-four (24) months after the date of the Notice of Decision. This condition will be considered fulfilled upon the owner providing photographic evidence to the Secretary-Treasurer that the tent storage structure has been removed.

This approval pertains to the application as described in report COA2024-072. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Recognition of existing accessory structures and construction of a detached garage
Owners:	Rob Reid
Applicant:	Same as owner
Legal Description:	Part Lot 11, Concession 1 (being Lot 27 on Plan 235)
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Rural Residential Type Two (RR2) Zone (Township of Carden Zoning By-law 79-2)
Site Size:	1,125 sq. m. (12,109.4 sq. ft.)
Site Access:	Year round municipal road
Site Servicing:	Private individual well and septic system
Existing Uses:	Residential
Adjacent Uses:	Residential and agricultural

¹ See Schedule 1

² See Schedule 1

Rationale

The variance is desirable for the appropriate development or use of the land, building or structure.

The subject property is within an established residential neighbourhood located on the eastern shore of Dalrymple Lake. The property is rectangular in shape and currently contains a single detached dwelling constructed in 1955 (according to Municipal Property Assessment Corporation), three sheds, and a tent storage structure. As per Condition 3, the tent storage structure is to be removed.

The purpose of the application is to facilitate the construction of a detached garage. The garage will provide storage space as well as space for a workshop for the property owner. The purpose of the application is also to recognize two existing sheds that are located in the front yard.

Given the above analysis, the variance is 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 (2012). Low-density residential uses and buildings and structures accessory to residential uses are permitted in the Waterfront designation. 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 Two (RR2) Zone under the Township of Carden Zoning By-law 79-2. A single detached dwelling as well as accessory buildings and structures are permitted within this zone. The proposal complies with all provisions of the Zoning By-law with the exception of the location for accessory structures, and the maximum lot coverage for accessory structures.

Section 14.1 b) of the Zoning By-law provides that accessory structures are permitted in the interior side or rear yard. The proposed detached garage is to be located in the front yard and two existing sheds are currently located in the front yard. The intent of limiting the location of accessory structures to the side or rear yard is to ensure accessory uses remain subordinate to the primary use by being located in less visible areas on the property. Locating accessory structures in the interior side or rear yard also ensures there is adequate amenity space in the front yard, and the property is in keeping with the character of the rest of the neighbourhood.

The dwelling is setback approximately 50 metres from the front lot line, making the majority of the subject property the front yard. Limited space in the interior side

yards and the minimum water setback make siting an accessory structure in a location that is compliant with the provisions of the Zoning By-law challenging.

Due to the slope of the property, the two existing sheds in the front yard are minimally visible from the road. The proposed garage is located towards the southern lot line. While the slope of the property results in the dwelling being minimally visible from the road, the location of the garage being towards the side lot line will maintain the existing visibility of the residential use from the road. Additionally, the southern lot line contains a stand of mature vegetation, and its thickness and height provides visual screening between the proposed garage and the neighbouring property to the south.

The proposed detached garage complies with the minimum front yard setback and will not result in impacts to traffic, road maintenance, or sightlines. There are several properties along Campbell Beach Road that have garages in the front yard, so the proposal is in keeping with the existing built form.

Section 14.1 c) i) of the Zoning By-law permits a maximum lot coverage for accessory structures of 8%. The proposed accessory structure lot coverage is 13%. The purpose of the maximum lot coverage for accessory structures in this case is to maintain the non-farm residential character of the property and to ensure that accessory uses remain subordinate to the primary (residential) use.

There is no maximum number of accessory structures under the Township of Carden Zoning By-law 79-2. As such, only a percentage of lot area is used to manage the number and size of accessory structures. The existing and proposed accessory structures are dispersed throughout the property, maintaining visual balance and avoiding a cluttered appearance. Due to the slope of the property, the existing accessory structures are only minimally visible from the road.

The proposed garage will be visible from the road, and it complies with the maximum height, and the minimum front and interior side yard setbacks. Using MPAC data, detached garages located in the front yard that are similar in size to the proposed garage were identified along Campbell Beach Road, including garages ranging from 75 square metres to 177 square metres in size. As such, the garage will not be out of character with the existing built form.

The existing and proposed accessory structures and their resulting lot coverage are not anticipated to change the residential character of the property. Additionally, the total maximum lot coverage for all buildings and structures is 30%, and the proposal results in a lot coverage of 22%.

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:

Building and Septic Division (Building): “No comments.”

Engineering and Corporate Assets Division: “From a Development engineering perspective, we have no comment or objection to the proposed Minor Variance.”

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 – Construction Drawings

Appendix E – Tent Storage Structure to be Removed

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Department Head: Leah Barrie, Director of Development Services
Division File: D20-2024-063

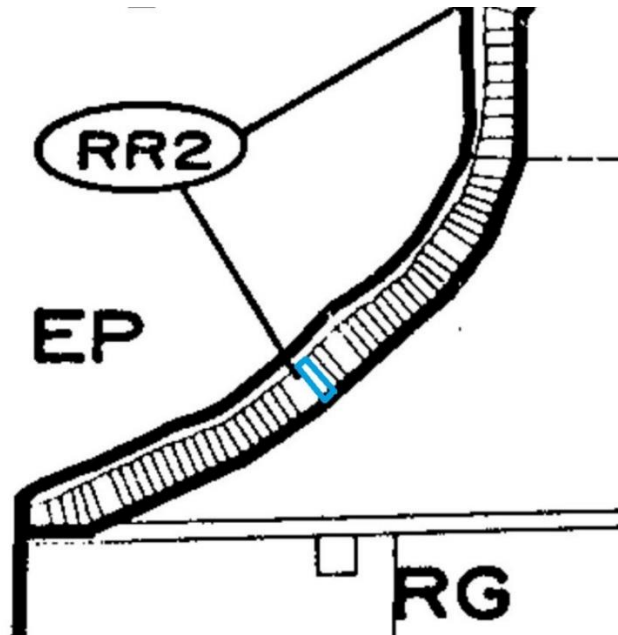
Schedule 1 Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



20. Waterfront Designation

Township of Carden Zoning By-law 79-2



Section 4 Rural Residential Type Two (RR2) Zone

4.1 RR2 Uses Permitted

4.2 RR2 Zone Requirements

Section 14 General Provisions

14.1 Accessory Buildings, Structures and Uses

b. Location

An accessory building shall only be erected in a side or rear yard and shall comply with the following requirements:

An accessory building may be erected not closer than 1.2 metres from a rear lot line and 1.2 metres from the side lot line nor closer to a flanking street than the required front yard setback for the zone in which it is located and shall not be closer than 1.2 metres to a residential building. Where the rear lot line is a shore lot line, article 14.21 a. shall apply.

c. Lot Coverage and Height

i) The total lot coverage of all accessory buildings shall not exceed 8 per cent of the lot area.

ii) The height of an accessory building or structure, in a residential zone or to a residential use, shall not exceed 5 metres (16.4 ft.). Further, the height of such accessory building or structure shall be measured as the mean level between eaves and ridge of a gabled, hip, gambrel or mansard roof, or other type of pitched roof.

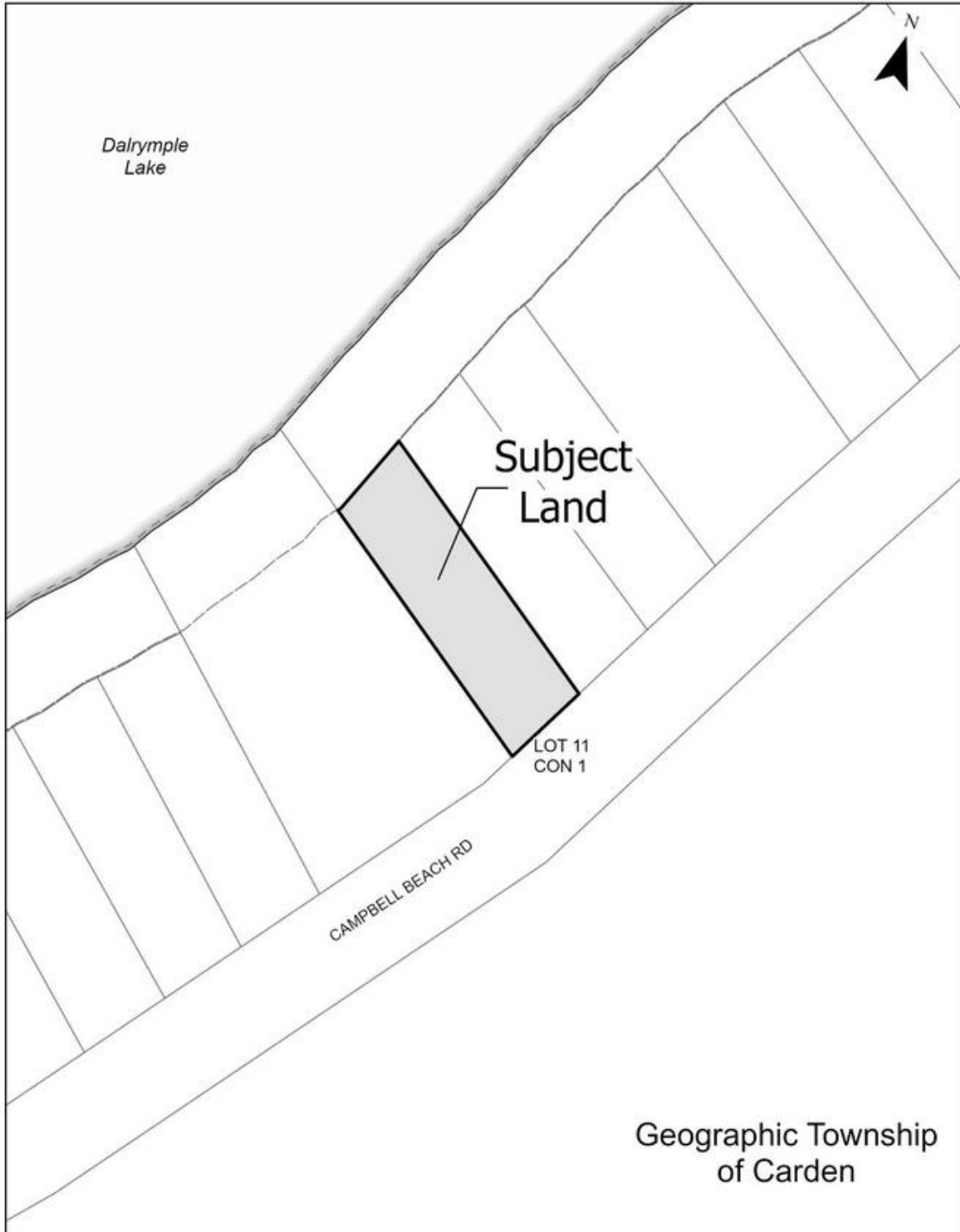
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LOCATION MAP

D20-2024-063



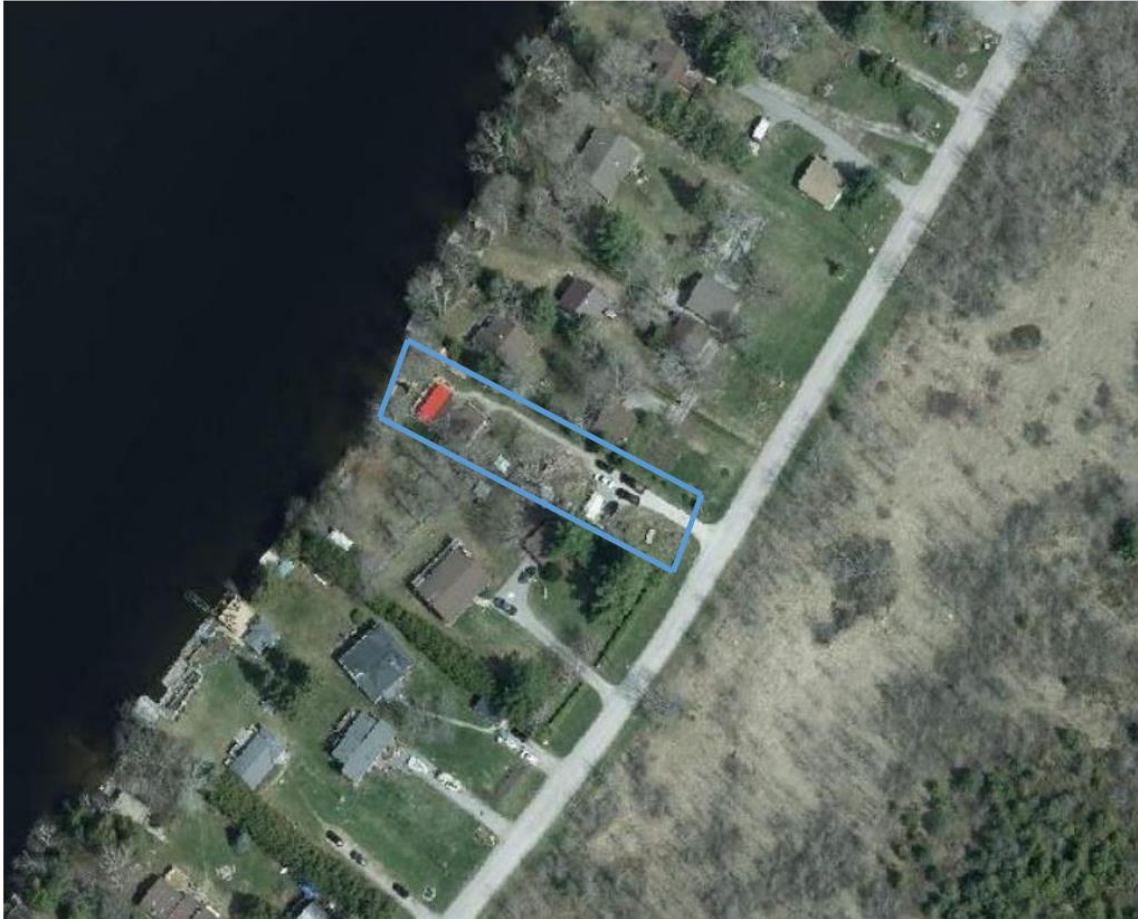
APPENDIX " B "

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AERIAL PHOTO

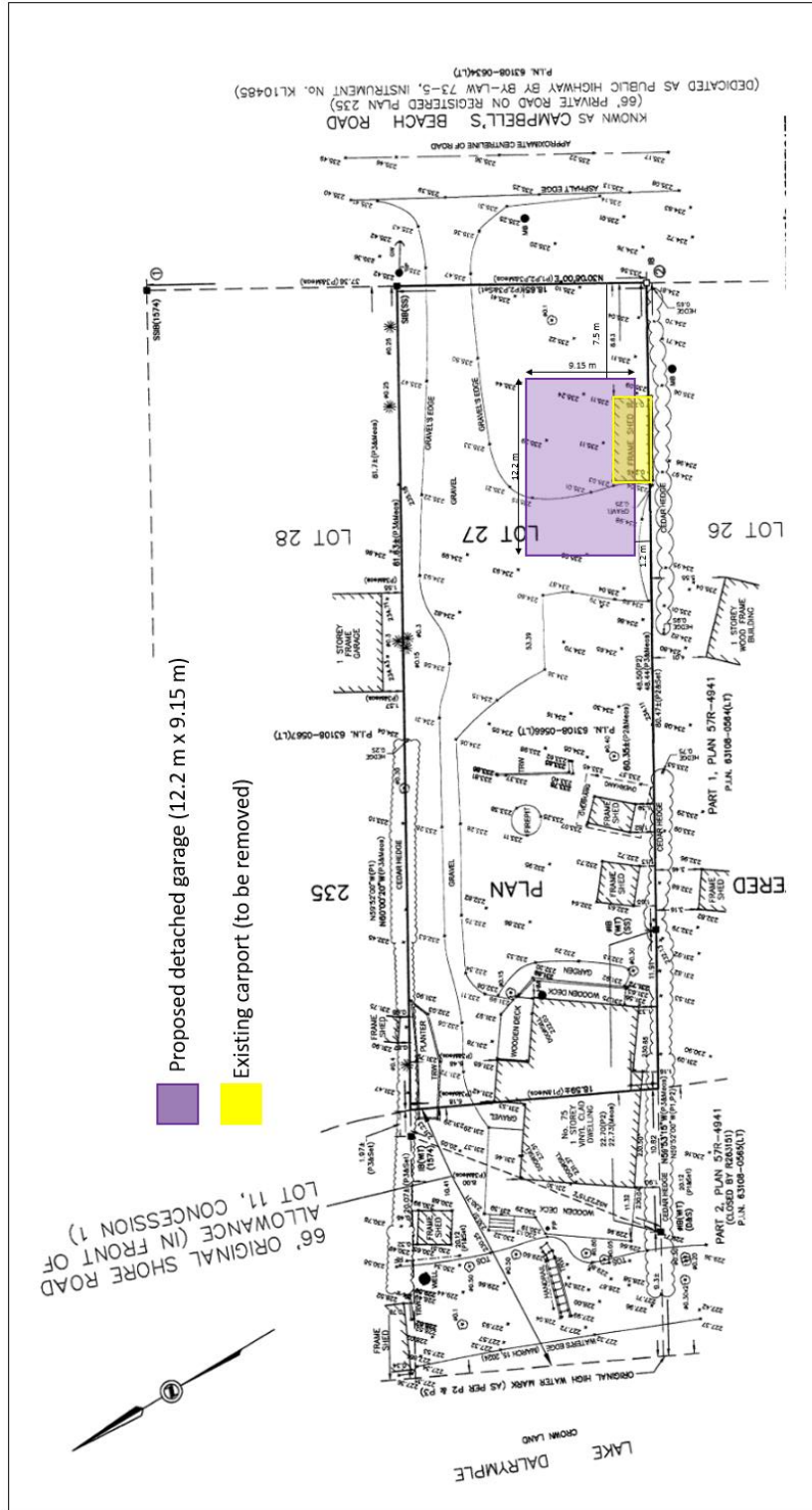


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APPLICANT'S SKETCH

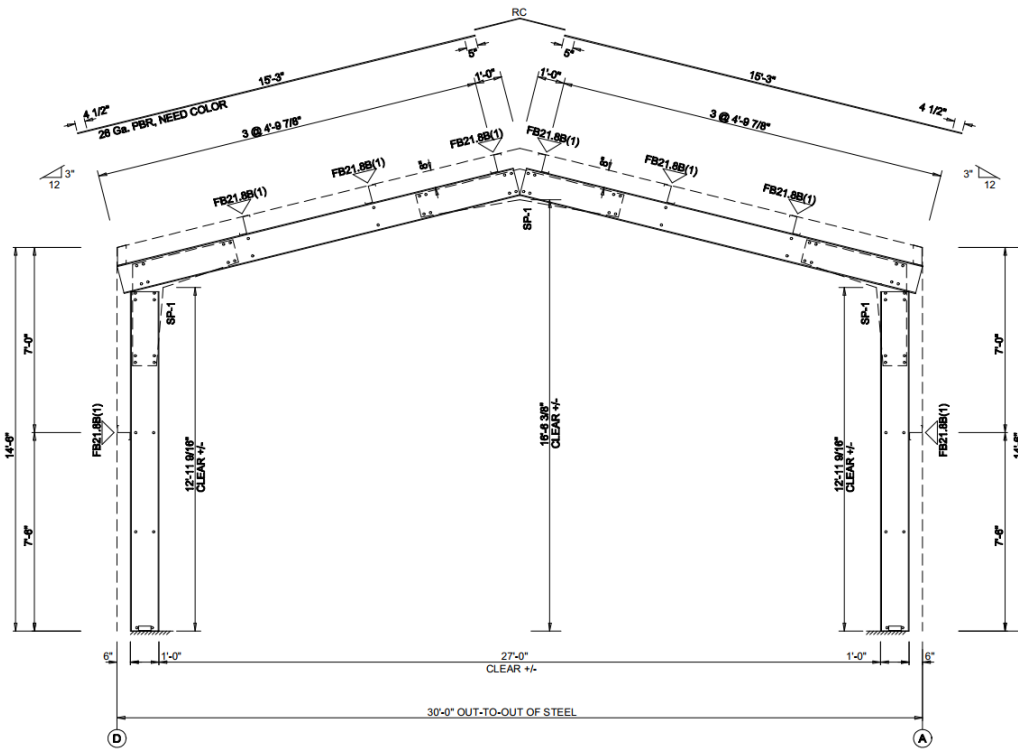
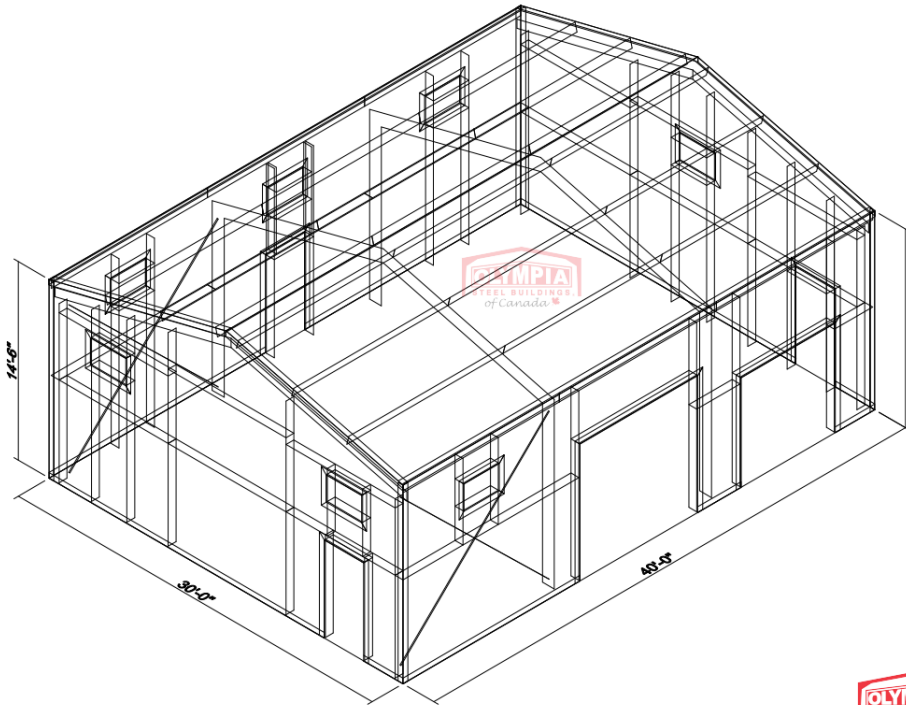


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CONSTRUCTION DRAWINGS

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RIGID FRAME ELEVATION: FRAME LINE 2 3

APPENDIX " E "

to

PHOTO OF TENT STORAGE STRUCTURE TO BE REMOVED

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