

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Haines
Report Number COA2024-105

Public Meeting

Meeting Date: **November 28, 2024**
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 3 – Geographic Township of Verulam

Subject: The purpose and effect is to facilitate the conversion of an existing detached garage to an Additional Residential Unit (ARU).

Relief sought:

1. Section 5.27 vi) of the Zoning By-law requires a minimum lot area of 4,000 square metres for a lot that is privately serviced to have an ARU; the existing lot area is 1,093 square metres

The variance is requested at **37 Parkhill Drive** (File D20-2024-097).

Author: **Katherine Evans, Acting Development Supervisor**

Signature: 

Recommendations

That Report COA2024-105 – **Haines**, be received;

That minor variance application D20-2024-097 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 COA2024-105, 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 COA2024-105. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Conversion of existing detached garage into Additional Residential Unit (ARU)
Owners:	Gladys Haines
Applicant:	Duane Visneskie
Legal Description:	Part Lot 13, Concession 2 (being Lot 22 on Plan 218)
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Residential One (R1) Zone (Township of Verulam Zoning By-law 6-87)
Site Size:	1,093 sq. m. (11,765 sq. ft.)
Site Access:	Year round municipal road
Site Servicing:	Private individual well and septic system
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 within an established residential neighbourhood located on the northwestern shore of Sturgeon Lake. The property is rectangular in shape and is not a waterfront lot. The property currently contains a single detached dwelling constructed in 1976 (according to Municipal Property Assessment Corporation), a detached garage, a shed, and a temporary tent storage structure.

The proposal is to convert the existing detached garage into an Additional Residential Unit (ARU). The garage is 78 square metres in size and is currently used for storage. The conversion of the garage to an ARU will involve a renovation,

¹ See Schedule 1

² See Schedule 1

and no expansion or addition to the building is proposed. The proposed ARU is to contain one bedroom, one bathroom, a kitchen, and living space. The property owner currently resides in the dwelling on the subject property and is looking to downsize. The property owner wishes to reside in the proposed ARU, and a family member is to live in the primary dwelling.

The Province of Ontario has launched the 'More Homes, More Choice: Ontario's Housing Supply Action Plan' (2019), the goal of which is to build 1.5 million homes by 2031 to address the housing supply crisis in Ontario and to encourage the development of housing that meets the needs and budgets of all Ontarians. As per the Municipal Housing Pledge, the Province has established a housing target in the City of Kawartha Lakes of 6500 new housing units by 2031, and the City has committed to work to achieve this target locally. Through the creation of the proposed ARU, this proposal can contribute to meeting the City's housing target.

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 property is designated Waterfront within the City of Kawartha Lakes Official Plan. Low density residential uses are permitted within this designation. Performance and siting criteria is implemented through the Zoning By-Law.

An ARU is permitted as of right, in addition to the primary residential unit, in single detached, semi-detached or townhouse dwellings as well as in accessory buildings or structures on lots associated with these dwelling types.

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 Residential Type One (R1) Zone under the Township of Verulam Zoning By-law 6-87. A single detached dwelling, ARUs 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 minimum lot area for an ARU on a property with private services.

As per Section 5.27 vi) of the Zoning By-law, a minimum lot area of 4,000 square metres is required to permit an ARU on a lot with private services. The existing lot area is 1,093 square metres. The minimum lot size listed for an ARU identifies a lot size where the ability to support an ARU on private services is likely. Lots under this threshold require a review to determine the appropriateness of the lot to support an ARU. The Supervisor of Part 8 Sewage Systems has confirmed that the lot can accommodate servicing through a private sewage disposal system.

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.”

Building and Septic Division (Septic): “A site visit has been conducted to review the property for a private on-site sewage disposal system to service the development. Additionally, a proposed sewage system layout has been completed by a licensed sewage system installer. Based on the observations from the site visit and the information provided on the existing and proposed dwelling, the lot can accommodate servicing through a private sewage disposal system. The sewage system will be restricted to the rear yard of the property to ensure an adequate clearance distance to the existing drilled well can be achieved. The main dwelling and the proposed dwelling will be restricted to the available sewage system capacity that can be installed on the property. As such, the Building and Septic Division do not have any issue with the minor variance proposal as it relates to private on-site sewage disposal.”

Engineering and Corporate Assets Division: “From a Development engineering perspective, we have no concerns or comments for this Minor Variance application.”

Public Comments:

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

Attachments

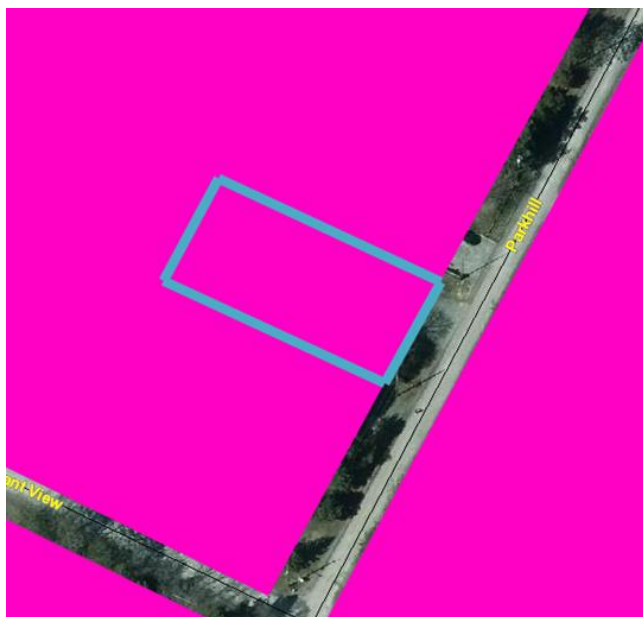
Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant’s Sketch

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E-Mail: kevans@kawarthalakes.ca
Department Head: Leah Barrie, Director of Development Services
Division File: D20-2024-097

Schedule 1

Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



20. Waterfront Designation

The Corporation of The City of Kawartha Lakes Amendment No. 39 to The City of Kawartha Lakes Official Plan

E. Details of the Amendment

The City of Kawartha Lakes Official Plan, 2012 is hereby amended as follows:

1. **Section 5. Housing Goal is amended by adding subsection 5.7 Additional Residential Units as follows:**

5.7 Additional Residential Units

- 5.7.1 This Plan will support flexible zoning provisions to permit a broad range of housing forms, including additional residential units.
- 5.7.2 An additional residential unit is permitted as of right, in addition to the primary residential unit, in single detached, semi-detached or townhouse dwellings as well as in accessory buildings or structures on lots associated with these dwelling types, provided they are in accordance with this policy and the applicable zoning by-law provisions.

- c) Lots outside of designated settlement areas shall have a minimum lot area of 0.4 hectares to be eligible for an additional residential unit. This requirement may be reduced where it is demonstrated through a hydrogeological and site servicing study that the lot can be adequately serviced.
- d) Additional residential units shall only be permitted on lots having adequate sewage and water supply. Additional residential units being developed on private services are encouraged to utilize the existing private sewage disposal systems and wells.

Township of Verulam Zoning By-law 6-87



Section 5 General Provisions

5.27 Additional Residential Dwelling Units

Notwithstanding the permitted uses, maximum densities and minimum gross floor areas listed elsewhere in this By-law, additional residential dwelling units are permitted in all zones that permit single detached, semi-detached, or town house dwelling units, subject to the following provisions:

- vi) A minimum lot area of 0.4 ha (4000 sq. m.) on private services.

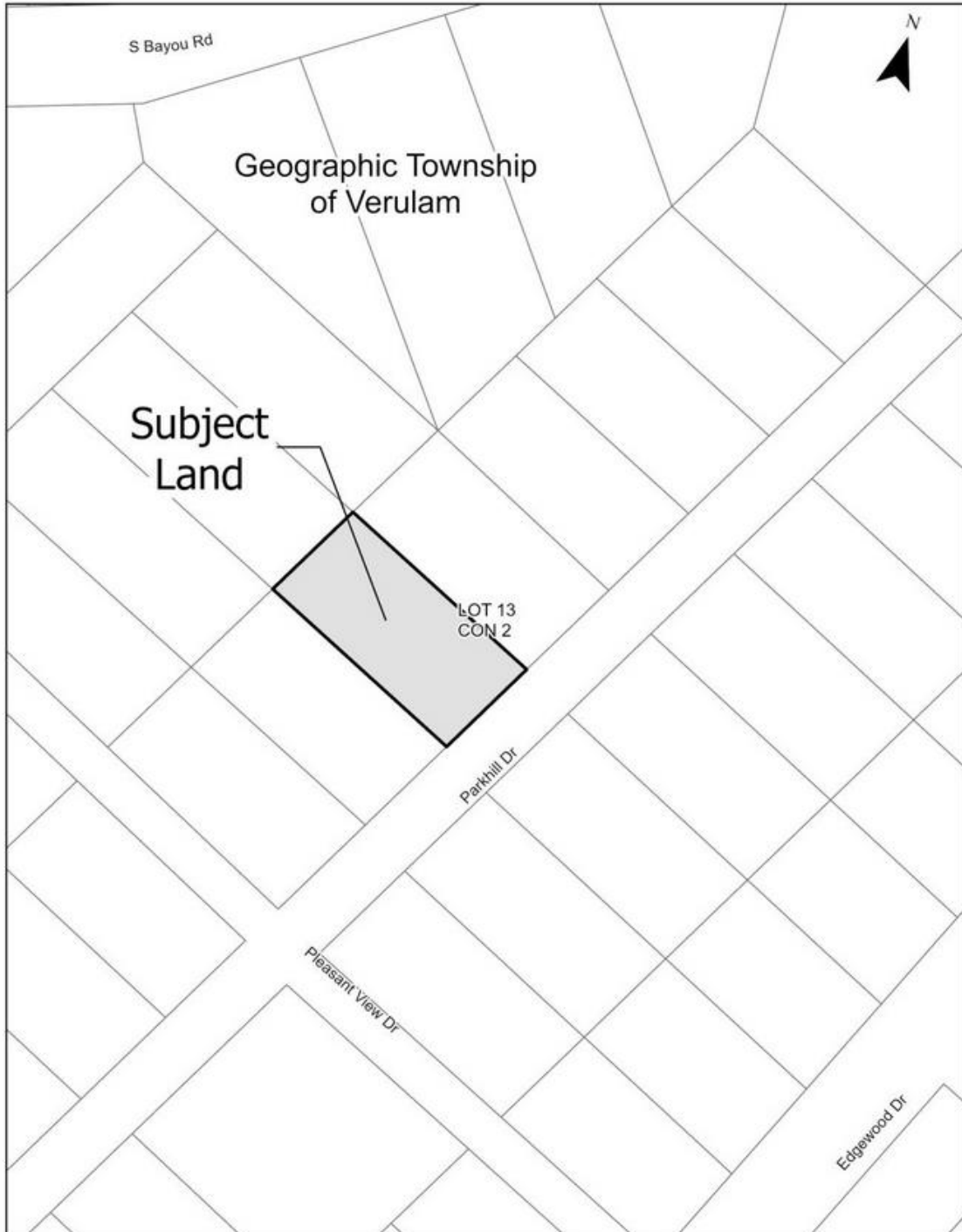
Section 8 Residential Type One (R1) Zone

8.1 R1 Uses Permitted

8.2 R1 Zone Provisions

LOCATION MAP

D20-2024-097



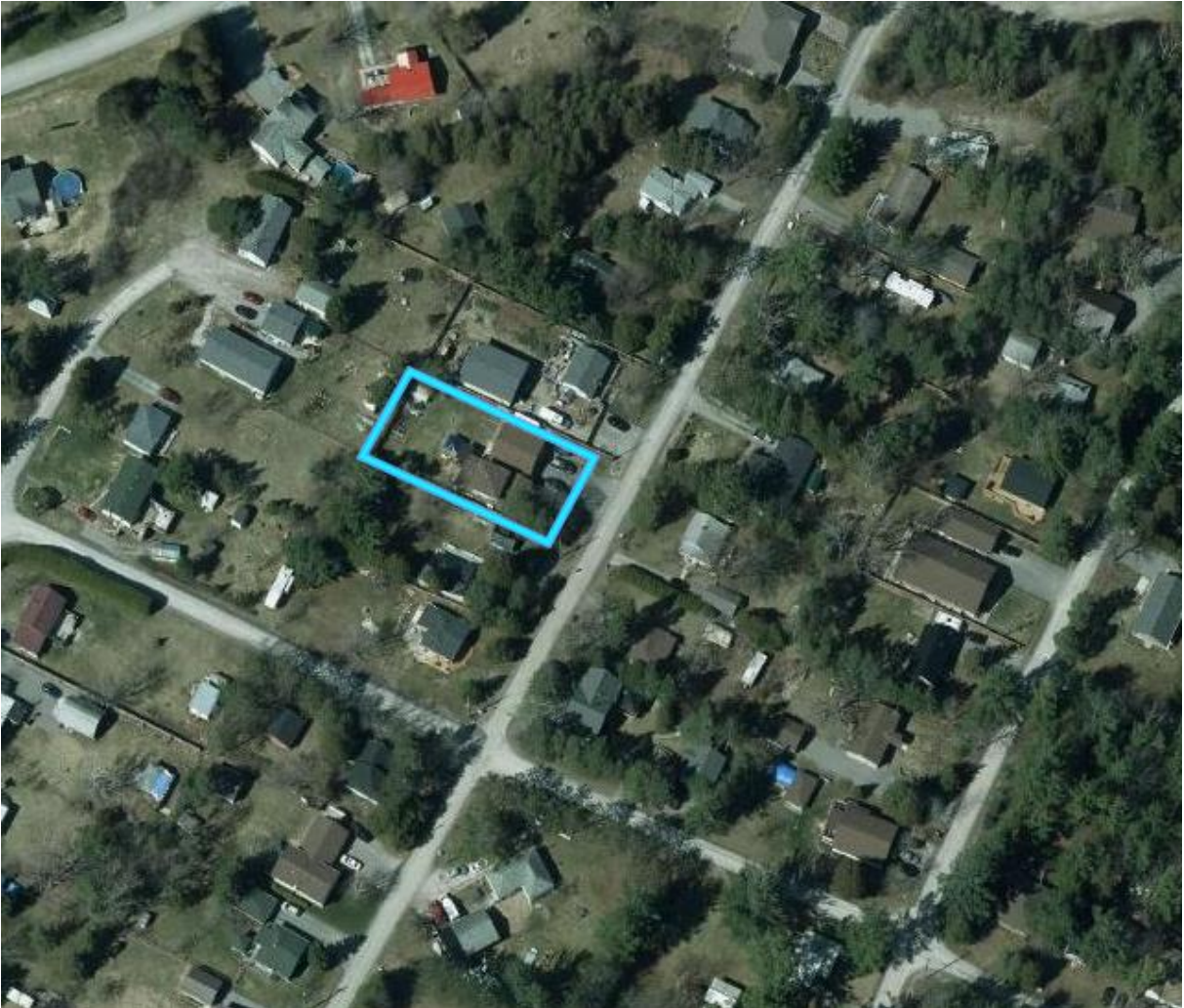
APPENDIX " B "

to

REPORT COA2024-105

FILE NO: D20-2024-097

AERIAL PHOTO



to

REPORT COA2024-105

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APPLICANT'S SKETCH

