

**THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS
COMMITTEE OF ADJUSTMENT REPORT**

TO: Members of the Committee of Adjustment
FROM: Stefan Szczerbak, Planner
DATE: February 19th, 2008
RE: Minor Variance
Application: A 01/08 LOB (Morrow)
Applicant: William Morrow
Part Lot 17, Conc. 7, McLean Ward
Roll No. 040-009-11100
Civic Address: 16 Carol Street, Baysville

RECOMMENDATION:

That Application **A 01/08 LOB (Morrow)** for a minor variance from By-law 04-181, specifically from:

- i) Section 4.10(Minimum Side Yard Setback for a garage in a Residential zone), decrease from the required 2.5 metres (8.2 ft) to 1.83 metres (6 ft) for the proposed garage; and
- ii) Section 5.1.1(Minimum Rear Yard Setback), decrease from the required 7.5 metres (24.6 ft) to 6.09 metres (20 ft);

to permit the construction of a 544 sq. ft. private garage, as illustrated on the attached sketch, located in Part Lot 17, Conc. 7, McLean Ward, at 16 Carol Street in Baysville, now in the Township of Lake of Bays, be **APPROVED** subject to the following condition:

- 1. That the Applicant enter into an Agreement with the Township of Lake of Bays under Section 41 of the Planning Act and this Agreement be registered on the title of the lands. Said site plan shall ensure the retention of existing natural vegetation and provide for a buffer along the easterly lot line abutting the proposed garage, in accordance with Section G.24 of the Township Official Plan.

ORIGIN:

An application has been received from William Morrow, in which relief from By-law 04-181 is requested. The subject lands are located within the Community Residential One "(R1)" Zone. The purpose of this application is to seek relief from By-law No. 04-181 in order to permit the construction of a 544 ft² private garage which proposes to come closer to the easterly side yard and the rear yard than the by-law permits.

Accordingly, the applicant requests relief from By-Law No. 04-181 as follows:

- i) Section 4.10(Side Yard for a garage in a Residential zone), decrease from the required 2.5 metres (8.2 ft) to 1.83 metres (6 ft) for the proposed garage; and
- ii) Section 5.1.1(Rear Yard), decrease from the required 7.5 metres (24.6 ft) to 6.09 metres (20 ft).

BACKGROUND:

Previous/Current Files:	• N/A
Natural Constraints:	• None

LOB Official Plan:	Community.
District Official Plan:	Urban Centre.
LOB By-law 04-181:	Community Residential One "(R1)" Zone

Site Characteristics:

The subject property is typical of an existing community lot. It is generally void of significant natural vegetation and comprised of manicured lawn. The lot is mainly flat. The lands located between the proposed garage and the easterly lot is comprised of manicured lawn. The property is currently developed with a single detached residential dwelling and a small accessory structure.

Surrounding Uses:

The surrounding lands are currently developed with existing community residential uses.


ANALYSIS:

When reviewing this proposal and attending the site, regard must be had to the appropriateness of the size of the proposed structure and its location within the lot. In this case, as the lot is small in nature and the structure is to be located slightly behind and beside the existing dwelling (away from the front water's edge), it would therefore not appear to alter the general character of the community of Baysville. In accordance with Section G.24 of the Township Official Plan, development should occur in accordance with the community design guidelines and with respect to the proposed location of the garage, the following should be addressed through Site Plan Control: a) visual impact; b) buffering; and c) preservation of existing or proposed landscaping.

Upon attending the site and when considering the applicant is seeking relief to both the side and rear yard setbacks, staff recommend that Committee include a condition in their approval that the applicant enter into a Site Plan Agreement to insure the protection of the existing vegetation located at the rear of the proposed structure and also to include some minor buffering (small shrubs) within the areas between the proposed structure and the property to the east (Roll # 040-009-11200). This will have the effect of softening the appearance of this structure when viewed from the neighbouring property.

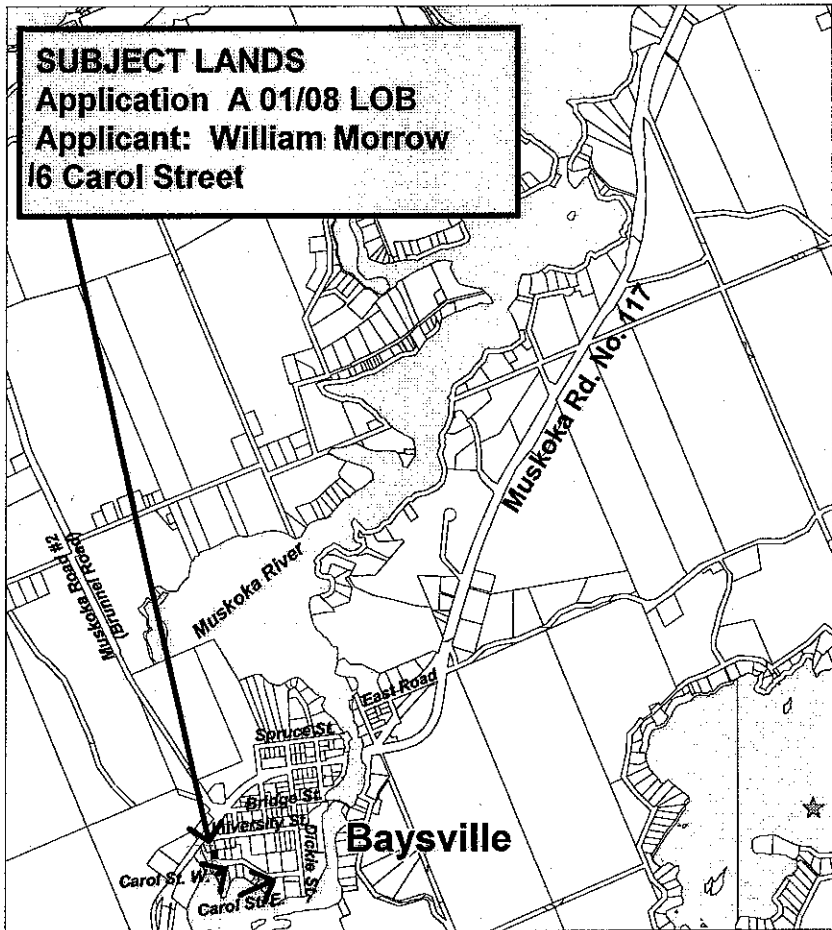
In view of the foregoing, as the proposed addition is relatively minor in nature and it generally conforms to the Township Official Plan, staff have no concerns with the approval of this application provided the applicant enter into a site plan agreement pursuant to Section 41 of the Planning Act 1990, R.S.O in order to preserve the existing vegetation and provide a modest buffer between the proposed development and the lot to the east in accordance with Section G.24 of the Township Official Plan.

Respectfully submitted by:



Stefan Szczerbak, M.Sc., RPP, MCIP
Planner

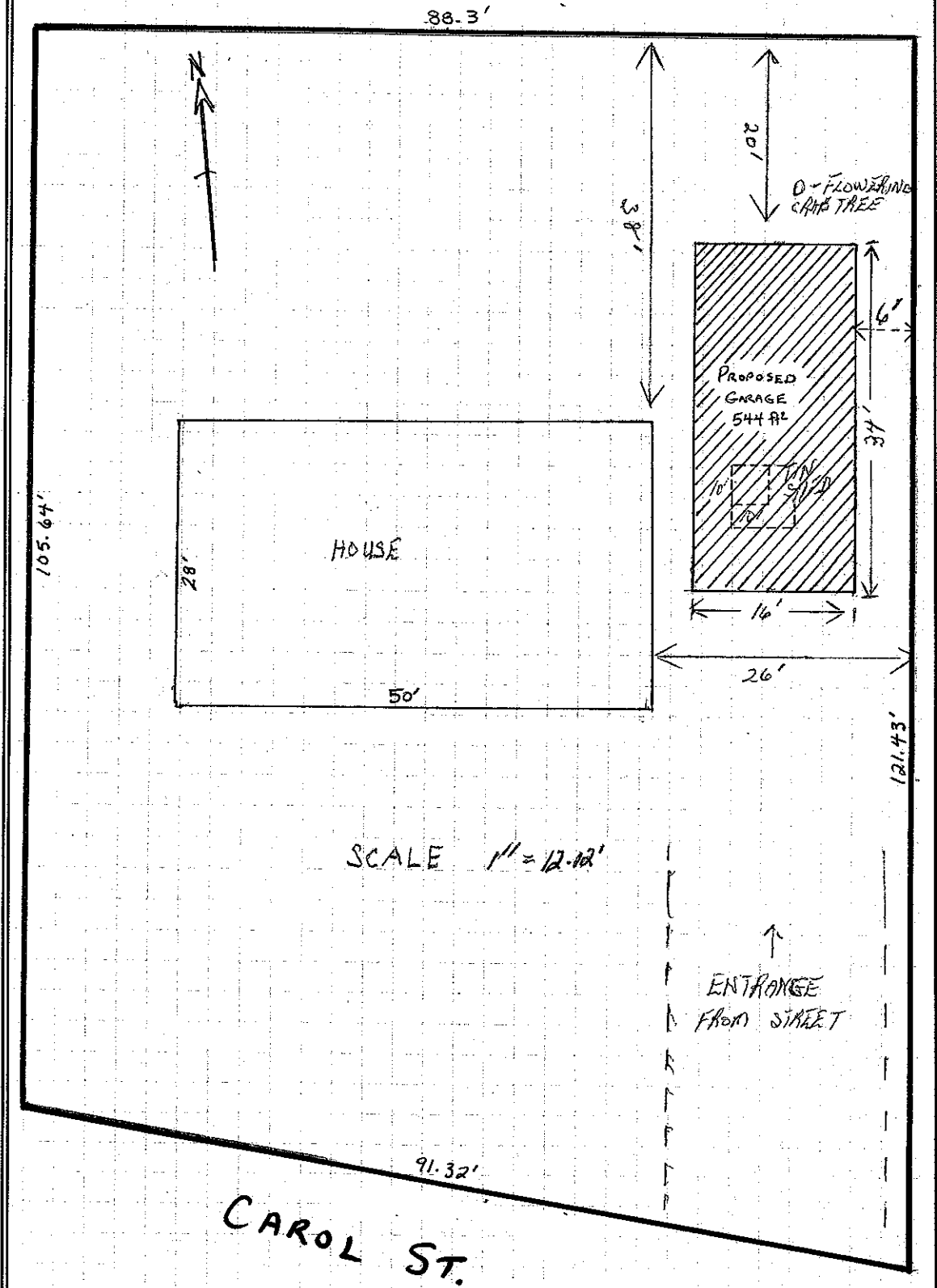
SUBJECT LANDS
Application A 01/08 LOB
Applicant: William Morrow
16 Carol Street



MINOR VARIANCE APPLICATION A.01/08 LOB

Applicant: William Morrow

Part Lot 17, Concession 7, McLean Ward



William Morrow
Box 106 Carol St.
Baysville, Ontario
P0B 1A0

Jan 12, 2008

Township of Lake of Bays
Dwight, Ontario

To Whom It May Concern:

I, William Morrow of #16 Carol Street Baysville Ont., am writing to ask permission for a building permit to construct a garage next to my house.

I have already spoken to the neighbours affected, and they are in full agreement of the plan. I am connected to the new water and sewer program. I have enclosed a brief sketch and plot plan of the proposed garage that I would like to construct. Although I am closer to the property lines than normally allowed, I would like to maintain the size of the garage. If need be, a minor variance could be applied for.

Thank you for considering my request.

Sincerely,

William Morrow

William Morrow