

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Elmdale Developments Limited**  
Report Number COA2018-029

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**Public Meeting**

**Meeting Date:** May 17, 2018  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward: 7 – Former Village of Bobcaygeon**

**Subject:** The purpose and effect is to permit the construction of a two-dwelling detached house with garage and deck on the subject property by requesting relief from:

1. Section 6.2(a) to reduce the minimum lot area for a full municipal serviced property from 700 square metres to 526.1 square metres; and
2. Section 6.2(i) to increase the maximum lot coverage from 30% to 37.8%.

The property is located at 21 Prince Street East, former Village of Bobcaygeon (File D20-2018-022).

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**Author:** Quadri Adebayo, Planner II

**Signature:**

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**Recommendations:**

**RESOLVED THAT** Report COA2018-029 Elmdale Developments Limited, be received;

**THAT** minor variance application D20-2018-022 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

- 1) **THAT** the construction of the dwelling related to this approval shall proceed generally in accordance with the sketch in Appendix “C” and elevations in Appendix “D” submitted as part of Report COA2018-029, which shall be attached to and form part of the Committee’s Decision. Any deviation from these specifications will require review by the City and may necessitate further approvals to be granted by the City and/or any other governing agency, body or authority, where applicable;
- 2) **THAT** prior to the issuance of a Building Permit, the owner shall obtain all necessary permits required by Engineering. This condition will be considered fulfilled once the owner submits to the Secretary-Treasurer

written confirmation from Engineering advising that the Municipal Service Connection Application process has been initiated and/or completed to its satisfaction; and

- 3) **THAT** the building construction related to the minor variances shall be completed within a period of twelve (12) 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/or upon the issuance of an Occupancy Permit.

**This approval pertains to the application as described in report COA2018-029. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

<b>Background:</b>	The subject property was created in 2010 through a consent process. The application proposes an infill development within an already developed residential neighbourhood by constructing a two-dwelling raised bungalow with an attached garage and deck. The current design comprises a single dwelling unit on the main floor, and a basement space that can be repurposed into a second dwelling unit in the future. This application was deemed complete April 19, 2018.	
Proposal:	To construct an approximately 126.3 square metres (1,359.48 square feet) two-dwelling raised bungalow consisting of an attached garage, basement and deck.	
Owner:	Elmdale Developments Limited – Shane Quibell	
Applicant:	Elmdale Developments Limited – Shane Quibell	
Legal Description:	Part Lot 8, West Helen Street, Part 2, Plan 70, former Village of Bobcatgeon, City of Kawartha Lakes	
Official Plan:	“Urban” – County of Victoria Official Plan	
Zone:	“Urban Residential Type Two (R2) Zone” – Village of Bobcaygeon Zoning By-law 16-78	
Site Size:	528.15 square metres (5,685 square feet)	
Site Servicing:	Municipal water and sewer	
Existing Uses:	Vacant	
Adjacent Uses:	North:	Residential
	South:	Residential
	East:	Residential
	West:	Residential

**Rationale:**

**1) Are the variances minor in nature? Yes**

**And**

**2) Is the proposal desirable and appropriate for the use of the land? Yes**

The proposed reduction in the minimum lot area requirements accounts for the intrinsic physical size of the property. A modest sized structure is being proposed in form of a raised bungalow and it appears to be able to fulfill the density requirements per the zoning provisions by maintaining the functionality of a two (2) dwelling structure. Also, the proposed house will be improving a vacant lot with an infill development which will be connected to full municipal water and sewer services. Therefore, no negative impacts are anticipated.

Considering the proposed increased lot coverage of 7.8% over the 30% maximum allowed, the house accounts for 30%, while the attached garage accounts for 2.8%, whereas the future shed will account for 1.7%. The remainder 3.3% lot coverage overage accounts for the deck, which is predicated by the by-law definitions to count towards maximum lot coverage because it is an above ground structure. Notwithstanding, the configuration of the building design, the massing appears to be complimentary with the prevailing residential character of the neighbourhood. As a result, in terms of scale, no adverse land use compatibility issues are anticipated.

Likewise, the proposed footprint of the house appears to be further away from the road than the building line setback established by the dwelling on the north side of the subject site. The reliefs requested for the dwelling are not anticipated to impact the function of the yards, as sufficient space remains between the proposed structure and the lot lines for maintenance and drainage purposes. Accordingly, sufficient space also remains within the proposed interior side yards to facilitate access to the rear yard from the front yard.

More so, it is not anticipated that there will be limitations to the available yard amenity and vegetative landscaping space as the proposed foot print provides for sufficient front yard setback from the road allowance and ensures sufficient driveway surface outside of the road allowance is available for parking.

Based on the above analysis, the variances are considered minor as well as desirable and appropriate for the use of the land.

**3) Do the variances maintain the intent and purpose of the Zoning By-law? Yes**

The 171.9 square metre relief from the 700 square metres minimum lot area required, and the 7.8% relief over the 30% maximum lot coverage required, proposed for the dwelling are not anticipated to impact their function as the scale, if granted, are not anticipated to be perceptible. Sufficient space remains within the side yards to facilitate access to the rear yard from the front yard.

Section 6.2 of the Village of Bobcaygeon Zoning By-law ensures that a review is done when development is proposed upon undersized lots to ensure the proposed construction is appropriate for the neighbourhood, and can be adequately serviced.

Considering the fact that the proposal has not fully exercised the zoning provision privileges, utilizing a 7.7 metre building height from a possible 11 metre maximum, increased side yards of 1.55 metres and 1.56 metres respectively on both sides where 1.2 metres minimum is required on either side, supplemented by a compliant front yard setback and shed location, the applicant has reasonably demonstrated that it is possible to develop the lot.

Therefore, the variances maintain the general intent and purpose of the Zoning By-Law.

**4) Do the variances maintain the intent and purpose of the Official Plan?**

**Yes**

As the Urban Settlement Area designation in the City's 2012 Official Plan is under appeal, the Urban designation of the Victoria County Official Plan (Official Plan) applies. The "Urban" designation predominantly anticipates low density residential uses, which can be accessed from major streets, and supported by adequate servicing.

In consideration of the above, the variances maintain the general intent and purpose of the Official Plan.

**Other Alternatives Considered:**

None.

**Servicing Comments:**

The property will be developed on full municipal services.

**Consultations:**

Notice of this application was circulated in accordance with the requirements of the *Planning Act*. Comments have been received from:

**Agency Comments:**

Engineering & Corporate Assets (May 8, 2018): No objection to the proposed variances. See comments.

**Public Comments:**

No comments as of May 8, 2018.

## Attachments:



Appendices A-E to  
Report COA2018-029

Appendix "A" – Location Map  
Appendix "B" – Aerial Photo  
Appendix "C" – Applicant's Sketch  
Appendix "D" – Elevations  
Appendix "E" – Department and Agency Comments

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<b>Phone:</b>	705-324-9411 ext. 1367
<b>E-Mail:</b>	qadebayo@kawarthalakes.ca
<b>Department Head:</b>	Chris Marshall
<b>Department File:</b>	D20-2018-022