

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Tom Grimes Construction Ltd.**  
Report Number COA2018-044

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**Public Meeting**

**Meeting Date:** July 19, 2018  
**Time:** 1:00 pm  
**Location:** Victoria Room, City Hall, 26 Francis St., Lindsay

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**Ward: 7 – Former Village Bobcaygeon**

**Subject:** The purpose and effect is to request relief from Section 6.2(a) to reduce the minimum lot area from 700 square metres to 495 square metres to facilitate the creation of a residential lot. The variance also affects the proposed retained residential lot. The proposed severed and retained lots each contain a semi-detached dwelling.

The variance is requested at 64-66 Helen Street, former Village of Bobcaygeon (File D20-2018-033).

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**Author: David Harding, Planner II**

**Signature:**

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**Recommendations:**

**RESOLVED THAT** Report COA2018-044 Tom Grimes Construction Ltd., be received;

**THAT** minor variance application D20-2018-033 for be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

- 1) **THAT** the variance shall apply to the proposed severed and retained portions of the subject property; and
- 2) **THAT** this minor variance shall be deemed to be refused if the related Application for Consent, D03-17-031, lapses.

**This approval pertains to the application as described in report COA2018-044**  
**Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.**

**Background:** On February 6, 2018, the Director of Development Services, as delegated by Council, granted provisional consent to file D03-17-031 to create an approximately 498 square metre residential lot with a semi-detached dwelling unit and retain an approximately 498 square metre residential lot with a semi-detached dwelling. Condition 2 of the provisional consent

approval requires a variance to the proposed severed and retained lots to recognize the reduced lot areas proposed.

This application was deemed complete June 6, 2018.

Proposal:	To ensure the two semi-detached dwelling units are each contained on their own approximately 8.84 metre (28.9 foot) x 56.4 metre (185 foot) residential lot.
Owner:	Tom Grimes Construction Limited
Legal Description:	Part Lot 10 West of Helen Street, Registered Plan 70, Part 1, 57R-10004, former Village of Bobcaygeon, City of Kawartha Lakes
Official Plan:	Urban within the County of Victoria Official Plan
Zone:	Urban Residential Two Special Ten (R2-S10) Zone within the Village of Bobcaygeon Zoning By-law 16-78
Site Size:	Severed: 498.5 square metres (5,365.8 square feet) Retained: 498.5 square metres (5,365.8 square feet)
Site Servicing:	Municipal water, sanitary sewer and storm water sewer supply
Existing Uses:	Residential (under construction)
Adjacent Uses:	North: Residential East: Residential South: Residential West: Residential, Commercial

#### **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 subject property is situated in an established residential neighbourhood. The buildings along this portion of Helen Street contain one to three dwelling units, and the majority of the buildings appear as single detached dwellings when viewed from the street.

There is some variation in lot frontages and great variation in age and size of housing stock, suggesting that development along this portion of the street has and continues to occur incrementally. This variation in lot frontage and building age provides Helen Street with a unique character.

The proposed severed and retained lots will contribute to this character by increasing the variation of lot frontages in the neighbourhood. Therefore, the variance is minor in nature.

**3) Does the variance maintain the intent and purpose of the Zoning By-law?**  
**Yes**

The subject property is zoned Urban Residential Type Two Special Ten (R2-S10) Zone within the Village of Bobcaygeon Zoning By-law 16-78. The Special Ten Zone permits townhouses in addition to single detached, semi-detached, duplex, triplex, and fourplex uses.

The zoning by-law intends for residential development within the neighbourhood to occur in forms ranging from single detached to fourplex and townhomes. When up to two dwelling units are proposed per lot, the minimum required lot area is 700 square metres, and the minimum lot frontage is 7.5 metres. This requirement permits the construction of the two semi-detached dwelling units on the subject property as the property as a whole has an area of 997 square metres, but does not permit them to be owned separately.

The proposed severed and retained lots exceed the minimum frontage requirement of 7.5 metres by each proposing 8.84 metres, and the dwelling unit on each proposed lot complies with the setback and lot coverage requirements. The proposed lots each have sufficient area to accommodate the two required parking spaces, and there is sufficient rear yard amenity space.

As the proposed severed and retained lots comply with all other R2-S10 Zone provisions save and except lot area, it is appropriate to separate the ownership of both semi-detached dwelling units from one another.

Therefore, the variance maintains the general intent and purpose of the Zoning By-Law.

**4) Does the variance 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 (VCOP) applies. As the subject property is within a neighbourhood that would be classified as Low Density Residential within VCOP, a broad range of low density residential uses ranging from single detached to fourplex are permitted within the Urban designation. Semi-detached uses are also anticipated within a Low Density Residential neighbourhood. A maximum density of 25 dwelling units per hectare is permitted within a Low Density Residential area. The lots to be severed and retained each propose a density of 20 dwelling units per hectare. The proposal meets the general intent and purpose of the VCOP as the density proposed is below the maximum permitted. The proposal also facilitates a more compact development form in keeping with current standards.

In consideration of the above the variance maintains the general intent and purpose of the Official Plan.

**Other Alternatives Considered:**

No other alternatives have been considered at this time.

**Servicing Comments:**

The property is serviced by 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:**

Building Division (July 6, 2018): No concerns.

**Public Comments:**

No comments as of July 9, 2018.

**Attachments:**

Appendices A-D to  
Report COA2018-044.

Appendix "A" – Location Map

Appendix "B" – Aerial Photo

Appendix "C" – Applicant's Sketch

Appendix "D" – Department and Agency Comments

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**Department Head:** Chris Marshall

**Department File:** D20-2018-033