

# The Corporation of the City of Kawartha Lakes

## Committee of Adjustment Report – Habitat for Humanity Peterborough & District

Report Number COA2019-031

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### Public Meeting

**Meeting Date:** July 18, 2019

**Time:** 1:00 pm

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

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### Ward: 2 – Former Village of Bobcaygeon

**Subject:** The purpose and effect is to request relief from Section 5.2 (b) to reduce the minimum lot frontage from 15 metres to 11.2 metres to permit the creation of two lots (severed and retained).

The variance is requested at 168 East Street North, former Village of Bobcaygeon (File D20-2019-022).

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**Author:** David Harding, Planner II

**Signature:**

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### Recommendation:

**Resolved That** Report COA2019-031 Habitat for Humanity Peterborough and District, be received;

**That** minor variance application D20-2019-022 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

### Conditions:

- 1) **That** the minor 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, D03-2019-019, lapses.

**This approval pertains to the application as described in report COA2019-031. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.**

**Background:** The owner has submitted consent application D03-2019-019 to be processed concurrently with the variance application. The consent application seeks to create two lots: the severed being about 507.02 square metres, and the retained being about 505.35 square metres.

**Owner:** Habitat for Humanity Peterborough and District

Applicant: Susan Zambonin, Habitat for Humanity Peterborough and District

Legal Description: Part Block W, Plan 29, former Village of Bobcaygeon, now City of Kawartha Lakes

Official Plan: Urban within the County of Victoria Official Plan

Zone: Urban Residential Type One (R1) Zone within the Village of Bobcaygeon Zoning By-law 16-78.

Site Size: Severed: 507.02 square metres  
Retained: 505.35 square metres

Site Servicing: Municipal water and wastewater systems

Existing Uses: Vacant Residential Land

Adjacent Uses: North: Residential  
South: Residential  
East: Residential/Commercial  
West: Residential

**Rationale:**

**1) Is the variance minor in nature? Yes**  
**And**

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

The neighbourhood is primarily residential in use, with some commercial businesses to the southeast. The residential buildings along this portion of the street appear to be single detached dwellings.

The single storey dwellings, see Appendix D for proposed general appearance, are proposed to be a width of approximately 8.5 metres (27.89 feet) and depth of 13.08 metres (42.9 feet). The proposed housing stock is in keeping with the width of many of the other dwellings (civic numbers 139, 147, 158, 159, 163, 164, 172 East Street North and 46 Taylor Street) in the neighbourhood, which have front wall widths between 6.7 metres (22 feet) and 9.14 metres (30 feet). The majority of dwellings along this portion of the street are also single or 1.5 storey buildings.

There is a great degree of variation in lot frontages along this portion of East Street North. Lot frontages range from approximately 15 metres to 35.9 metres. Permitting two lots with approximately 11.2 metres of frontage is in keeping with the varied lot frontages along this street.

Due to the two paragraphs above, the neighbourhood can be classified as having the characteristics of modestly sized dwellings on lots of varying frontages.

The lots are anticipated to have a rear yard depth of approximately 21 metres (68.8 feet). As such, it is anticipated that there will remain sufficient amenity space within the rear yard for the occupants of the dwellings.

The application proposes two modestly sized dwellings on lots with modest frontages, and is thus proposing lots and a built form that is in keeping with the established character of the neighbourhood.

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

The subject property is zoned Urban Residential Type One (R1) Zone within the Village of Bobcaygeon Zoning By-law 16-78.

The intent of the zoning by-law is to, amongst other matters; regulate the general character of the neighbourhood by protecting building setbacks and general lot dimensions and to ensure sufficient spatial separation between buildings to avoid adverse land use conflicts. The zoning by-law intends for residential development within the neighbourhood to occur in the form of single detached dwellings, as this is the highest form of residential density permitted in the R1 Zone.

The reduced frontage does not prevent the construction of a single detached dwelling on each proposed parcel built in conformity with all applicable yard and coverage provisions. The sketch prepared by the applicant indicates that only surface parking is proposed, and that the dwellings will be single storey. Therefore, no garage bay doors are proposed to face the street. As such, only dwelling windows and the entry doors will face the street, which adds character to the street by increasing visual interest and compliments the established built form: very few dwellings within this neighbourhood were observed to contain attached or detached garages.

The majority of dwellings within the immediate area are single or 1.5 storey buildings. The proposal will present a scale and form consistent with what is established on the street.

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 Bobcaygeon Secondary Plan is under appeal, the County of Victoria Official Plan is in effect.

The subject lands are designated Urban in the Official Plan, which anticipates a wide assortment of land uses within this designation. Residential uses, as a critical component of complete communities, are also anticipated in a variety of densities. Residential development in the form of single detached dwellings is permitted within low density residential areas provided the density does not exceed 25 dwelling units per hectare. The severed and retained lots propose a density of approximately 19.73 and 19.81 dwelling units per hectare.

The proposal conforms with the applicable Official Plan policies.

**Other Alternatives Considered:**

Other built forms in the form of two semi-detached dwellings or three townhouse units were considered by the applicant. These would have resulted in a more substantial change to the proposed built form of the neighbourhood and would have required a zoning by-law amendment application.

**Servicing Comments:**

Municipal water and wastewater services are present in the municipal road allowance.

**Consultations:**

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

**Agency and City Comments:**

Development Engineering Division (July 5, 2019): No concerns.

Building Division (July 4, 2019): No concerns.

**Public Comments:**

None received as of July 9, 2019. Please see Report COA2019-048 for comments pertaining to the related consent application D03-2019-019.

**Attachments:**



Appendices A-E to  
Report COA2019-031.

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant’s Sketch

Appendix D – Elevation Drawings Depicting General Appearance of Dwellings

Appendix E – Department and Agency Comments

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**Department Head:** Chris Marshall, Director of Development Services  
**Department File:** D20-2019-022