

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Barbara King and Bela Albert
Report Number COA2021-039

Public Meeting

Meeting Date: June 17, 2021
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward: 2 – Former Village of Bobcaygeon

Subject: The purpose and effect is to request relief from Section 5.2 (f) to increase the maximum lot coverage from 30% to 35.9% to permit the construction of a single detached dwelling and attached covered deck.

The variance is requested at 68 Cedartree Lane, former Village of Bobcaygeon (File D20-2021-030)

Author: Kent Stainton, Planner II

Signature: 

Recommendations:

Resolved That Report COA2021-039 King/Albert, be received;

That minor variance application D20-2021-030 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C and generally in accordance with the elevations in Appendix D submitted as part of Report COA2021-039, which shall be attached to and form part of the Committee's Decision; and
- 2) **That** the building construction related to the minor variances 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 COA2021-039. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.

Background: The applicant underwent a pre-screening associated with the application for which a meeting was held to discuss the proposal on April 1, 2021.

The application was deemed complete on April 15, 2021.

Proposal: To construct a new 197 square metre (2,120.5 square feet) 1.5 storey detached dwelling with attached 2-car garage and a 38 square metre (409 square feet) covered deck in the rear yard.

Owners: Barbara King and Bela Albert

Legal Description: 68 Cedartree Lane, Lot 89, Plan 626, former Village of Bobcaygeon, City of Kawartha Lakes

Official Plan: Urban within the Victoria County Official Plan (VCOP)

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

Site Size: 655.2 square metres (7,052.5 square metres)

Site Servicing: Municipal Water and Sanitary Systems

Existing Uses: Vacant Land (Residential)

Adjacent Uses: North: Vacant Lands (future residential)
South, East, 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 subject property is an in-fill lot situated in a quiet residential neighbourhood containing single detached dwellings. The subject property appears to be the last vacant residential lot within the neighbourhood. As a result, the subject property is surrounded by single detached dwellings consisting primarily of bungalows with walkout basements. There is cedar forest to the south of the lot, which is associated with a residential lot on nearby Riverside Drive. The built form in the neighbourhood takes advantage of sloping terrain from north-to-south resulting in 1.5 storey designs. As a result of the topography and rocky terrain, the rear yard is unusable; hence, the incorporation of amenity space in the form of the attached covered deck to the rear.

The proposal will allow for a dwelling with additional living space and a two-car garage to be created. As the rear yard is not conducive to constructing utilitarian storage buildings, the additional space is sought in the form of an extra bay on the garage. The rear yard setback will be in excess of 8.4 metres

from the covered deck projection. The minimum required is 7.5 metres. The rear yard transitions into an area regulated by Kawartha Conservation, which is unsuitable for development.

The proposed increase in lot coverage is not anticipated to be perceptible, as the scale of built form will not change when viewed from Cedartree Lane in conjunction with the adjacent residential lots.

Due to the above analysis, the variance is minor in nature and 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 subject property is within the "Urban Residential Type One (R1) Zone" within the Village of Bobcaygeon Zoning By-law 16-78. The R1 Zone permits single detached dwellings and accessory uses.

The lot coverage requirement ensures a sufficient degree of landscaped open space is maintained and to control more technical aspects of development such as storm water management. The side yard setbacks proposed comply with the Zoning By-law in order to ensure the safe conveyance of runoff. The Development Engineering Division has advised they have no concerns with the proposal. Also, adequate outdoor amenity space is being created in the form of the covered deck.

Therefore, the variance maintains 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 Bobcaygeon Secondary Plan part of the City of Kawartha Lakes Official Plan is under appeal, the Victoria County Official Plan (VCOP) applies.

The lands are designated "Urban" within the Official Plan. The subject property is within a neighbourhood that would be classified as Low Density Residential. Low density residential uses include single detached dwellings. In consideration of the above, the variances maintain 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 municipal sewer, water, and storm water systems.

Consultations:

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

Agency Comments:

Development Engineering and Corporate Assets Division (June 7, 2021): No objections.

Building and Septic Division (June 4, 2021): The Building and Plans Examiner has No concerns with the proposal.

Public Comments:

No comments received as of June 9, 2021

Attachments:



Appendices A-E for
COA2021-039.pdf

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch (Site Plan)
Appendix D – Applicant's Drawings (Elevations)
Appendix E – Department and Agency Comments

Phone:	705-324-9411 extension 1367
E-Mail:	kstainton@kawarthalakes.ca
Department Head:	Richard Holy, Acting Director of Development Services
Department File:	D20-2021-030

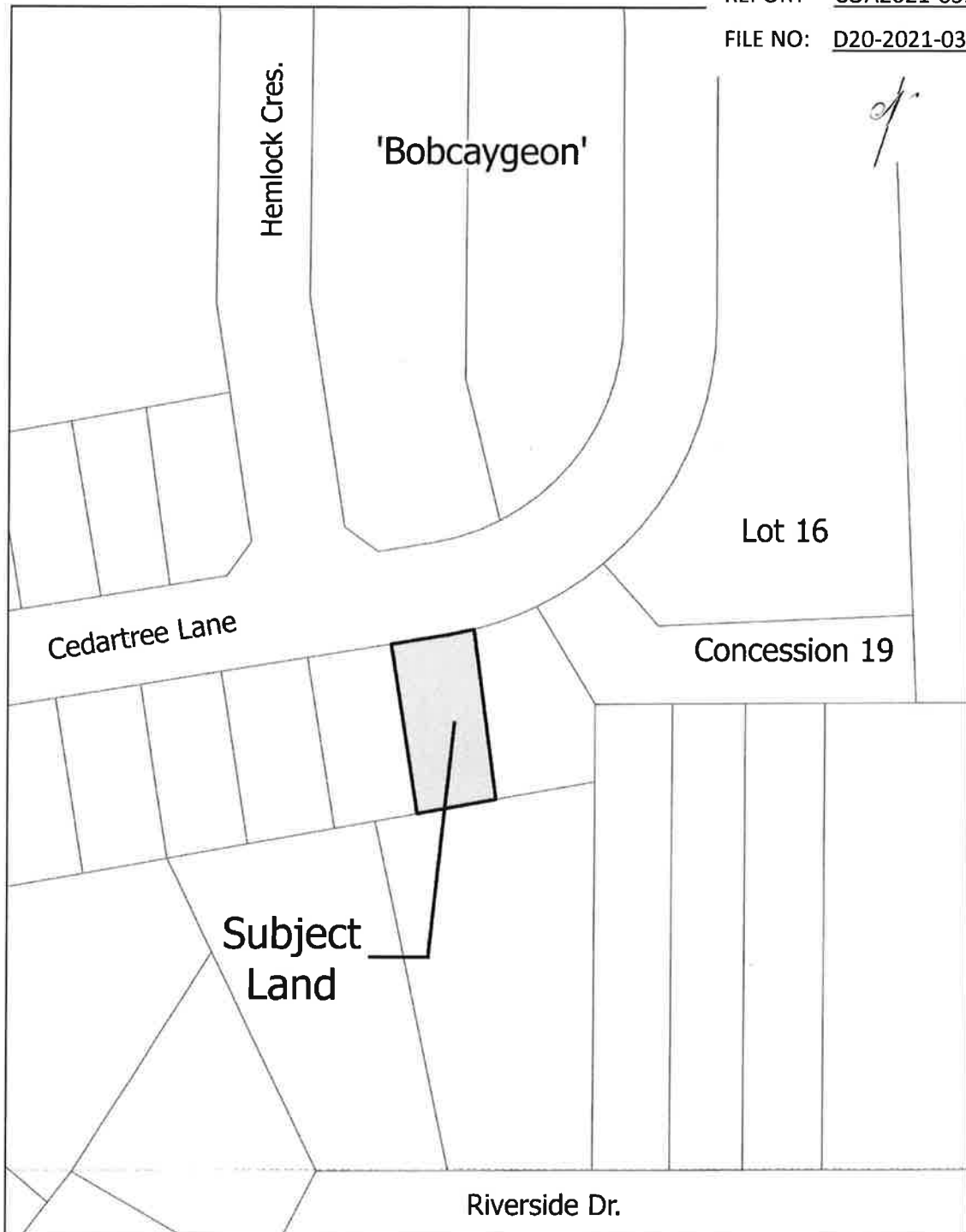
D20-2021-030

APPENDIX " A "

to

REPORT COA2021-039

FILE NO: D20-2021-030



68 Cedartree Lane, former Village of Bobcaygeon



Legend

- ☐ Property Roll Number
- ☐ Lots and Concessions

Notes

Notes

APPENDIX " B "

to

REPORT COA2021-039

FILE NO: D20-2021-030

0.06 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere

© City Of Kawartha Lakes



This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.

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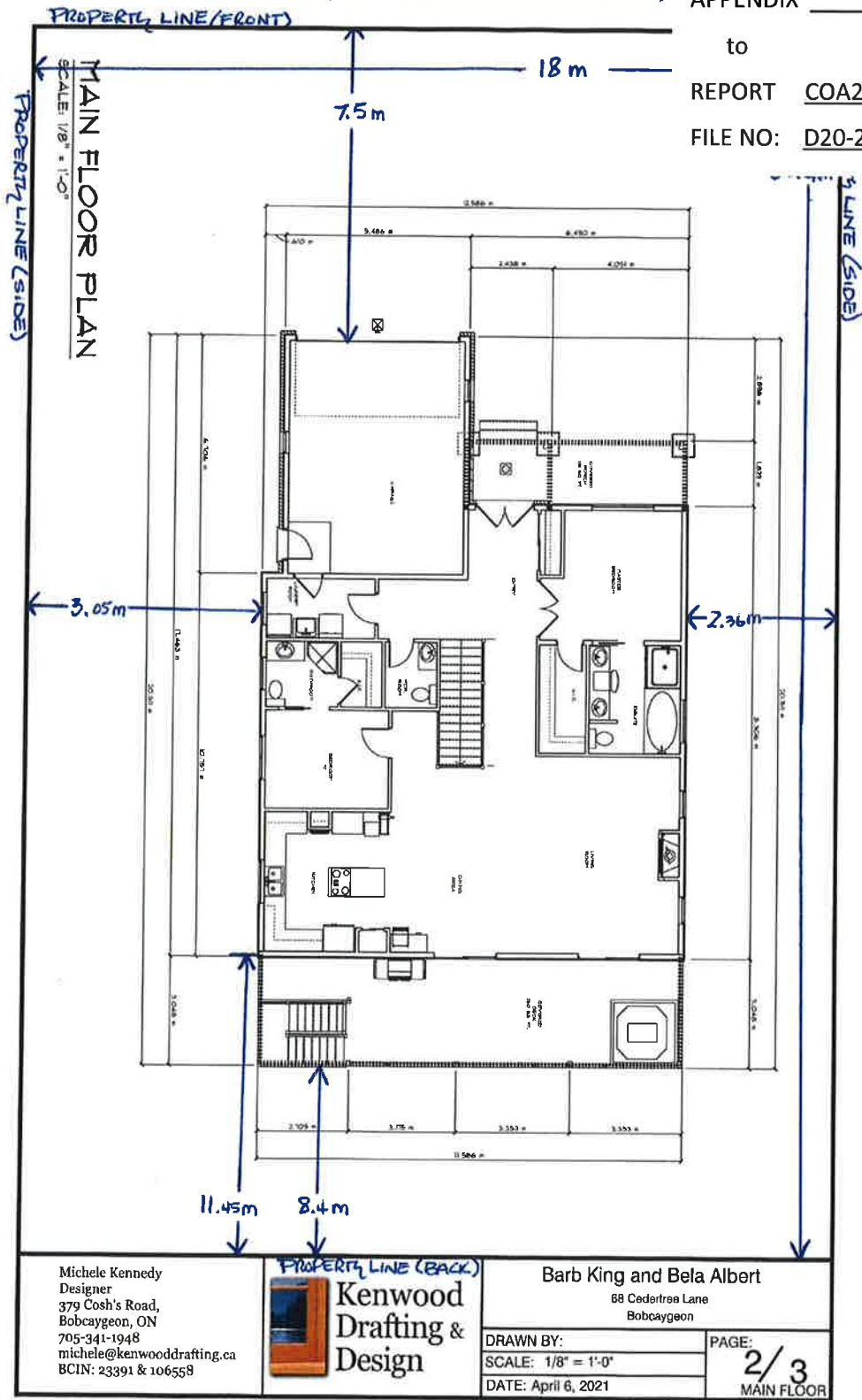
CEDARTREE LANE (MUNICIPAL ROAD)

APPENDIX " C "

to

REPORT COA2021-039

FILE NO: D20-2021-030



APPENDIX " D "

to

REPORT COA2021-039

FILE NO: D20-2021-030



Michele Kennedy
Designer
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BCIN: 23391 & 106558



**Kenwood
Drafting &
Design**

Barb King and Bela Albert

68 Cedertree Lane
Bobcaygeon

DRAWN BY:
SCALE: As Noted
DATE: April 6, 2021

PAGE:
3/3
ELEVATIONS

Kent Stainton

From: Kim Rhodes
Sent: Monday, June 7, 2021 1:02 PM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead
Subject: 20210507 D20-2021-030 - Engineering review

APPENDIX " E "
to

Please see the message below from Christina Sisson:

REPORT COA2021-039

FILE NO. D20-2021-030

Good afternoon Mark – further to our engineering review of the following:

Minor Variance – D20-2021-030
68 Cedartree Lane
Lot 89, Plan 626
Former Village of Bobcaygeon

It is the understanding by Engineering that the purpose and effect of the application is to request relief from Section 5.2 (f) in order to increase the maximum lot coverage from 30% to 35.9% to facilitate the construction of a new single detached dwelling and attached deck.

From an engineering perspective, we have no objection to the proposed Minor Variance.

Please do not hesitate to contact our office if you have any questions.

Thanks,

Christina

Christina Sisson, P.Eng.
Supervisor, Development Engineering
Lean Six Sigma Black Belt
Engineering & Corporate Assets, City of Kawartha Lakes
705-324-9411 ext. 1152 (office) 705-878-3186 (mobile) www.kawarthalakes.ca



Our office is closed to the public. Please note all courier packages and mail must be directed to City Hall, 26 Francis Street, Box 9000, Lindsay, ON, K9V 5R8.

Kent Stainton

From: Derryk Wolven
Sent: Friday, June 4, 2021 11:07 AM
To: Charlotte Crockford
Subject: RE: D20-2021-030, Notice of Public Hearing for Minor Variance, 68 Cedartree Lane, Bobcaygeon

Building division has no concerns with the above noted application.

Derryk Wolven
Plans Examiner
City of Kawartha Lakes
705-324-9411 ext 1273
www.kawarthlakes.ca



From: Charlotte Crockford
Sent: Wednesday, June 2, 2021 4:36 PM
To: 'Erin McGregor'; Christina Sisson; Kim Rhodes; Amber Hayter; Kathleen Seymour-Fagan; Susanne Murchison; Derryk Wolven
Subject: D20-2021-030, Notice of Public Hearing for Minor Variance, 68 Cedartree Lane, Bobcaygeon

Good afternoon

Please find attached D20-2021-030, Notice of Public Hearing for Minor Variance, 68 Cedartree Lane, Bobcaygeon.

Many thanks

Charlotte Crockford
Administrative Assistant
Planning Department, City of Kawartha Lakes
705-324-9411 ext. 1231 www.kawarthalakes.ca

