

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – City of Kawartha Lakes
Report Number COA2021-044

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 9.2(c) to reduce the minimum rear yard requirement from 9 metres to 2.8 metres to permit an addition to the building

The variance is requested at 123 East Street South, former Village of Bobcaygeon (File D20-2021-035).

Author: David Harding, Planner II, RPP, MCIP

Signature:



Recommendation:

Resolved That Report COA2021-044 City of Kawartha Lakes, be received;

That minor variance application D20-2021-035 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 submitted as part of Report COA2021-044, which shall be attached to and form part of the Committee's Decision; and
- 2) **That** the owner shall provide the Secretary-Treasurer with a letter from the Planning Division declaring that the site plan process is complete 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 approval pertains to the application as described in report COA2021-044. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background: The two storey building, known as the Bobcaygeon Municipal Service Centre is undergoing renovations on its second floor. The renovations will allow the second floor to become the site

of the new Bobcaygeon Library. As part of the renovations, an approximately 119.6 square metre addition is proposed to the south side of the building.

The property is concurrently undergoing site plan review, File D19-2020-009. This variance was identified as part of that review.

This application was deemed complete May 27, 2021.

- Proposal: To permit an approximately 11.2 metre x 10.7 metre addition.
- Owner: City of Kawartha Lakes
- Applicant: Narges Dehghani – AECOM
- Legal Description: Part Block C, Plan 70, Part 1, 57R-1441, former Village of Bobcaygeon, City of Kawartha Lakes
- Official Plan: Urban within the Victoria County Official Plan
- Zone: Open Space Special Use (O2) Zone within the Village of Bobcaygeon Zoning By-law 16-78
- Site Size: 3,770 square metres (40,580 square feet)
- Site Servicing: Municipal water and wastewater
- Existing Uses: Municipal Service Centre
- Adjacent Uses: North, West: Commercial, Residential
South, East: 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 subject property is situated at the eastern edge of Bobcaygeon's core business area. The property is triangular in shape and bordered on all sides by roads: King Street East to the north, East Street South to the east, and Kingsway Drive to the southwest. The two streets are high traffic roads and the drive is a cul-de-sac.

The current building is 7.8 metres from the rear lot line. There is also an armour stone retaining wall and landscaping that separates the property from Kingsway Drive and East Street South. The grade is higher on the east and south sides of the property in order to provide ground level access to the second floor of the building along the east and south walls. Due to the building's elevated height caused by grade change on the east and south sides of the site, as well as the

location of the building at the southwestern corner of a high traffic intersection, the building is visually prominent and acts as a local landmark.

As Kingsway Drive runs diagonally, the building and its addition are at an angle to the road. Due to this angle, only a corner of the building will utilise the full extent of the requested relief, and no wall face will run parallel to the lot line bordering Kingsway Drive. Due to the building's existing prominence, massing impacts are already established along this drive. Further adverse massing impacts on Kingsway Drive are anticipated to be minimal.

Further, as no outside access is proposed from the addition, the addition will not bring site activity any closer to Kingsway Drive than is already established. However, the addition may result in the increased use of the existing south entrance and/or parking lot as the library use will increase the functionality of the second storey. The library use will consolidate municipal services within a municipal building where capacity exists to accommodate additional municipal operations.

Due to the above analysis, the variance is minor in nature and desirable and appropriate for the use of the land.

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

The subject property is zoned Open Space Special Use (O2) Zone within the Village of Bobcaygeon Zoning By-law 16-78. Municipal buildings and uses, including libraries, are permitted within the O2 Zone.

The intent of the rear yard setback is to provide sufficient spatial separation between the institutional and recreational uses permitted within the O2 Zone and the land uses on abutting properties. This spatial separation may provide a buffer between abutting properties and uses as well as provide sufficient space to carry out permitted uses on subject property.

The location and configuration of this property is unique, as it does not abut any other properties, being surrounded on all sides by roads. For this reason, the road allowances serve as the subject property's buffer from surrounding land uses more than setbacks to the lot lines can. Further, the property does not require all of its rear yard to carry out its existing and proposed uses. While a portion of the rear yard will contain the addition, the rear yard also contains landscaped open space, building access, and parking area to compliment its municipal functions. These features and functions are being retained.

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 City of Kawartha Lakes Official Plan as it applies to the Bobcaygeon Urban Settlement Area has been appealed to the Ontario Land Tribunal, the Victoria County Official Plan (Official Plan) applies. The property is designated

Urban within the Official Plan. A broad range of uses are permitted in this designation, including institutional uses. The property is also along a portion of King Street where General Commercial uses, which includes civic and institutional uses, is encouraged as part of Bobcaygeon's core business area.

The application proposes an expansion to an existing institutional use, which will allow for the increased use of the site. 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 water and wastewater systems.

Consultations:

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

Agency Comments:

Building and Septic Division – Building Branch (June 4, 2021): No concerns.

Development Engineering Division (June 4, 2021): No concerns.

Public Comments:

No comments received as of June 8, 2021.

Attachments:



Appendices A-D to
COA2021-044

Appendix A – Location Map

Appendix B – Aerial Photo

Appendix C – Applicant's Sketch

Appendix D – Department and Agency Comments

Phone: 705-324-9411 extension 1206

E-Mail: dharding@kawarthalakes.ca

Department Head: Richard Holy, Acting-Director of Development Services

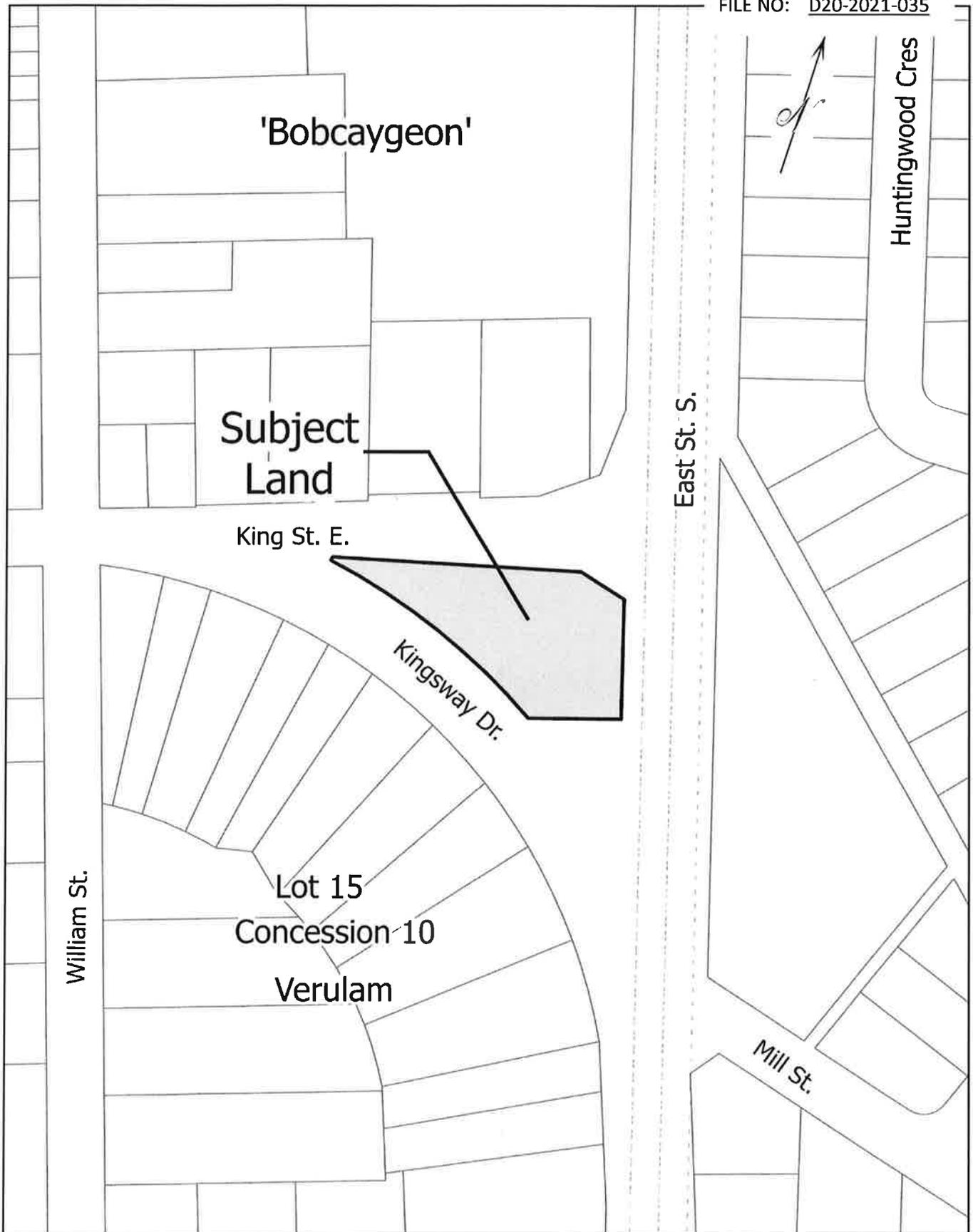
Department File: D20-2021-035

D20-2021-035

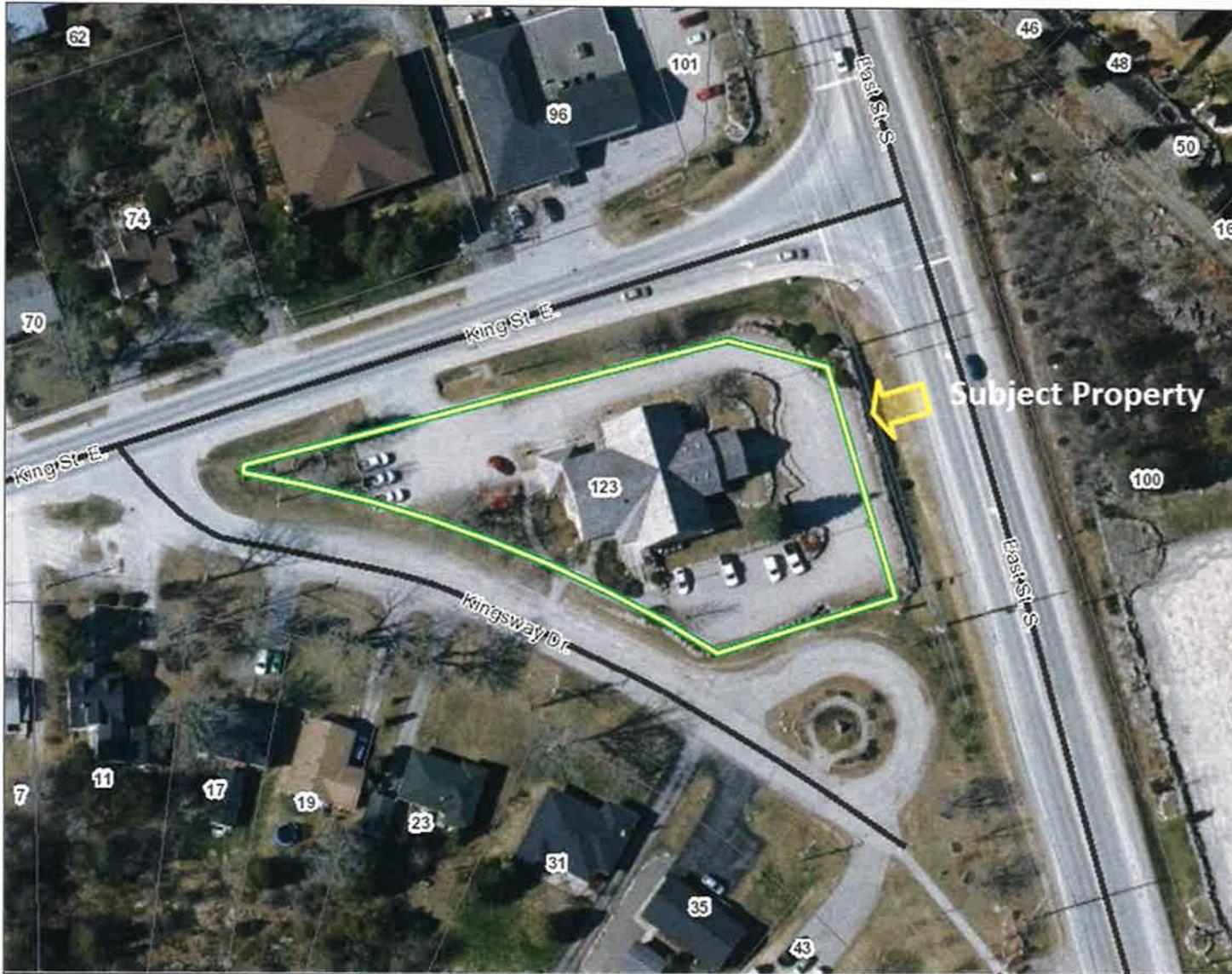
APPENDIX " A "

to
REPORT COA2021-044

FILE NO: D20-2021-035



123 East Street South, former Village of Bobcaygeon



0.07 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.

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

APPENDIX " B "
to
REPORT COA2021-044
FILE NO: D20-2021-035

David Harding

APPENDIX " D "

to

From: Kim Rhodes
Sent: Friday, June 4, 2021 10:07 AM
To: Mark LaHay
Cc: Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead
Subject: 20210602 D20-2021-035 - Engineering review

REPORT COA2021-044

FILE NO. D20-2021-035

Please see the message below from Christina Sisson:

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

Minor Variance – D20-2021-035
123 East Street
Part Block C, Plan 70, Part 1, 57R-1441
Former Village of Bobcaygeon

It is the understanding by Engineering that the purpose and effect is to request relief from Section 9.2(c) to reduce the minimum rear yard requirement from 9 metres to 2.8 metres to permit an addition to the building.

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.

David Harding

From: Derryk Wolven
Sent: Friday, June 4, 2021 10:45 AM
To: Charlotte Crockford
Subject: RE: D20-2021-035, Notice of Public Hearing for Minor Variance, 123 East Street, Bobcaygeon

Building division has no concerns

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



with the above noted application.

From: Charlotte Crockford
Sent: Wednesday, June 2, 2021 5:01 PM
To: Christina Sisson ; Kim Rhodes ; Amber Hayter ; Kathleen Seymour-Fagan ; Susanne Murchison ; Derryk Wolven
Subject: D20-2021-035, Notice of Public Hearing for Minor Variance, 123 East Street, Bobcaygeon

Good afternoon

Please find attached D20-2021-035, Notice of Public Hearing for Minor Variance, 123 East Street, Bobcaygeon.

Many thanks

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



Please note: The Development Services offices at 180 Kent St W, Lindsay remain closed to public access, however, all services continue to be provided and staff are available by telephone or email during regular business hours.