

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Labiod
Report Number COA2022-057

Public Meeting

Meeting Date: August 18, 2022
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 6 – Geographic Township of Verulam

Subject: The purpose and effect is to facilitate the re-construction of a residential dwelling.

Relief sought:

- 1) In addition to the minimum front and exterior side yard setbacks of 7.5 metres, Section 5.18 of the By-law requires an additional 10 metre setback from the centre of the road allowance; the proposed additional setback is 0 metres (3.02 metres).
- 2) Section 8.2 requires a minimum interior side yard setback of 1.8 metres; the proposed setback is 1.46 metres.

The variance is requested at **8 Lenal Street** (File D20-2022-050).

Author: Leah Barrie, RPP, Manager of Planning

Signature:



Recommendations

That Report COA2022-057 – Labiod, be received;

That minor variance application D20-2022-050 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

- 1) **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C and D submitted as part of Report COA2022-057, which shall be attached to and form part of the Committee's Decision; and,
- 2) **That** building construction related to the minor variance 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 COA2022-057. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	To facilitate the re-construction of a residential dwelling
Owner:	Saddek Labiod
Applicant:	Same as Owner
Legal Description:	Part Lot 9, Concession 2 (being Lot 45, Plan 156)
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Residential Type One 'R1' (Township of Verulam Zoning By-law 6-87)
Site Size:	529.5 sq m (5,700 sq ft)
Site Access:	Municipal, maintained road
Site Servicing:	Private individual well and holding tank
Existing Uses:	Residential
Adjacent Uses:	Residential

Rationale

The variance is desirable for the appropriate development or use of the land, building or structure.

The existing neighbourhood in the Thurstonia community is predominantly single detached dwellings, ranging from bungalow to two-storey housing profiles. The existing lot fabric is comprised of both single- and double-wide lots within the original plan of subdivision.

The undersized, single- corner lot had previously contained a single-storey frame dwelling prior to its demolition in the last year. The owner proposes to redevelop the lot with a two-storey detached dwelling to maximize its potential while upholding the principle zone provisions and development standards.

¹ See Schedule 1

² See Schedule 2

The variance maintains the general intent and purpose of the Official Plan.

The redevelopment of the lot replicates the previous housing density and is permitted in the Waterfront designation; performance and siting criteria is implemented through the Zoning By-law.

Transportation policies identify that Local roads provide access to lots, serve low volumes of traffic and are generally 20 m in width. The surrounding street network is well below this standard. The existing built form limits road widening opportunities.

The variance maintains the general intent and purpose of the Zoning By-law.

The current R1 zone provisions do not reflect older plans of subdivision including the subject Plan 156. New lot creation in the R1 zone would require a minimum lot area of 2,050 sq m and a minimum lot frontage of 36 m; the subject lot is a third the size with half the frontage (17.37 m) which limits the building envelope, that must also accommodate individual servicing infrastructure. The proposed dwelling has been designed to achieve the R1 performance standards, save for the reduced interior side yard setback by 0.34 m (1.1 ft) which is both indiscernible to the eye from the street, and still provides for passage, maintenance and repairs through the yard space.

If the front and exterior side yard setbacks were applied in this, and like-sized, lots, there would be no building envelopes as a result. The surrounding built form encroaches into the street setback, as did the previous dwelling prior to its demolition.

Street setback provisions appear to have been written on the premise that, should a road allowance be of a non-standard width for its classification, that built form be adequately set back from it in the event the municipality acquired a road widening. The municipality does not seek road widening through either of the adjacent road allowances (Lenal, Silver Birch).

The variance is minor in nature.

There are no anticipated impacts on environmental features; neighbouring properties; or, the function of the municipal right-of-way with respect to access, drainage, or streetscaping and maintenance.

Other Alternatives Considered:

Not applicable.

Consultation Summary

Notice of this application was circulated in accordance with the requirements of the Planning Act.

Agency Comments:

No concerns or objections received as of the writing of the staff report.

PW-Roads: "No concerns with reducing the setbacks for the dwelling. Public Works would prefer the holding tank to be held to the noted setback [3 m]."

Public Comments:

No comments received as of the writing of the staff report.

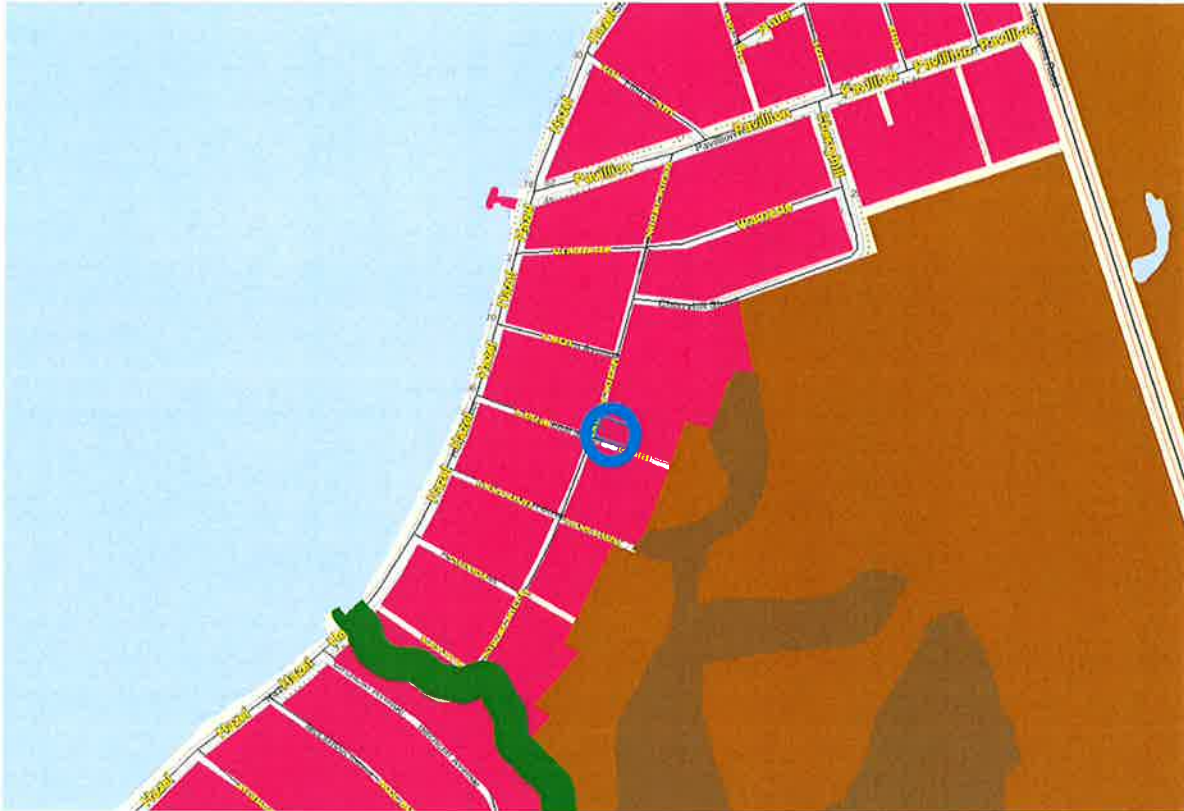
Attachments

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch
Appendix D – Elevation, Floor plan
Appendix E – Survey

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E-Mail:	lbarrie@kawarthalakes.ca
Department Head:	Richard Holy, Director of Development Services
Division File:	D20-2022-050

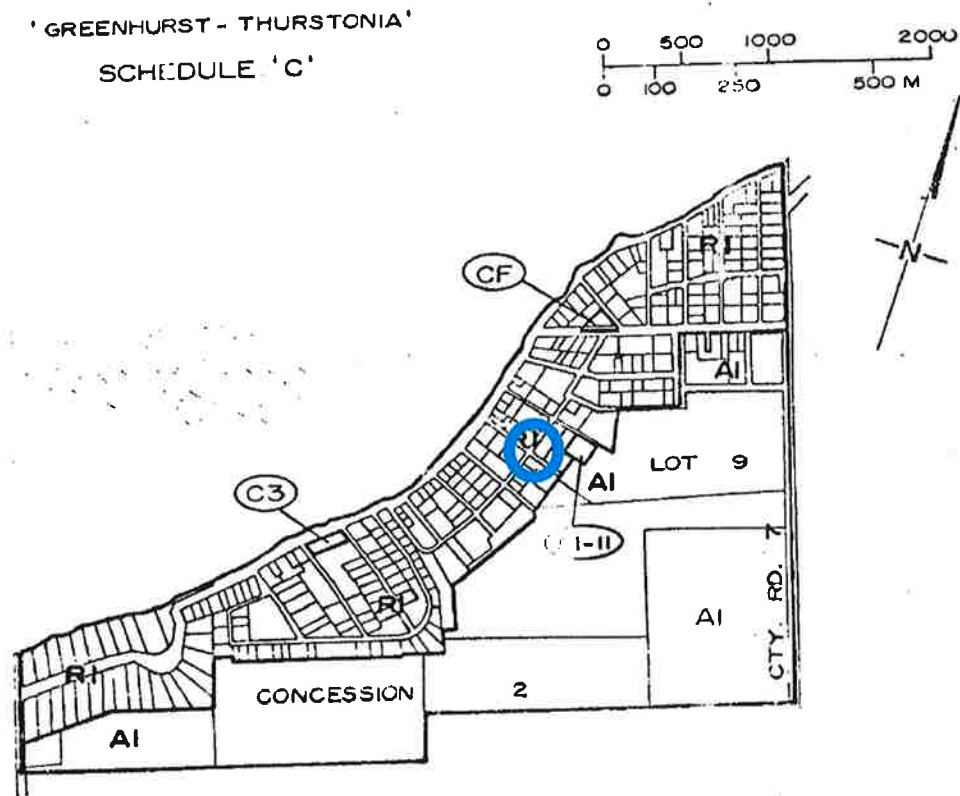
Schedule 1 Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



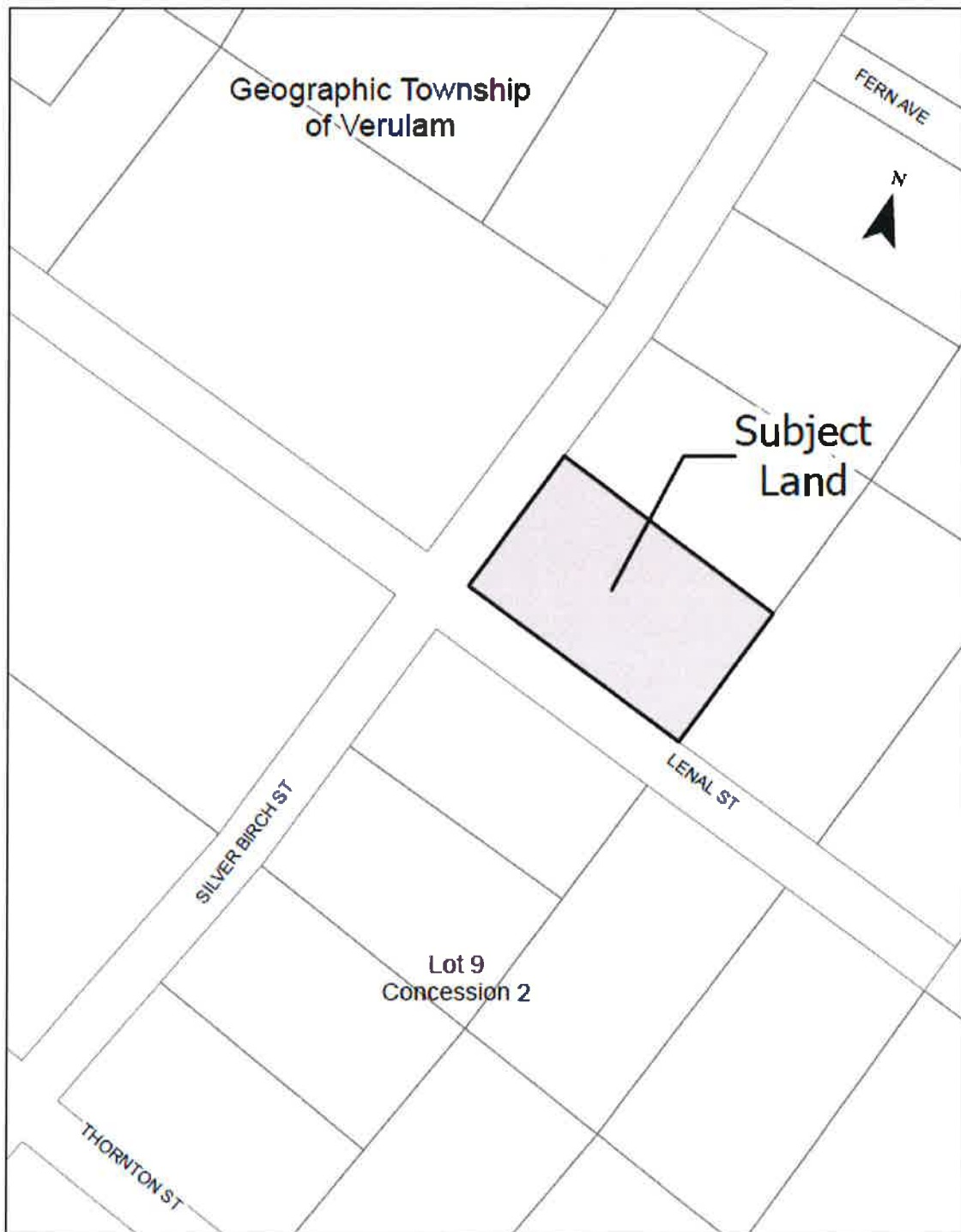
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28.6 Waterfront Designation
Transportation

Township of Verulam Zoning By-law 6-87



Section 8 Residential Type One (R1) Zone
5.18 Setbacks

LOCATION MAP



to

REPORT COA2022-057

FILE NO: D20-2022-050

AERIAL PHOTO



[illegible]

to

REPORT COA2022-057

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ELEVATION, FLOOR PLAN

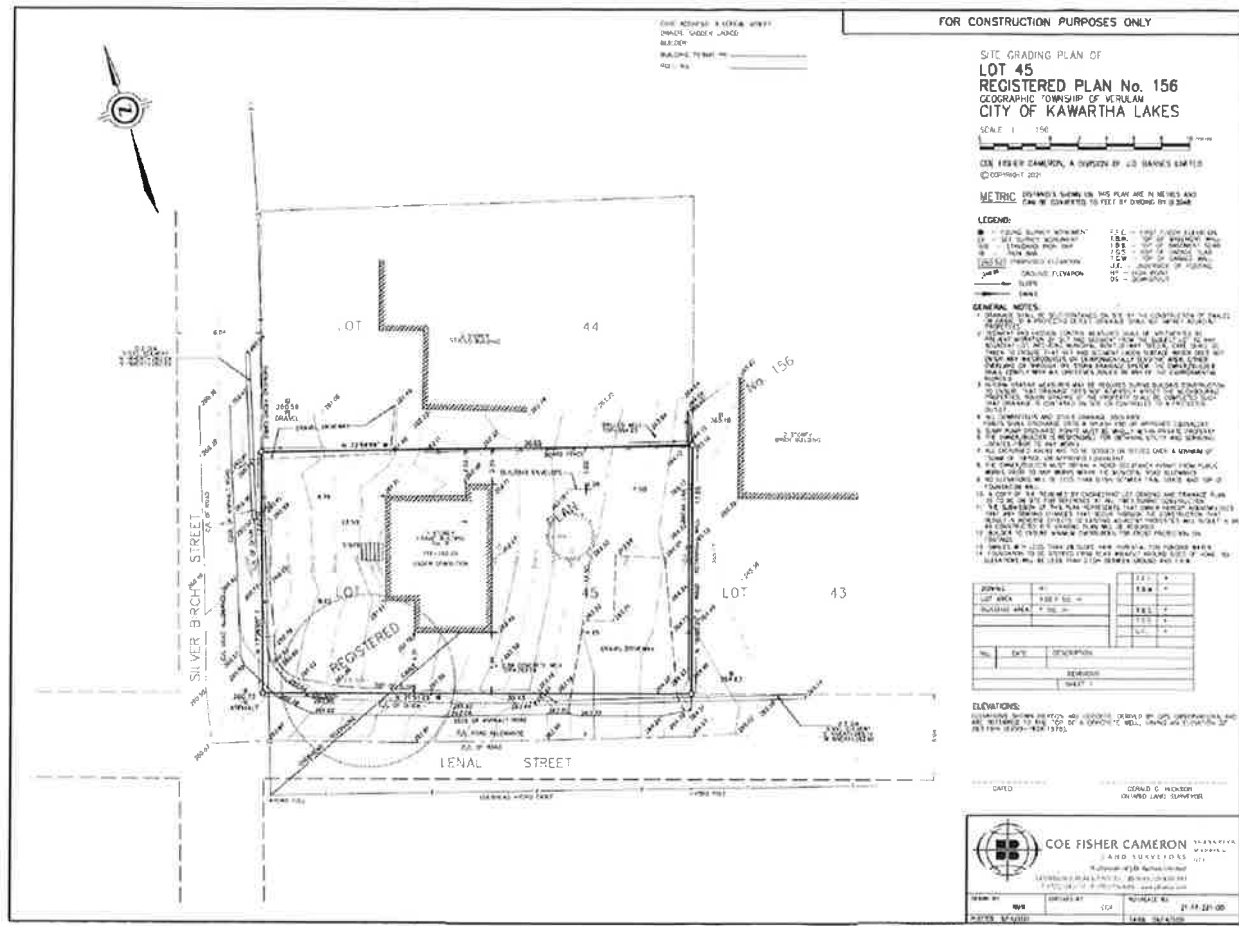


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SURVEY



***Pre-demolition condition**