

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – 1447147 Ontario Inc.**  
Report Number COA2020-050

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**Public Meeting**

**Meeting Date:** November 26, 2020  
**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 the following provisions to permit the construction of a single detached dwelling and accessory dwelling unit:

1. Section 5.2(c) to reduce the minimum front yard from 7.5 metres to 5.8 metres,
2. Section 5.2(e) to reduce the minimum rear yard from 7.5 metres to 5.8 metres; and
3. Section 5.2(f) to increase the maximum lot coverage from 30% to 31.6%

The variances are requested on Vacand Land on King Street East, former Village of Bobcaygeon (File D20-2020-042).

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**Author:** David Harding, Planner II, RPP, MCIP

**Signature:**



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**Recommendation:**

**Resolved That** Report COA2020-050 1447147 Ontario Inc., be received;

**That** minor variance application D20-2020-042 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 COA2020-050, 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 COA2020-050. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

**Background:** On January 10, 2017, the Director of Development Services as delegated by Council issued provisional consent to sever the subject property from 60 King Street East (File D03-16-009). At its March 16, 2017 meeting, the Committee of Adjustment granted a variance from the minimum lot area requirement to facilitate the creation of the subject property (File D20-17-010).  
  
The new property owner is seeking further variances to facilitate the construction of a dwelling on the property that has an accessory dwelling unit.  
  
This application was deemed complete November 5, 2020.

**Proposal:** To permit reduced front and rear yard setbacks and increased lot coverage to permit a single storey single detached dwelling with a rear accessory dwelling unit.

**Owner:** 1447147 Ontario Inc.

**Applicant:** Tom deBoer – TD Consulting Inc.

**Legal Description:** Part of Block B, Plan 11, Part 2, 57R-10602, former Village of Bobcaygeon, City of Kawartha Lakes

**Official Plan:** Urban within the Victoria County Official Plan

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

**Site Size:** 455.7 square metres (4,905.1 square feet)

**Site Servicing:** Full municipal services available

**Existing Uses:** Vacant Residential Land

**Adjacent Uses:** North, East, West: Residential  
South: 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 variances, if approved, will facilitate the construction of a dwelling on an infill residential lot. The residential neighbourhood to the north, and east, is composed of single detached dwelling housing stock. The commercial uses to

the south and west are low intensity uses, with each lot appearing to contain a single business. King Street East is a former County Road. The commercial uses continue west along King Street East for another 2 blocks, leading into Bobcaygeon's Main Street (Central Business District). The built form approaching Main Street becomes more street-oriented and more urban in appearance. The proposal is in keeping with the established neighbourhood character of an area on a main road leading to a central business district. The built form proposed is also a single storey, in keeping with the prevalent built form of the surrounding single detached dwellings.

Due to the above analysis, the variances are 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. A single detached dwelling is permitted within the zone. Further, an accessory dwelling unit is also permitted as a use accessory to a single detached dwelling on municipal water and sewer services.

The front yard setback serves a variety of functions, including: (1) providing spatial separation between the residential building and road uses (2) adequate depth to contain a parking space between the front lot line and building face, (3) maintain sightlines for vehicles entering/leaving the property, (4) to provide adequate spatial separation for snow storage, and (5) provide landscaped amenity space between the road and built form.

In analysing these 5 points, staff have determined that:

(1) The residential built form on the north side of King Street East steps closer to the road the closer one gets to Need Street, ending with a setback of 3.04 metres at 60 King Street East, a corner lot. The proposed setback is in keeping with this stepping of built form. Further, the reduced front yard setback is in keeping with the more street-oriented building design found to the west of Need Street. This street-oriented building design continues into Bobcaygeon's Central Business District two streets to the west.

(2) The parking area is proposed to the east of the dwelling. Therefore, increasing the proximity of the dwelling to the road does not impact the ability to park a vehicle on the lot.

(3) Further, a depth of 5.8 metres provides sufficient space to maintain sight lines for vehicles leaving the property.

(4) The reduced front yard is not anticipated to adversely impact the ability to store snow on the property.

(5) There remains space between the built form and front lot line to provide landscaped amenity space.

The 1.6% increase in lot coverage results in an additional 7.3 square metres of area covered. The increase in lot coverage is not anticipated to be perceptible given the modest increase to the footprint proposed, the fact that a narrow building face is being presented to the street, and the fact that the overall size of the built form will be modest since it will be a single storey building.

The intent of the rear yard setback is to provide sufficient amenity space for the dwelling and adequate buffering from abutting residential uses to avoid land use and privacy conflict with abutting rear yards. In this case, the abutting yard of the abutting property, 68 Need Street, is an interior side yard of a depth of approximately 12 metres. The rear yard of 68 Need Street faces east. As interior side yards are more utilitarian in nature, it is not anticipated that there will be adverse land use conflicts between 68 Need Street and the subject property because the rear yards do not face one another.

Therefore, the variances maintain 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 City of Kawartha Lakes Official Plan as it applies to the Bobcaygeon Urban Settlement Area has been appealed to the Local Planning Appeal Tribunal, the Victoria County Official Plan (Official Plan) applies. The property is designated Urban within the Official Plan. A broad range of residential uses are permitted in this designation, including low density uses. The application proposes a low density residential use. In consideration of the above the variances maintain the general intent and purpose of the Official Plan.

**Other Alternatives Considered:**

At this time, no other alternatives have been considered.

**Servicing Comments:**

The subject property has municipal water and sewer services available.

**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 (November 13, 2020): No concerns.

Development Engineering Division (November 17, 2020): No concerns.

**Public Comments:**

No comments received as of November 17, 2020.

**Attachments:**



Appendices A-D to  
COA2020-050.pdf

Appendix A – Location Map  
Appendix B – Aerial Photo  
Appendix C – Applicant's Sketch  
Appendix D – Department and Agency Comments

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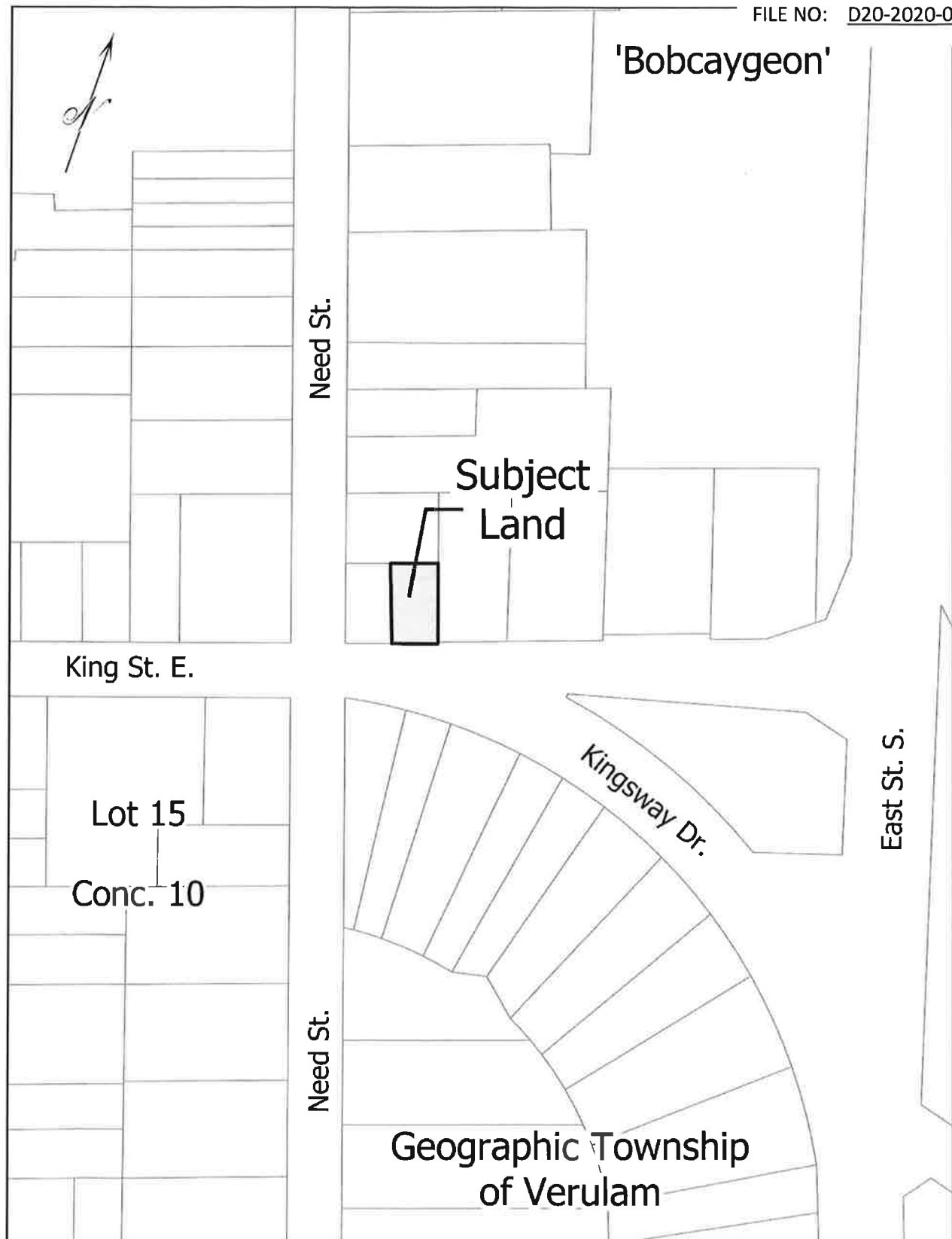
<b>Phone:</b>	705-324-9411 extension 1206
<b>E-Mail:</b>	<a href="mailto:dharding@kawarthalakes.ca">dharding@kawarthalakes.ca</a>
<b>Department Head:</b>	Chris Marshall, Director of Development Services
<b>Department File:</b>	D20-2020-042

to

REPORT COA2020-050

FILE NO: D20-2020-042

D20-2020-042



# King Street East, former Village of Bobcaygeon



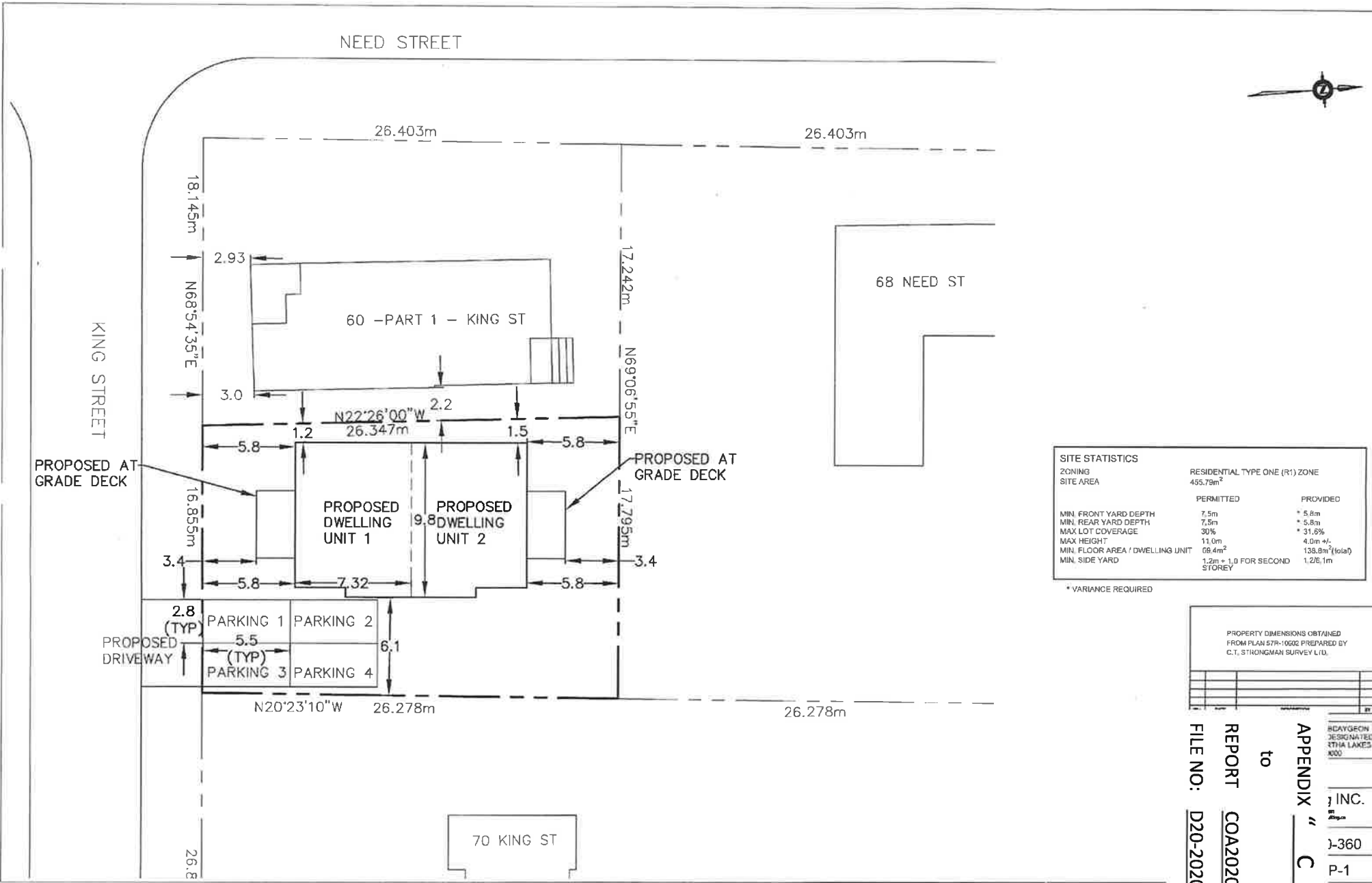
0.06 Kilometers  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City Of Kawartha Lakes



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

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APPENDIX " B "  
to  
REPORT COA2020-050  
FILE NO: D20-2020-042



SITE STATISTICS		
ZONING	RESIDENTIAL TYPE ONE (R1) ZONE	
SITE AREA	455.79m²	
	PERMITTED	PROVIDED
MIN. FRONT YARD DEPTH	7.5m	* 5.8m
MIN. REAR YARD DEPTH	7.5m	* 5.8m
MAX LOT COVERAGE	30%	* 31.6%
MAX HEIGHT	11.0m	4.0m +/-
MIN. FLOOR AREA / DWELLING UNIT	69.4m²	138.8m² (total)
MIN. SIDE YARD	1.2m + 1.0 FOR SECOND STOREY	1.2/6.1m

\* VARIANCE REQUIRED

PROPERTY DIMENSIONS OBTAINED FROM PLAN 579-10602 PREPARED BY C.T. STRONGMAN SURVEY LTD.			

to  
 REPORT COA2020-050  
 FILE NO: D20-2020-042  
 APPENDIX "C"  
 INC.  
 1-360  
 P-1



**David Harding**

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**From:** Derryk Wolven  
**Sent:** Friday, November 13, 2020 3:33 PM  
**To:** Charlotte Crockford-Toomey  
**Subject:** D20-2020-042 King St E, Bobcaygeon

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

APPENDIX " D "  
to  
REPORT COA 2020-050  
FILE NO. D20-2020-042

Building has no concerns with the above noted application.

Derryk Wolven  
Plans Examiner  
City of Kawartha Lakes Building Division

## **David Harding**

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**From:** Mark LaHay  
**Sent:** Tuesday, November 17, 2020 9:33 AM  
**To:** David Harding; Kent Stainton  
**Cc:** Charlotte Crockford-Toomey  
**Subject:** FW: 20201117 D20-2020-042 - Engineering review

FYI - file

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**From:** Kim Rhodes <krhodes@kawarthalakes.ca>  
**Sent:** Tuesday, November 17, 2020 8:06 AM  
**To:** Mark LaHay <mlahay@kawarthalakes.ca>  
**Cc:** Christina Sisson <csisson@kawarthalakes.ca>; Kirk Timms <ktimms@kawarthalakes.ca>; Benjamin Courville <bcourville@kawarthalakes.ca>  
**Subject:** 20201117 D20-2020-042 - Engineering review

**Please see the message below from Christina Sisson:**

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

Minor Variance – D20-2020-042  
Vacant Land on King Street East  
Part of Block B, Plan 11, Part 2, 57R-10602  
Former Village of Bobcaygeon

It is the understanding by Engineering that the purpose and effect is to request relief to reduce the following provisions to permit the construction of a single detached dwelling and accessory dwelling unit:

1. to reduce the minimum front yard from 7.5 metres to 5.8 metres,
2. to reduce the minimum rear yard from 7.5 metres to 5.8 metres, and
3. to increase the maximum lot coverage from 30% to 31.6%

*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  
Engineering & Corporate Assets, City of Kawartha Lakes  
705-324-9411 ext. 1152 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)

