

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Plamondon and Forde
Report Number COA2024-012

Public Meeting

Meeting Date: February 22, 2024
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 3 – Former Village of Fenelon Falls

Subject: The purpose and effect is to facilitate the recognition of an existing covered front porch addition.

Relief sought:

1. Section 4.3.2 c) i) of the By-law requires a minimum front yard setback of 7.6 metres; the existing setback is 6.1 metres; and,
2. Section 4.3.2 f) of the By-law requires a minimum setback from the street centreline of 17.6 metres; the existing setback is 16.1 metres.

The variance is requested at **124 Bond Street East** (File D20-2024-002).

Author: Katherine Evans, Planner II **Signature:** *Katherine Evans*

Recommendations

That Report COA2024-012 – Plamondon and Forde, be received;

That minor variance application D20-2024-002 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 submitted as part of Report COA2024-012, 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 eight (8) 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 COA2024-012. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

| | |
|------------------------------|---|
| Proposal: | Recognition of an existing covered front porch addition |
| Owners: | Nathanael Plamondon and Tynisha Mercedes Forde |
| Applicant: | Nathanael Plamondon |
| Legal Description: | Part Lot 11 South Bond Street East and East Colborne Street, Plan 100 |
| Official Plan ¹ : | Residential (Fenelon Falls Secondary Plan, 2015) |
| Zone ² : | Residential Type One (R1) Zone (Village of Fenelon Falls Zoning By-law 89-25) |
| Site Size: | 1,368 sq. m. (14,725 sq. ft.) |
| Site Access: | Year round municipal road |
| Site Servicing: | Municipal water and sanitary sewer |
| Existing Uses: | Residential |
| Adjacent Uses: | Residential |

Rationale

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

The subject property is within an established residential neighbourhood located on the eastern side of the former Village of Fenelon Falls. The property is rectangular in shape and currently contains a two storey single detached dwelling constructed in 1910 (according to Municipal Property Assessment Corporation), a shed, an attached covered deck, and a covered front porch.

The purpose of the application is to recognize the addition of a covered front porch. The location of the dwelling's front door was reconfigured, as the front door used to open directly into the driveway. Now the front door is located off to the right side of

¹ See Schedule 1

² See Schedule 1

the dwelling, providing separation between the entrance to the dwelling and vehicles parked in the driveway. A covered porch was constructed to accentuate this new entrance which provides shelter from the elements while entering and exiting the dwelling.

Given the above analysis, the variance is considered desirable and appropriate for the use of land.

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

The subject property is designated Residential under the Fenelon Falls Secondary Plan, 2015. A variety of dwelling types as well as accessory buildings and structures are permitted within this designation.

The property is within the Floodplain Hazard. As per the Fenelon Falls Secondary Plan, an Environmental Impact Study (EIS) or other appropriate study shall be required for all development proposals on or abutting lands identified as Environmental Constraint Area. As per the City of Kawartha Lakes Official Plan, the City in consultation with partner agencies, shall identify the appropriate scope and study area for each required EIS. Based on the location of the development and the limited natural features on and adjacent to the site, staff feel it is reasonable to not require a study and that the proposal is in keeping with the general intent and purpose of the Secondary Plan.

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

The subject property is zoned Residential Type One (R1) Zone under the Village of Fenelon Falls Zoning By-law 89-25. A single detached dwelling and accessory buildings and structures are permitted within this zone. The development complies with all provisions of the Zoning By-law with the exception of the minimum front yard setback and the minimum setback from the street centreline.

As per Section 4.3.2 c) i) of the By-law, a minimum front yard setback of 7.6 metres is required. The existing setback is 6.1 metres. The intent of the minimum front yard setback is to ensure adequate spatial separation between built form and the travelled portion of the street as to not impede traffic, snow removal, and streetscaping maintenance, as well as to maintain features such as sight lines and the character of the streetscape.

The covered front porch is aligned with an existing non-complying enclosed portion of the dwelling which extends across the majority of the front of the dwelling. The front porch addition does not result in any further encroachment than what existed previously. While the covered porch is to be 6.1 metres from the front lot line, the approximately 6-metre-wide grass boulevard and sidewalk provide additional physical and visual separation between the covered porch and the travelled portion of the road allowance. It is not anticipated that the covered porch will impact sight lines or the function of the roadway with respect to traffic, maintenance, or snow storage. Additionally, several dwellings in close proximity to the subject property appear to have reduced front yard setbacks, so the setback of the porch is consistent with the existing built form and the character of the streetscape.

In addition to the minimum front yard setback, the Zoning By-law requires a minimum setback from the centreline of the street. Section 4.3.2 f) of the By-law requires a minimum setback from the street centreline of 17.6 metres; the existing setback is 16.1 metres. The street centreline setback appears to have been written on the premise that, should a road allowance be of a non-standard width for its classification, built form will be adequately set back from it in the event the municipality decided to take a road widening. The road allowance is currently approximately 20 metres wide. It is unlikely the municipality would pursue road widenings in this vicinity.

Therefore, the variance is considered to maintain the general intent and purpose of the Zoning By-Law.

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:

No alternatives considered.

Consultation Summary

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

Agency Comments:

Building and Septic Division (Building): "Enforcement file – fees to be calculated as per By-Law 2021-161. No other comments."

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

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E-Mail: kevans@kawarthalakes.ca
Department Head: Leah Barrie, Director of Development Services
Division File: D20-2024-002

Schedule 1 Relevant Planning Policies and Provisions

Fenelon Falls Secondary Plan



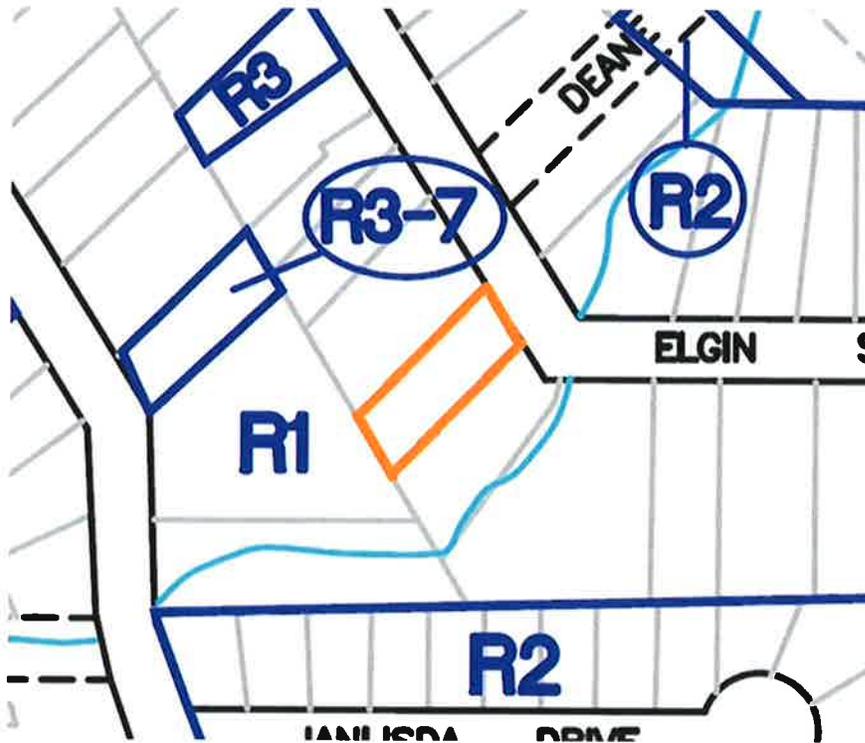
31.4.3 Land Use Policies

31.4.3.1. Residential

31.4.2.6. Environment and Natural Heritage

31.4.2.6.6 Schedule "G-3" delineates as Environmental Constraint Areas those lands that are susceptible to flooding or erosion, have steep slopes or soil instability, contain Provincially Significant Wetlands, and/or contain Environmentally Sensitive Features. Development of the lands in accordance with the designation on Schedule "F-3" may be permitted provided that the development does not result in an increased risk of loss of life, property damage, or the degradation of the environment. An EIS prepared in accordance with Sections 3.5.37 to 3.5.40 of this Plan shall be required for all development proposals on or abutting lands identified as Environmental Constraint Area.

Village of Fenelon Falls Zoning By-law 89-25



Section 4.3 Residential Type One (R1) Zone

4.3.1 Permitted Uses

4.3.2 Regulations for Residential Uses Services By Municipal Water Supply and Sanitary Sewers

c) Minimum yard requirements

i) Front yard 7.6 m

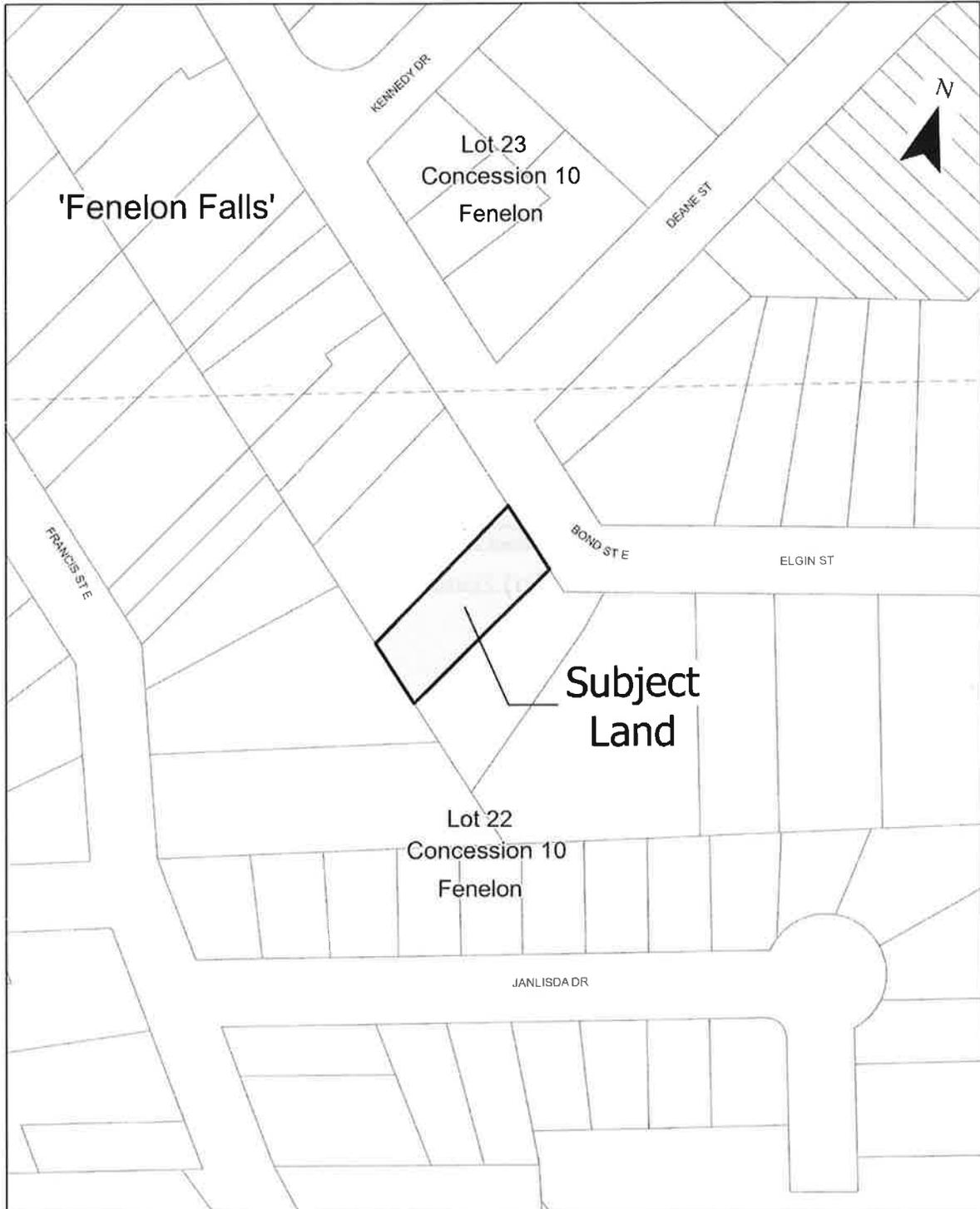
f) Minimum setback from street centreline

17.6 metres except where the exterior side yard is adjacent a public street or road in which case the minimum setback from street centreline shall be 13.6 metres.

to

LOCATION MAP

D20-2024-002



APPENDIX " B "

to

REPORT COA2024-012

FILE NO: D20-2024-002

AERIAL PHOTO



