

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Reel

Report Number COA2024-034

Public Meeting

Meeting Date: April 25, 2024

Time: 1:00 pm

Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 6 – Geographic Township of Fenelon

Subject: The purpose and effect is to facilitate the demolition of the existing sunporch and the construction of a new sunporch.

Relief sought:

1. Section 13.2.1.3 a) of the By-law requires a minimum front yard setback of 7.5 metres; the proposed setback is 7.1 metres.

The variance is requested at **251 Snug Harbour Road** (File D20-2024-024).

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

Recommendations

That Report COA2024-034 – Reel, be received;

That minor variance application D20-2024-024 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 COA2024-034, 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 COA2024-034. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Demolition of the existing sunporch and the construction of a new sunporch
Owners:	Marie and Brian Reel
Applicant:	Brian Reel
Legal Description:	Part Lot 4, Concession 8 (being Part 1 on Reference Plan 57R3164)
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Rural Residential Type Three (RR3) Zone (Township of Fenelon Zoning By-law 12-95)
Site Size:	1,300 sq. m. (13,993.08 sq. ft.)
Site Access:	Snug Harbour is a year round municipal road; Property accessed via right-of-way registered on title
Site Servicing:	Private individual well and holding tank
Existing Uses:	Residential
Adjacent Uses:	Residential and agricultural

Rationale

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

The subject property is located within an established residential neighbourhood located on the eastern shore of Sturgeon Lake. The property is irregular in shape and is a waterfront lot. The property currently contains a single detached dwelling constructed in 1960 (according to Municipal Property Assessment Corporation) and a detached garage.

It can be expected that over time, owners may improve their property in an attempt to achieve its highest and best use. The proposal is to demolish the existing sunporch, and construct a new sunporch. The existing sunporch is approximately

¹ See Schedule 1

² See Schedule 1

20 square metres in size, while the new sunporch is to be approximately 27 square metres in size.

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 Waterfront under the City of Kawartha Lakes Official Plan (2012). Low-density residential uses and buildings and structures accessory to residential uses are permitted in the Waterfront designation. Performance and siting criteria is implemented through the Zoning By-Law.

Therefore, the variance is considered to maintain the general intent and purpose of the Official Plan.

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

The subject property is zoned Rural Residential Type Three (RR3) Zone under the Township of Fenelon Zoning By-law 12-95. A single detached dwelling as well as accessory structures are permitted within this zone. The proposal complies with all provisions of the Zoning By-law with the exception of the minimum front yard setback.

As per Section 13.2.1.3 a) of the By-law, a minimum front yard setback of 7.5 metres is required. The proposed setback is 7.1 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 subject property fronts onto a private right of way that is used by approximately 11 property owners, limiting the traffic that will pass by the subject property. Additionally, the 7.1 metre setback between the front lot line and the sunporch is not anticipated to result in any adverse impacts to traffic flow, maintenance, or sight lines. The proposed sunporch is to maintain the same setback as the existing sunporch, and it appears that there are other dwellings in the area that have similar reduced front yard setbacks. As such, the proposal is not out of character with the existing built form.

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 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): “No comments.”

Engineering and Corporate Assets Division: “From a Development engineering perspective, we have no objection to or comment for this Minor Variance application.”

Public Comments:

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

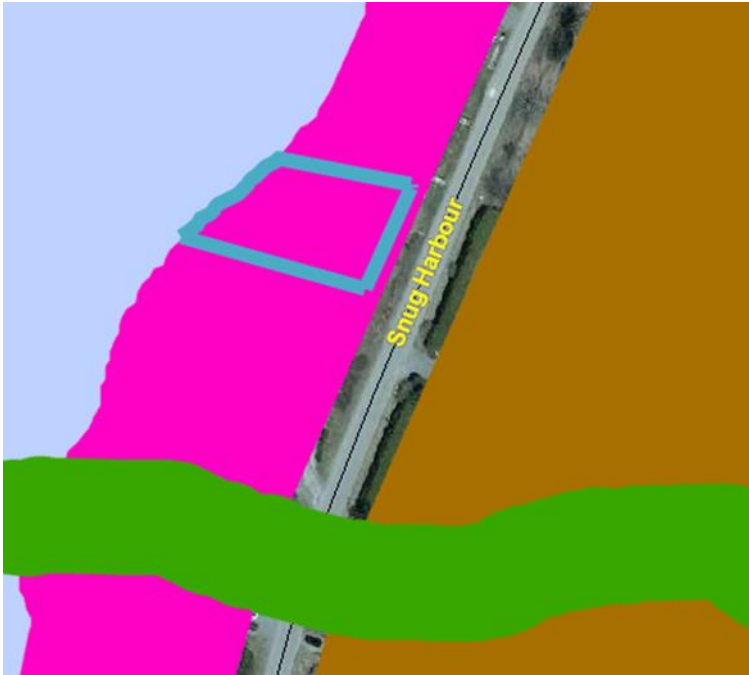
Attachments

- Appendix A – Location Map
- Appendix B – Aerial Photo
- Appendix C – Applicant’s Sketch
- Appendix D – Construction Drawings

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E-Mail: kevans@kawarthalakes.ca
Department Head: Leah Barrie, Director of Development Services
Division File: D20-2024-024

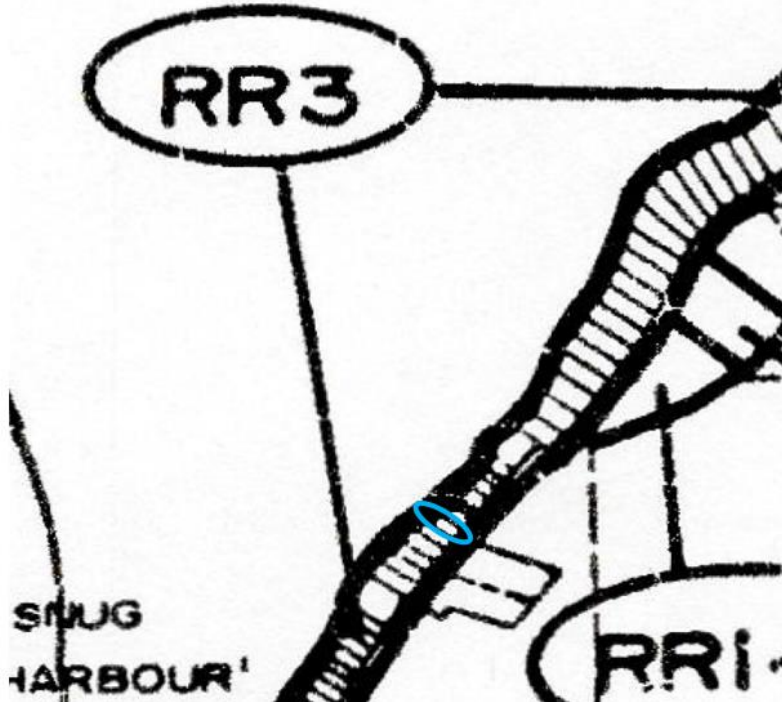
Schedule 1 Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



20. Waterfront Designation

Township of Fenelon Zoning By-law 12-95



Part 13 Rural Residential Type Three (RR3) Zone

13.1 Uses Permitted

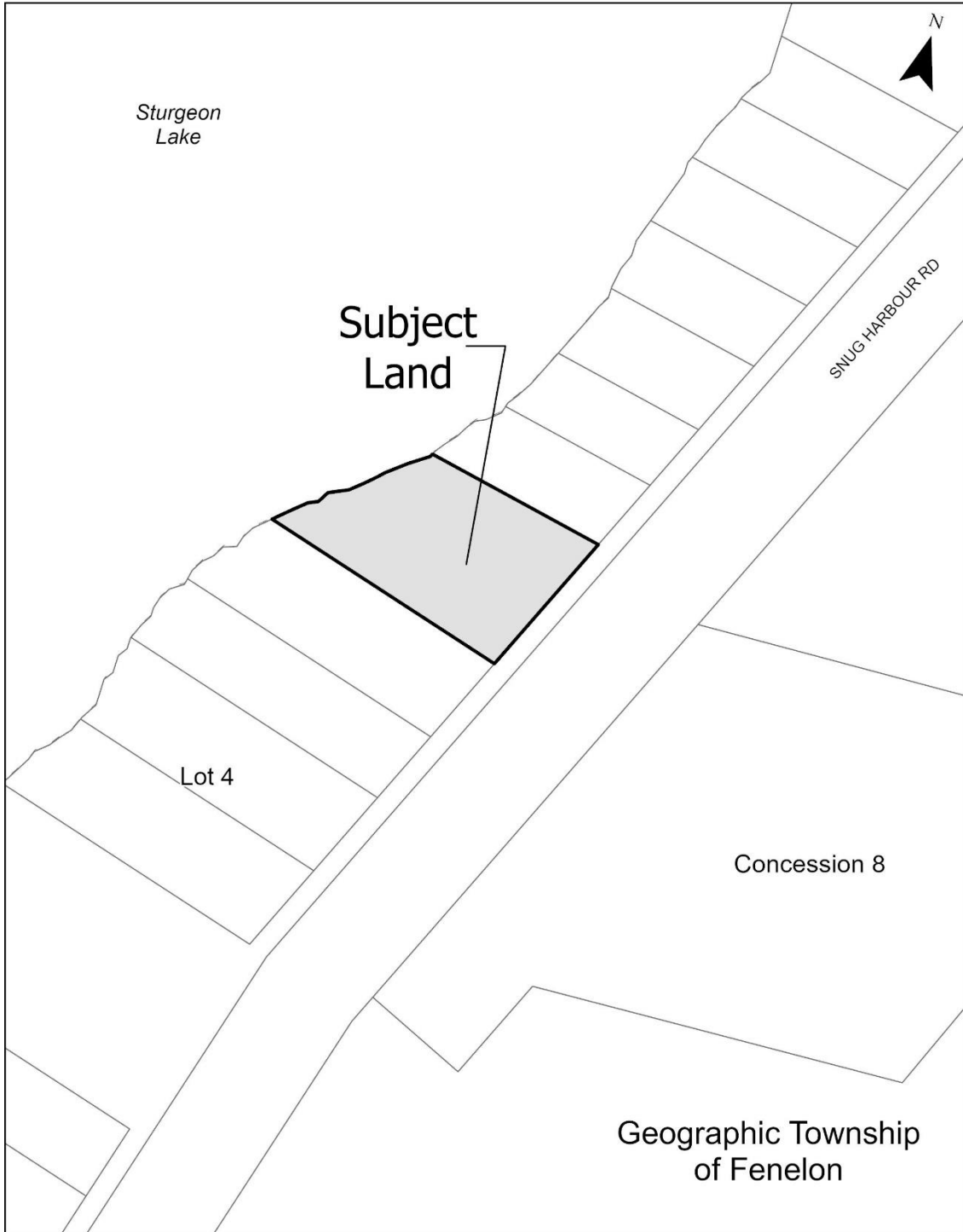
13.2 Zone Provisions

13.2.1.3 Yard Requirements (min.)

a) Front 7.5 m

LOCATION MAP

D20-2024-024



to

REPORT COA2024-034

FILE NO: D20-2024-024

AERIAL PHOTO



to

CONSTRUCTION DRAWINGS

