

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Fowler’s Corners and District Lions Club

Report Number COA2024-050

Public Meeting

Meeting Date: May 23, 2024

Time: 1:00 pm

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

Ward 8 – Geographic Township of Emily

Subject: The purpose and effect is to facilitate the demolition of the existing porch and stairs and the construction of a new covered porch with stairs and a ramp.

Relief sought:

1. Section 6.2.1.3 a) of the Zoning By-law requires a minimum front yard setback of 10 metres; the proposed setback is 7.8 metres; and,
2. Section 6.2.1.3 c) of the Zoning By-law requires a minimum exterior side yard setback of 10 metres; the proposed setback is 9.5 metres.

The variance is requested at **959 Meadowview Road** (File D20-2024-041).

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

Recommendations

That Report COA2024-050 – Fowler’s Corners and District Lions Club, be received;

That minor variance application D20-2024-041 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 COA2024-050, 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 COA2024-050. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Demolition of the existing porch and stairs and the construction of a new covered porch with stairs and a ramp
Owners:	Fowler's Corners and District Lions Club
Applicant:	Bob van Dompsele
Legal Description:	Part Lot 18, Concession 2
Official Plan ¹ :	Prime Agricultural (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Community Facility (CF) Zone (Township of Emily Zoning By-law 1996-30)
Site Size:	1,081 sq. m. (11,635.8 sq. ft.)
Site Access:	Year round municipal road
Site Servicing:	Private individual well and holding tank
Existing Uses:	Community facility
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 at the northwest corner of the intersection of Meadowview Road and Orange Corners Road. The surrounding area is comprised of residential and agricultural uses. The subject property contains the Fowler's Corners and District Lions Club. The building was constructed in 1956 (according

¹ See Schedule 1

² See Schedule 1

to Municipal Property Assessment Corporation) and the Lions Club has been in this location since 1998.

The purpose of the application is to demolish the existing front porch, and construct a new covered front porch with a ramp. The existing concrete stairs are in poor condition, so a temporary wooden porch was constructed over them. The proposal is to replace this with a new, safe set of stairs and covered porch, as well as a ramp to make the front entrance of the building accessible.

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 property is designated Prime Agricultural under the City of Kawartha Lakes Official Plan. Agricultural, agricultural-related, and residential uses are permitted within this designation, with performance and siting criteria being implemented through the Zoning By-law.

As per policy 34.1., nothing in the Official Plan or the implementing Zoning By-law prevent the use of any land, building or structure for a purpose prohibited by this Plan, if the land, building or structure was lawfully used for that purpose on the date this Plan was adopted by Council. The City may recognize the existing use of land in an implementing zoning by law. The property is zoned to permit community facility uses, and the use has existed since at least 1998.

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 Community Facility (CF) Zone under the Township of Emily Zoning By-law 1996-30. Community facility uses 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 and the minimum exterior side yard setback.

As per Section 6.2.1.3 a) of the Zoning By-law, a minimum front yard setback of 10 metres is required. The proposed setback is 7.8 metres. As per Section 6.2.1.3 c) of the Zoning By-law, a minimum exterior side yard setback of 10 metres is required. The proposed setback is 9.5 metres. The intent of the minimum front yard setback and the minimum exterior side 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 front yard setback of the existing porch and stairs is approximately 7.4 metres, and the new porch and stairs are to be setback 7.8 metres from the front lot line, resulting in an overall improved setback. The proposed setbacks from the front and exterior side lot lines provide adequate separation between the road and the built

form and it is not anticipated that the new porch will adversely impact traffic flow, road maintenance, or sight lines.

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:

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

Building and Septic Division (Septic): “A sewage system review has been conducted for the location of the Class 5 Holding Tank. The proposed construction will in the roadside yard of the building. The holding tank is located in the rear yard of the building. With the location of the holding tank in the rear yard, the minimum clearance distances will be upheld. As such, the Building and Septic Division has no concerns with the minor variance as it relates to private on-site sewage disposal.”

Building and Septic Division (Building): “No 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


Phone: 705-324-9411 extension 1883
E-Mail: kevans@kawarthalakes.ca
Department Head: Leah Barrie, Director of Development Services
Division File: D20-2024-041

Schedule 1

Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



 Prime Agricultural

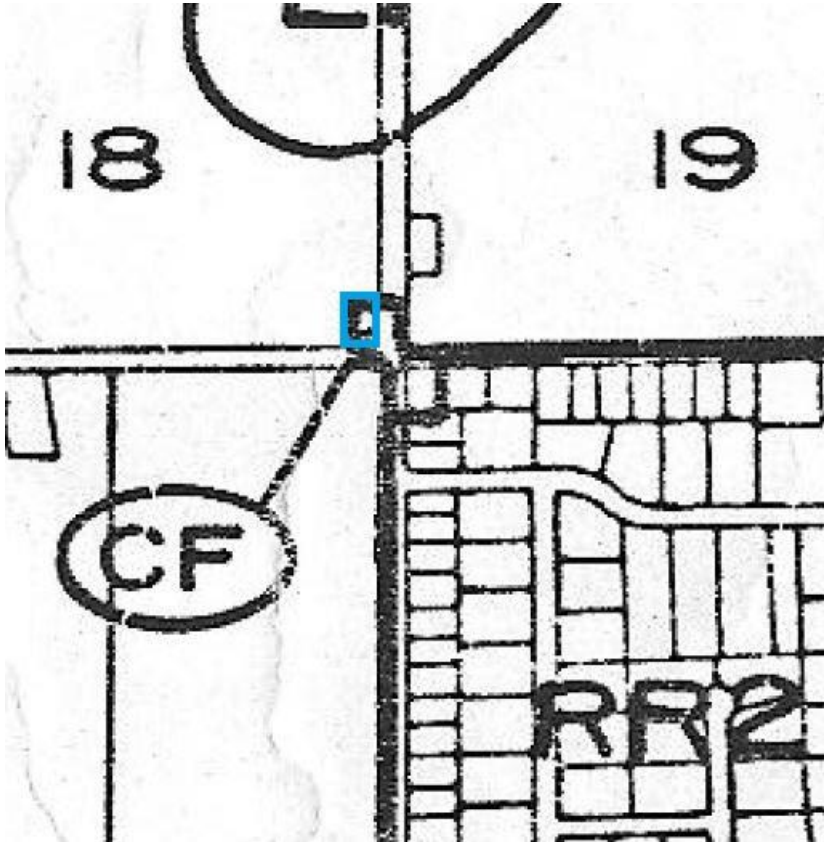
15. Prime Agricultural Designation

34. Development Control

34.1 Existing Uses

Nothing in this Plan or the implementing Zoning By-law prevent the use of any land, building or structure for a purpose prohibited by the is Plan, if the land, building or structure was lawfully used for that purpose on the date this Plan was adopted by Council. The City may recognize the existing use of land in an implementing zoning by law.

Township of Emily Zoning By-law 1996-30



Part 6 Community Facility (CF) Zone

6.1 Uses Permitted

6.2 Zone Provisions

6.2.1.3 Yard Requirements (min.)

- a) front 10 m
- c) exterior side 10 m

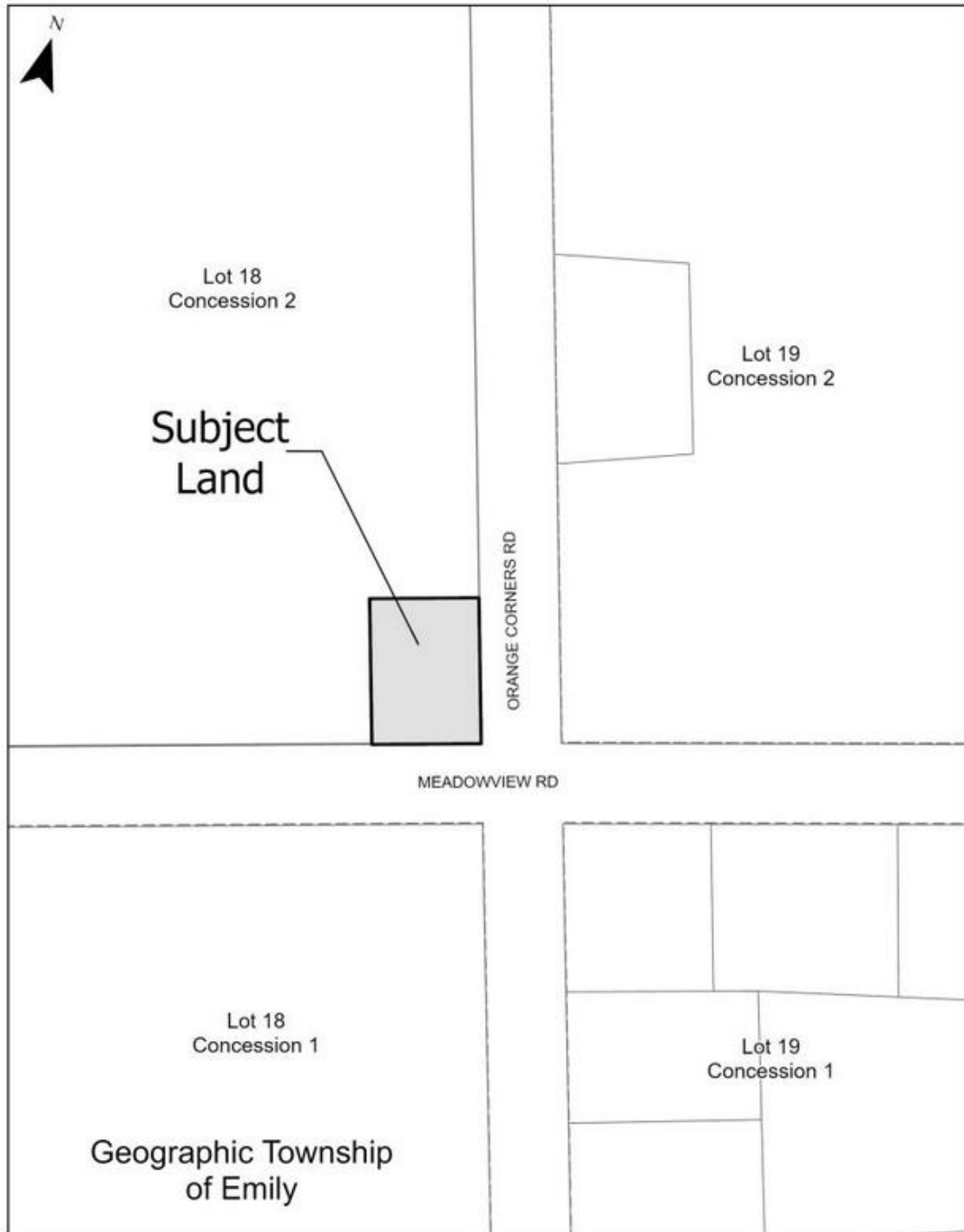
to

REPORT COA2024-050

FILE NO: D20-2024-041

LOCATION MAP

D20-2024-041



APPENDIX " B "

to

REPORT COA2024-050

FILE NO: D20-2024-041

AERIAL PHOTO



to

REPORT COA2024-050

FILE NO: D20-2024-041

APPLICANT'S SKETCH

