

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Ledoucer
Report Number COA2024-065

Public Meeting

Meeting Date: July 25th, 2024
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 1 – Geographic Township of Dalton

Subject: The purpose and effect is to facilitate the construction of an addition onto the existing dwelling.

Relief sought:

1. Section 5.2.g. of the Zoning By-law requires a minimum 30 metre water setback; the proposed water setback is 10.9 metres.

The variance is requested at **912 Monck Road** (File D20-2024-055).

Author: Ahmad Shahid, Planner II **Signature:** 

Recommendations

That Report COA2024-065 – Ledoucer, be received;

That minor variance application D20-2024-055 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 COA2024-065, 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 COA2024-065. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Construction of an addition onto the existing dwelling
Owners:	Steven Ledoucer
Applicant:	Design By Bobbi
Legal Description:	Part Lot 13, Concession 3, Part of Original Shore Road Allowance (Parts 1 and 2 of Reference Plan 57R11099)
Official Plan ¹ :	Rural (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Rural Residential Type Three (RR3) Zone (Township of Dalton Zoning By-Law 10-77)
Site Size:	2,518.90 square metres (0.62 acres)
Site Access:	Year-round maintained road
Site Servicing:	Lake water and individual septic system
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 situated on the northern shore of Head River, with access from Monck Road. The character along Monck Road within the vicinity of the property is comprised of residential built-form. The residential built-form varies from trailers and mobile homes to single-detached dwellings. According to the Municipal Property Assessment Corporation (MPAC), the majority of the residential built-form along Monck Road were constructed in the late 1900's. Since their construction, many of the dwellings along Monck Road have gone through various extents of renovations and additions. Moreover, the dwellings and accessory structures along Monck Road have varying proximities to the road and river.

¹ See Schedule 1

² See Schedule 1

The property currently contains a one-storey dwelling (1988), shed, and a storage container. The existing dwelling is 100.51 square metres in size. The proposal seeks to construct a two-storey addition attached to the existing dwelling. The proposed addition is 73.37 square metres in size and contains a garage with storage space on the first level and a loft on the second level. Both levels will be accessible from the existing dwelling. The proposed addition will be situated on top of a concrete slab. The change in height is minimal, with the existing height of the dwelling being 6 metres, and the proposed height of the two-storey addition being 7 metres.

Considering the age of the existing dwelling, it can be expected for a property owner to redevelop their land and household, striving to achieve the highest and best use. Many of the surrounding property owners have redeveloped their properties with interior/exterior renovations, new accessory structures, and major additions. The subject property currently does not contain a garage structure for the parking or storage of any vehicles. The proposed addition will increase the usable space of the dwelling, providing additional living, as well as create an enclosed space for parking and storage. The proposed addition does not change the residential character of the property, and aligns with the development trend and character of the neighbourhood.

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 Rural under the City of Kawartha Lakes Official Plan. The Rural designation permits the use of low-density single detached dwellings and associated accessory structures.

The Official Plan prescribes a 30 metre setback for all buildings, structures and septic systems. Policy 3.11.2. of the Official Plan prescribes various criteria that would allow for the construction and/or expansion of a building or structure into a water setback to be considered. The criterion applies to existing lots of record where there is not sufficient area to accommodate the applicable water setback. The subject property is unable to accommodate the Official Plan's applicable setback due to its irregular lot shape and inadequate depth.

The proposed addition supports Policy 3.11.2 of the Official Plan as it avoids expansion near the existing septic system. Furthermore, the proposed addition would be setback further from the shoreline than the existing dwelling. The proposed redevelopment does not conflict with the objectives of the Rural designation as it does not change the existing low-density residential land use, maintains a low profile and preserves the existing shoreline. 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 Dalton Zoning By-Law 10-77. The RR3 Zone permits a single detached dwelling, vacation dwelling, and accessory structures. The proposed addition requires relief from the minimum water setback.

Section 5.2.g. of the Zoning By-law requires a minimum 30 metre water setback. The intent of the water setback is to protect built form from natural hazards, and protect and enhance the ecological function of waterbodies by creating a buffer between built form and water for the establishment and preservation of vegetation. The existing water setback from the dwelling is deficient at 10.5 metres, the proposed water setback from the addition is 10.9 metres. As a result, the water setback is not being reduced any further. The property itself is irregular in-shape, as the rear lot line follows the shoreline. Due to this shape and the existing septic bed, the proposed addition is restricted in its placement. The proposed addition seeks to expand towards the eastern side yard, however, due to the curved-shape of the shoreline and narrowing shape of the lot, the proposal will take place within the water setback. The 30 metre water setback requirement is not practical within the subject property. As such, the proposed addition would require relief from the water setback regardless of the location on the dwelling.

Overall, the proposed addition preserves the existing rear yard, natural buffer from the shoreline, and preserves the existing shoreline. As such, concerns regarding potential water hazards and impact to the natural buffer is avoided.

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:

ECA – Development Engineering: “From a Development engineering perspective, we have no comment or objection to the proposed Minor Variance.”

Public Comments:

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

Attachments

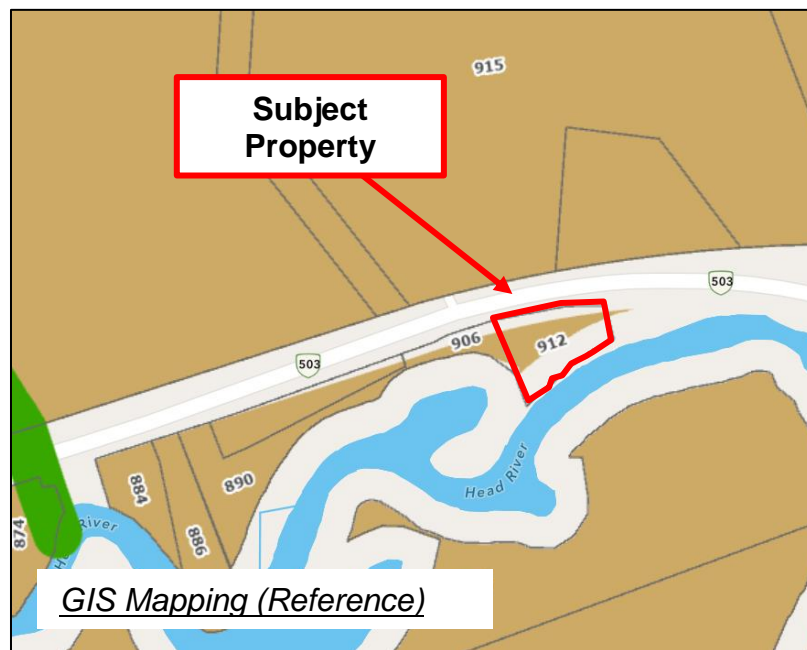
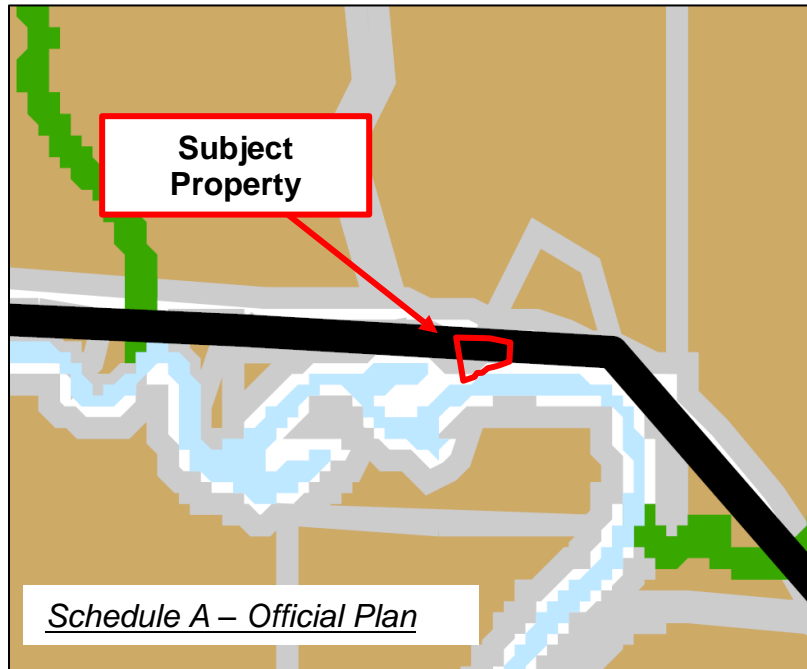
Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch
Appendix D – Supplementary Materials

Phone:	705-324-9411 extension 1367
E-Mail:	ashahid@kawarthalakes.ca
Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2024-055

Schedule 1

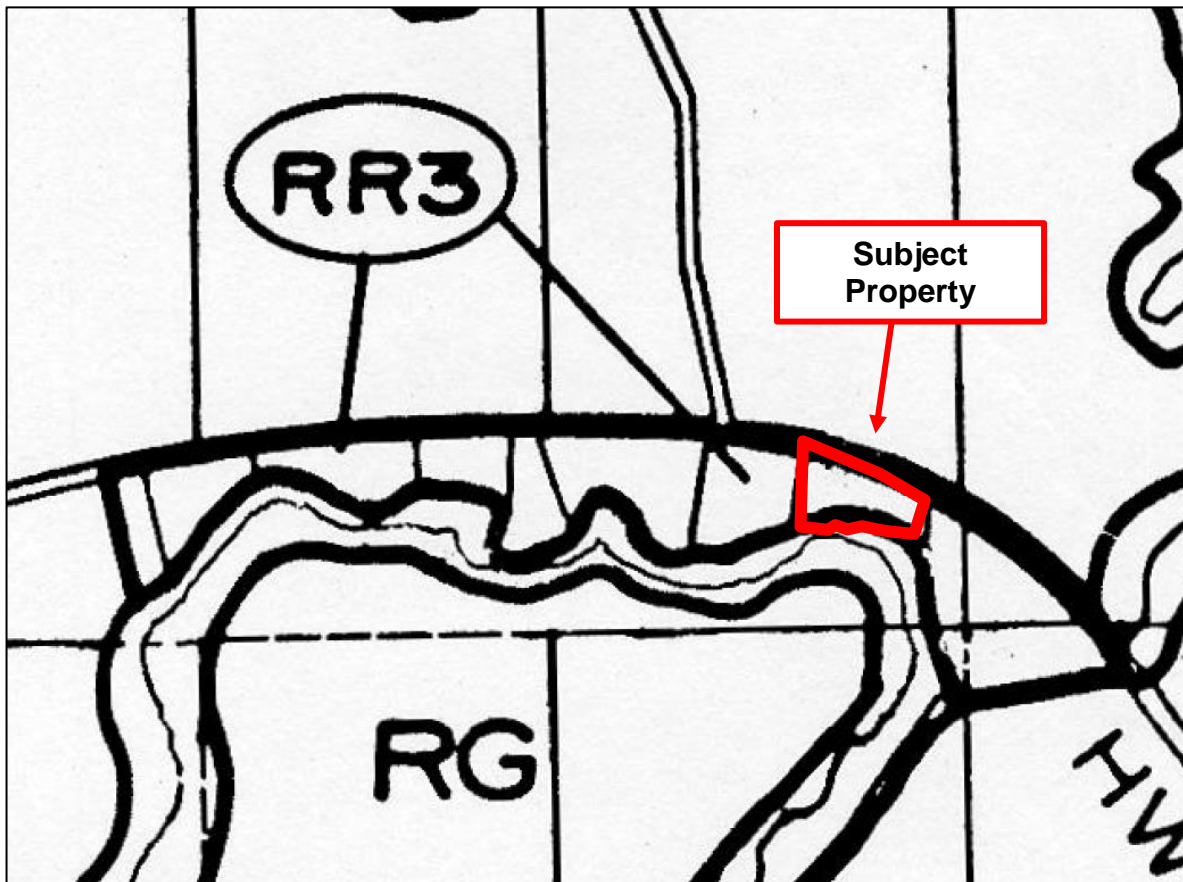
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



SECTION 16. RURAL DESIGNATION

Township of Dalton Zoning By-Law 10-77



SECTION 5

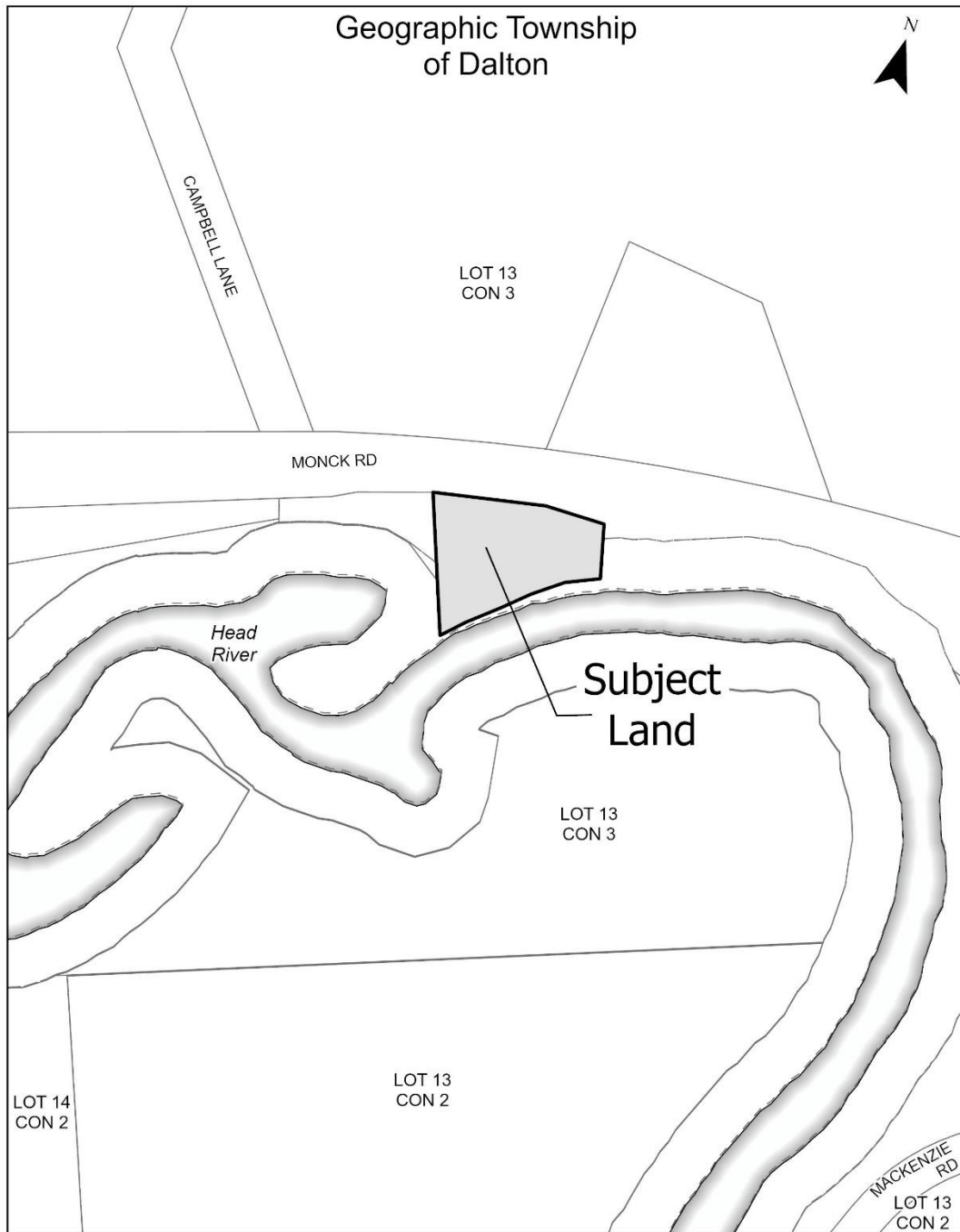
RURAL RESIDENTIAL TYPE THREE (RR3) ZONE

5.2 RR3 ZONE REQUIREMENTS

g. Minimum Water Setback 30 m

LOCATION MAP

D20-2024-055



SRQ_17041

APPENDIX " B "

to

REPORT COA2024-065

FILE NO: D20-2024-055

AERIAL PHOTO

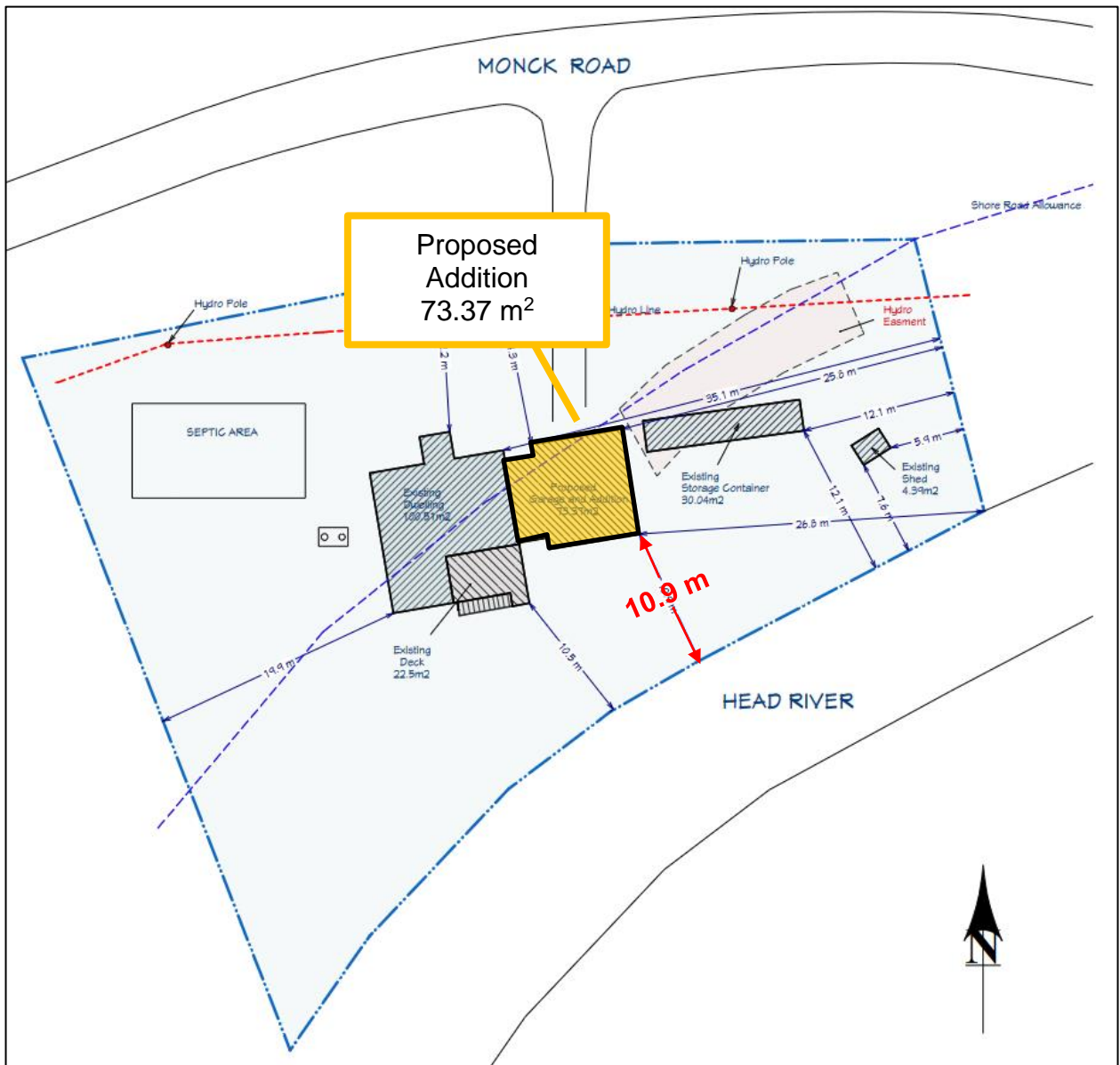


to

REPORT COA2024-065

FILE NO: D20-2024-055

APPLICANT'S SKETCH



SUPPLEMENTARY MATERIALS

APPENDIX " D "

to

REPORT COA2024-065

FILE NO: D20-2024-055

