

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – City of Kawartha Lakes
Report Number COA2024-093

Public Meeting

Meeting Date: September 26, 2024
Time: 2:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 2 – Geographic Township of Somerville

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

Relief sought:

1. Section 8.2 c) of the Zoning By-law requires a minimum front yard setback of 7.5 metres; the proposed setback is 2.5 metres; and,
2. Section 8.2 e) of the Zoning By-law requires a minimum side yard setback of 4.5 metres; the proposed setback is 3.2 metres.

The variance is requested at **24 Majestic Street** (File D20-2024-085).

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

Recommendations

That Report COA2024-093 – City of Kawartha Lakes, be received;

That minor variance application D20-2024-085 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 COA2024-093, 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 COA2024-093. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	The construction of an addition onto the existing fire station
Owners:	City of Kawartha Lakes
Applicant:	Glenn Wilcox
Legal Description:	Part Park Lot 11 on Plan 105; Reference Plan 57R-4079 Parts 1 and 2
Official Plan ¹ :	Rural (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Community Facility (CF) Zone (Township of Somerville Zoning By-law 78-45)
Site Size:	0.5 ha. (1.2 ac.)
Site Access:	Year round municipal road
Site Servicing:	Private individual well and septic system
Existing Uses:	Fire hall
Adjacent Uses:	Residential, community facility, agricultural, environmental protection

Rationale

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

The subject property is located at the southeastern boundary of the Hamlet of Kinmount. The property is located at the end of Majestic Street and the surrounding area is heavily forested. The adjacent land uses include agriculture, vacant land, residential uses, and a cemetery. The property currently contains the Kinmount Fire Hall, which was constructed in 1978 (according to Municipal Property Assessment Corporation).

¹ See Schedule 1

² See Schedule 1

The proposal is to construct an addition onto the existing fire hall. The existing fire hall garage, which is used to store the fire trucks, also contains laundry facilities, a bathroom, equipment storage, and utility rooms. With the construction of the addition, these uses are to be relocated to the new portion of the hall, resulting in increased space for truck storage and allowing for the accommodation of larger trucks in the garage.

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. A variety of uses are permitted within the Rural Designation. While a fire hall is not explicitly listed as a permitted use, 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 including municipal buildings, and this zoning has been in place since at least 1978.

Additionally, as per Policy 7.1., one of the goals of the Official Plan is to promote and enhance community facilities throughout the City to serve the residents. This goal includes the objective of providing an adequate level of police, fire protection and ambulance services to all City residents and businesses. The proposed addition to the fire hall will allow for necessary storage for fire trucks, and will allow the fire hall to continue to serve Kinmount and the surrounding area, contributing to the achievement of this goal and objective.

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 Somerville Zoning By-law 78-45. Municipal buildings are permitted within this zone. The proposal complies with all provisions of the Zoning By-law with the exception of the minimum front and side yard setbacks.

Section 8.2 c) of the Zoning By-law requires a minimum front yard setback of 7.5 metres. The proposed setback to the new addition is 2.5 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 is located at the end of Majestic Street, which terminates at a privately owned property. The property across the road from the subject property is

vacant and owned by the Municipality. The proposal is not anticipated to impact sight lines or the character of the streetscape. Additionally, there is an approximately 4-metre-wide gravel shoulder between the travelled portion of the road and the front lot line of the subject property, allowing for space for the carrying out of street maintenance. As the existing fire hall has an approximately 0 metre setback from the front lot line, the new addition will not encroach beyond what exists today.

Section 8.2 e) of the Zoning By-law requires a minimum side yard setback of 4.5 metres. The proposed side yard setback of the new addition is 3.2 metres. The purpose of an interior side yard setback is to manage massing and privacy issues, and to provide sufficient space for lot drainage, access between the front and rear yards, and building maintenance.

The proposed side yard setback from the southern interior lot line is deficient and requires relief. To the south, the subject property abuts a vacant property that is approximately 37.2 hectares (92 acres) in size. The property is heavily vegetated. Massing and privacy issues are not anticipated. Additionally, the proposed setback is adequate for lot drainage, access between yards, and the performance of any required maintenance on the south side of the fire hall.

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 (Building): “No comments.”

Public Comments:

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

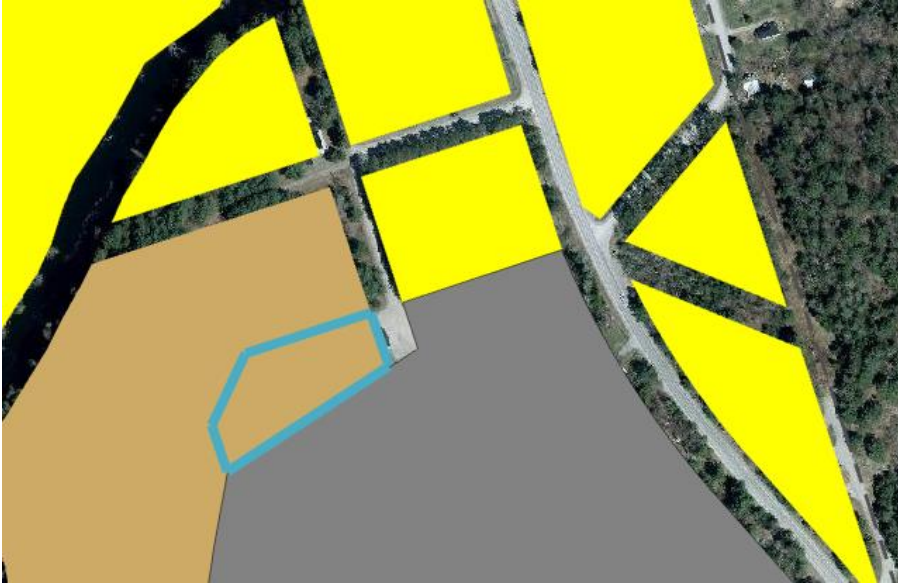
Attachments

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: D20-2024-085

Schedule 1 Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



7. Community Facilities

7.1. Goal

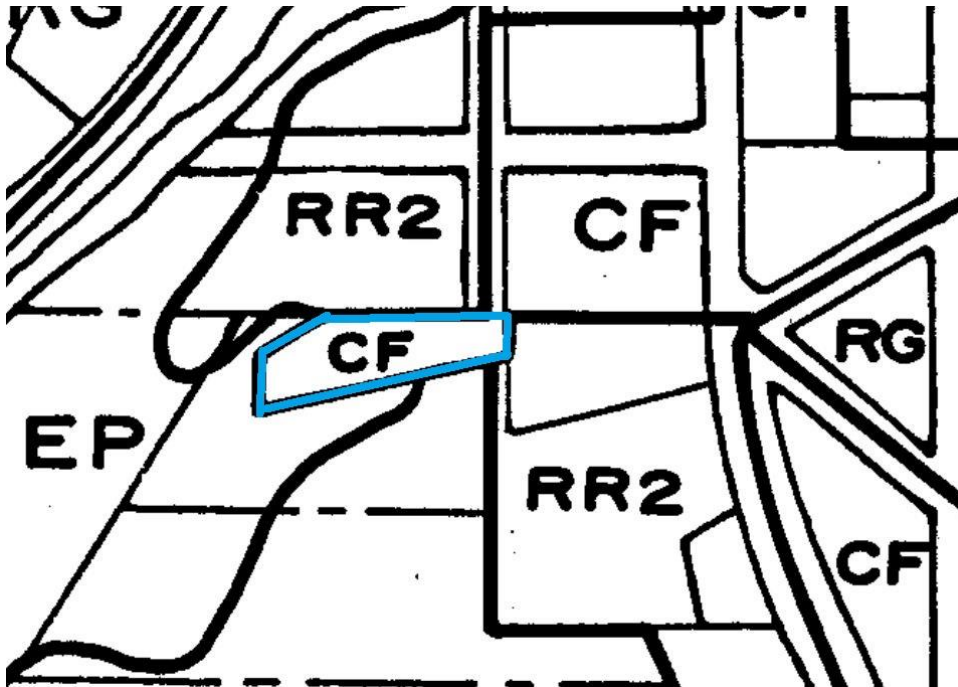
To promote and enhance the community facilities throughout the City to serve the residents

7.2. Objectives

c) Provide an adequate level of police, fire protection and ambulance services to all City residents and businesses.

16. Rural Designation

Township of Somerville Zoning By-law 78-45



Section 8 Community Facility (CF) Zone

8.1 CF Uses Permitted

8.2 Zone Provisions

- c) Minimum front yard 7.5 m
- e) Minimum side yard 4.5 m

to

REPORT COA2024-093

FILE NO: D20-2024-085

LOCATION MAP

D20-2024-085



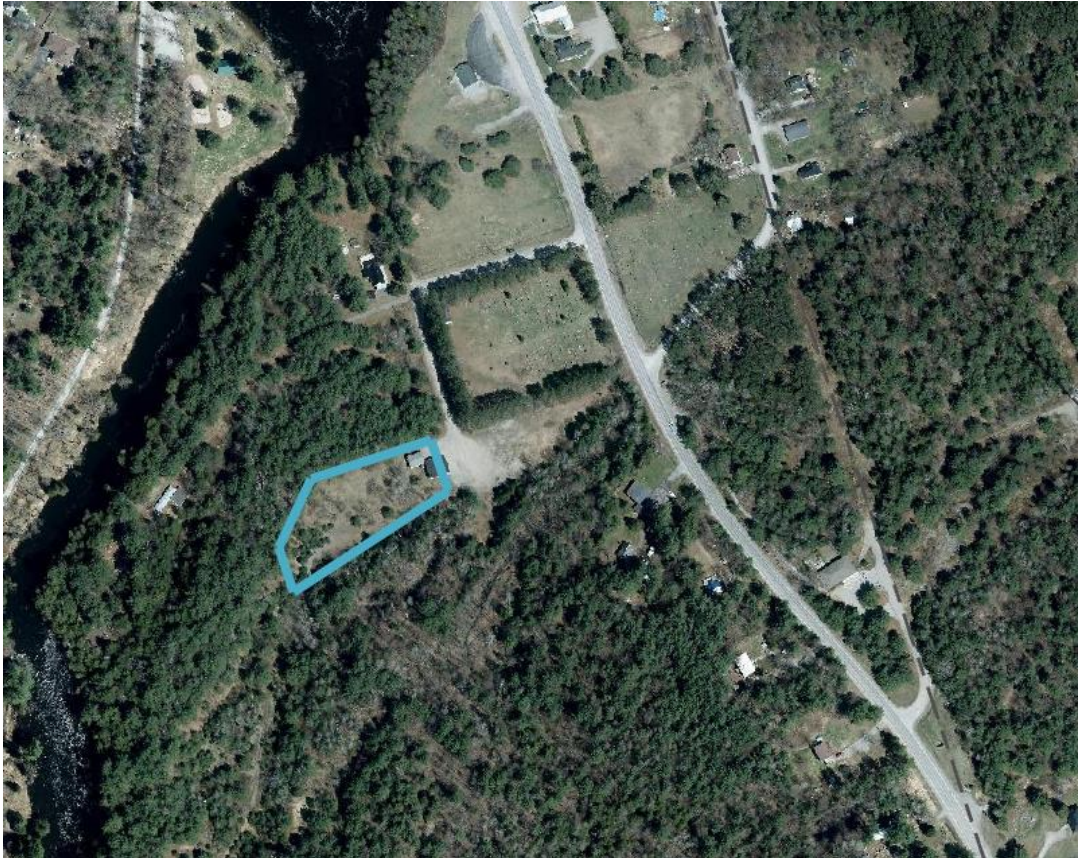
APPENDIX " B "

to

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AERIAL PHOTO



to

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APPLICANT'S SKETCH

