

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Ryall

Report Number COA2024-085

Public Meeting

Meeting Date: September 26, 2024

Time: 2:00 pm

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

Ward 2 – Former Village of Bobcaygeon

Subject: The purpose and effect is to facilitate the construction of a new front yard deck.

Relief sought:

1. Section 5.2.c. of the Zoning By-law requires a minimum 7.5 metre front yard setback, the front yard setback from the proposed deck is 6.47 metres; and,
2. Section 5.2.f. of the Zoning By-law permits a maximum 30% total lot coverage, the existing lot coverage is 34.39% and the proposed lot coverage is 38.69%.

The variance is requested at **81 Front Street West** (File D20-2024-077).

Author: Ahmad Shahid, Planner II

Signature:



Recommendations

That Report COA2024-085 – Ryall, be received;

That minor variance application D20-2024-077 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 COA2024-085, 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 COA2024-085. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Construction of a new front yard deck
Owners:	Melissa Ryall
Applicant:	Owner
Legal Description:	Part Lot 1, West Side of Head Street (being Plan 70 of Reference Plan 57R-4510)
Official Plan ¹ :	Urban Settlement Area (City of Kawartha Lakes Official Plan, 2012) Urban (Victoria County Official Plan, 1978)
Zone ² :	Urban Residential One (R1) Zone (Village of Bobcaygeon Zoning By-Law 16-78)
Site Size:	637.42 square metres (6,861.13 square feet)
Site Access:	Year-round maintained road
Site Servicing:	Full municipal servicing
Existing Uses:	Residential
Adjacent Uses:	Residential, Vacant

Rationale

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

The subject property is situated in the former Village of Bobcaygeon, near the intersection of Head Street and Front Street West. The neighbourhood is comprised of low-density residential uses in the form of single detached dwellings

¹ See Schedule 1

² See Schedule 1

and various accessory structures. The properties along Front Street West are not waterfront but have view of the Bobcaygeon River.

The subject property currently contains a one-storey dwelling with an attached garage and rear deck (1970), a detached garage (1990), and a shed. The proposal seeks to construct a 24.13 square metre (platform size) front yard deck attached to the existing dwelling. The proposed front yard deck will be uncovered and primarily serve as a sitting area for the property owners, providing a view of the Bobcaygeon River across the street.

The proposal is compatible with surrounding land uses and existing built form. The neighbouring property to the east contains a similarly placed deck that is in-line with the proposed deck. Moreover, the neighbouring properties to the west are all setback much closer to the street than the existing dwelling and proposed deck location.

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 Urban Settlement Area under the City of Kawartha Lakes Official Plan (2012). As the Bobcaygeon Secondary Plan of the City's 2012 Official Plan is under appeal, the Victoria County Official Plan (VCOP) applies. Under the VCOP, the property is designated Urban. The Urban designation permits a broad range of residential uses, but states that low-density residential uses should predominate. The proposal maintains the existing low-density use.

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 Urban Residential One (R1) Zone under the Village of Bobcaygeon Zoning By-Law 16-78. The R1 Zone permits a single-detached dwelling and accessory structures/uses. Relief is required from the minimum required front yard setback and maximum permitted lot coverage.

Section 5.2.c. of the Zoning By-law requires a minimum 7.5 metre front yard setback, the front yard setback from the proposed deck is 6.47 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 and to maintain features such as the character of the streetscape. The proposed front yard setback of the deck will not interrupt or impact the travelled portion of the street. Additionally, the proposed front yard setback is in-line or greater than the existing front yard setback of the neighbouring properties along Front Street West.

Section 5.2.f. of the Zoning By-law permits a maximum 30% total lot coverage, the propose lot coverage is 38.69%. The intention of regulating lot coverage is to

maintain a balance between built form and open space, ensuring there is area for greenspace, landscaping, and other open space amenities. Furthermore, limiting lot coverage prevents overcrowding, contributing to a more aesthetically pleasing environment. The existing lot coverage of the property is 34.39%, exceeding the maximum permitted rate. As a result, the addition of any structure regardless of size would require relief from this provision. The proposed deck is to be situated in the front yard of the property, where no other structures are existing. As a result, overcrowding is avoided as there is still ample amenity space available in the front yard. The proposed deck is not anticipated to negatively impact the aesthetic from the public view as it aligns with the built form character along the street.

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 objection to or comment for this Minor Variance application.”

DS – Building and Septic Division (Building): “No comments.”

Public Comments:

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

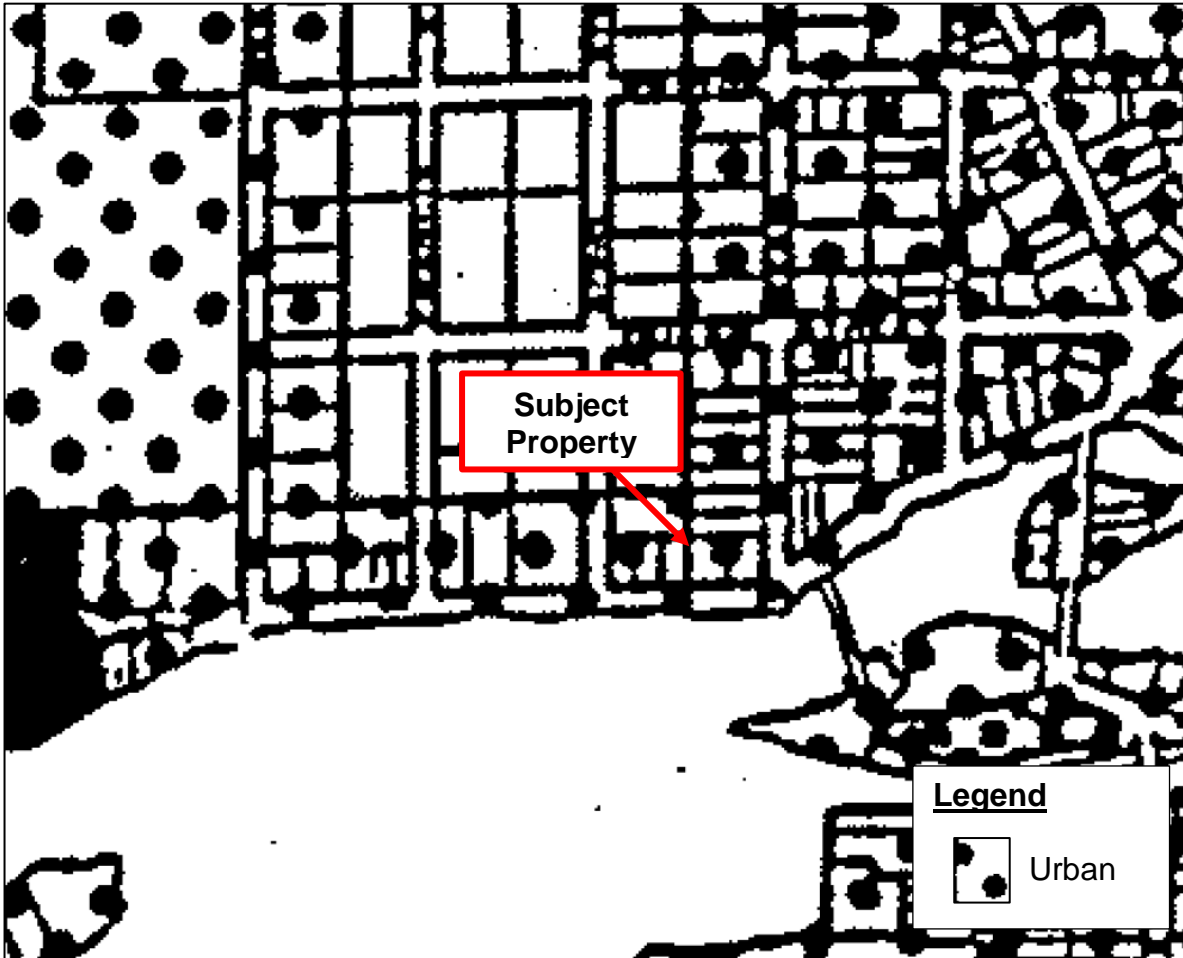
Attachments

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

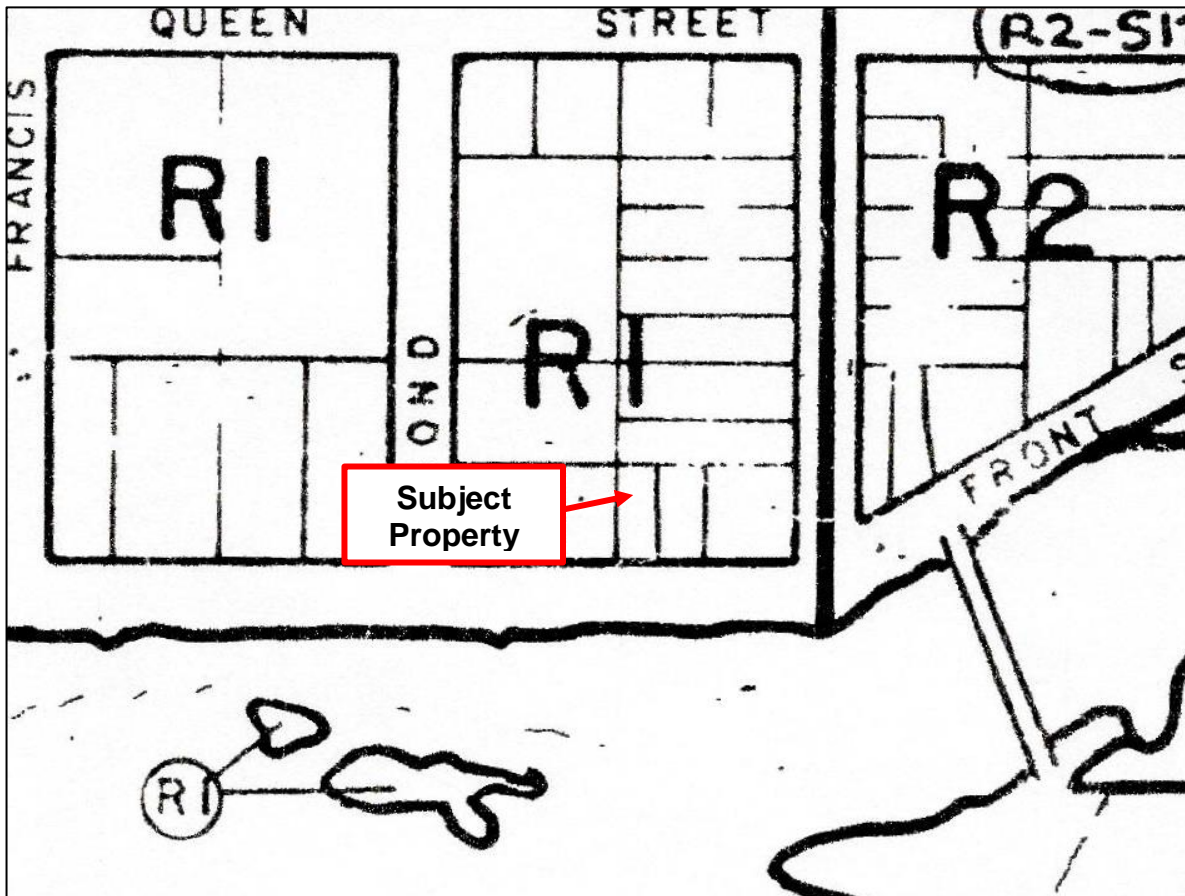
Phone: 705-324-9411 extension 1367
E-Mail: ashahid@kawarthalakes.ca
Department Head: Leah Barrie, Director of Development Services
Division File: D20-2024-077

Schedule 1 Relevant Planning Policies and Provisions

Victoria County Official Plan



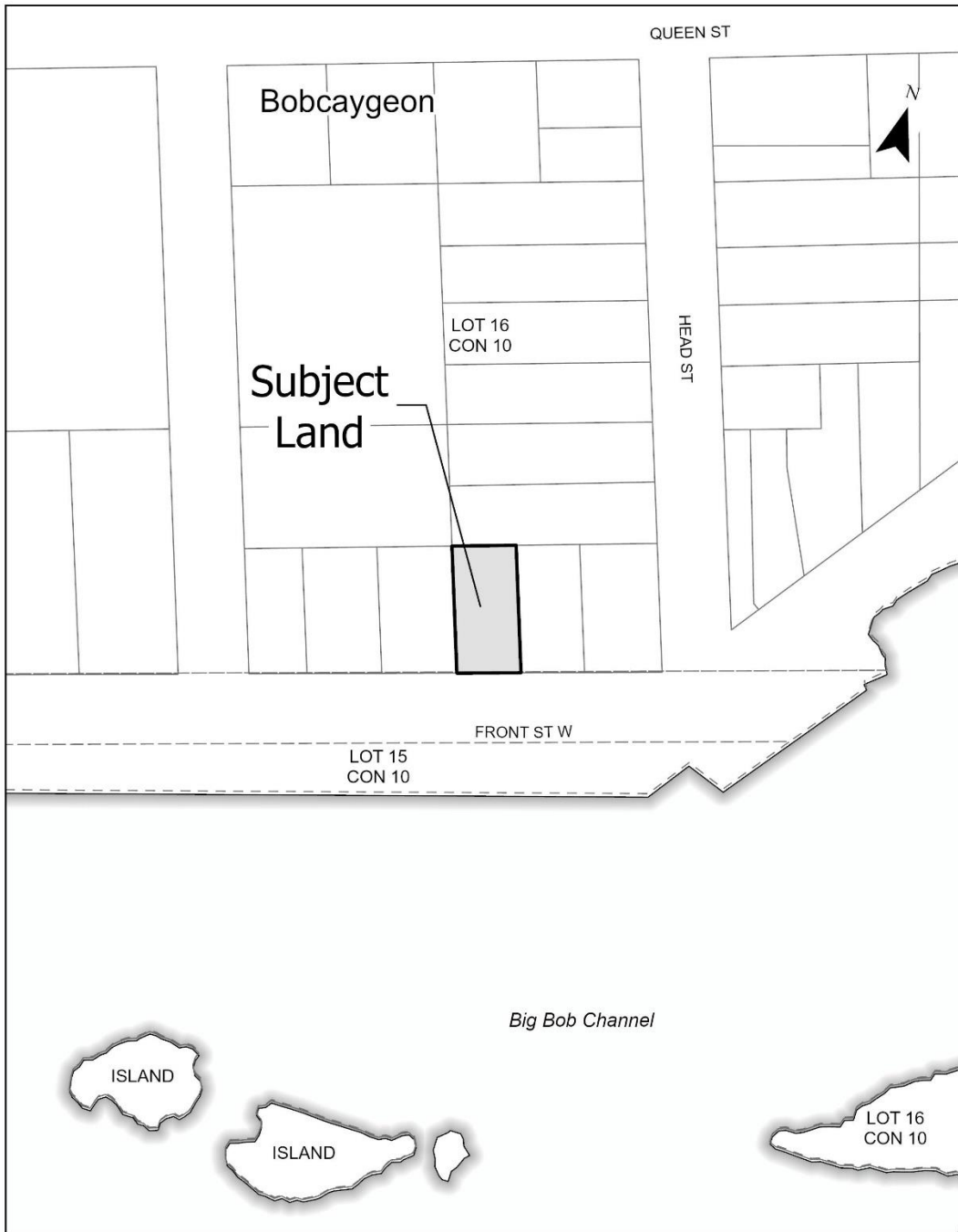
Village of Bobcaygeon Zoning By-Law 16-78



to

LOCATION MAP

D20-2024-077



APPENDIX " B "

to

REPORT COA2024-085

FILE NO: D20-2024-077

AERIAL PHOTO (2023)



to

REPORT COA2024-085

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APPLICANT'S SKETCH

