

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Murphy

Report Number COA2024-112

Public Meeting

Meeting Date: November 28, 2024

Time: 1:00 pm

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

Ward 5 – Former Town of Lindsay

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

Relief sought:

1. Section 6.2.f of the Zoning By-law which requires a 7.5 metre minimum rear yard setback; the proposed addition seeks a 6.63 metre rear yard setback.

The variance is requested at **12 Kirkconnell Road** (File D20-2024-104).

Author: Ahmad Shahid, Planner II

Signature:



Recommendations

That Report COA2024-112 – Murphy, be received;

That minor variance application D20-2024-104 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 COA2024-112, 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 COA2024-112. 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 rear of the existing single-detached dwelling.
Owners:	Carol and Greg Murphy
Applicant:	Rob Peltenburg
Legal Description:	Lot 45, Plan 633
Official Plan ¹ :	Urban Settlement Area (City of Kawartha Lakes Official Plan, 2012)
Secondary Plan ¹ :	Residential (Lindsay Secondary Plan, 2023)
Zone ² :	Residential One (R1) Zone (Town of Lindsay Zoning By-Law 2000-75)
Site Size:	566.56 square metres (6,098.40 square feet)
Site Access:	Year-round maintained road
Site Servicing:	Municipal water and sewer servicing
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 located in a low-density residential neighborhood in the former Town of Lindsay. The neighbourhood built form is comprised of single-detached dwellings, with construction dates ranging from late 1900's to early 2000's (Municipal Property Assessment Corporation, 2024). Many of the dwellings have completed additions and/or various extents or renovations and alterations since their initial construction. The lots along Kirkconnell Road are relatively

¹ See Schedule 1

² See Schedule 1

uniform in shape and size, with consistent setbacks from the road and slight variations in rear yard setbacks.

The subject property currently contains a one-storey single-detached dwelling with an attached garage, and shed. The proposal seeks to facilitate the construction of an addition onto the rear of the existing dwelling. According to the owners, the addition will include a sunroom and extend the existing habitable space of the dwelling.

The proposed addition extends the existing one-storey dwelling further into the rear yard, a common redevelopment initiative taken by the various lots along Kirkconnell Road. The proposed addition does not disrupt the existing residential land use of the property, or the low-density residential 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 Urban Settlement Area under the City of Kawartha Lakes Official Plan. The Urban Settlement Area designation aims to provide general broad policies that are applicable to all urban settlements within the City. The Lindsay Secondary Plan provides more specific policies directed towards the former Town of Lindsay. Under the Secondary Plan, the property is designated Residential. The Residential designation under the Secondary Plan allows for low-density residential uses. 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 Residential One (R1) Zone under the Town of Lindsay Zoning By-Law 2000-75. The R1 Zone permits the use of a single detached dwelling and accessory structures. Relief is required from the minimum required rear yard setback.

Section 6.2.f of the Zoning By-law requires a 7.5 metre minimum rear yard setback; the proposed addition seeks a 6.63 metre rear yard setback. The intention of a rear yard setback is to ensure adequate amenity space and adequate buffering from abutting residential uses to avoid land use and privacy conflicts with abutting rear yards. The proposed addition is to the rear of the existing dwelling, and the addition encroaches into the rear yard space. The neighbouring properties to the north, share their rear lot line with the subject property. In addition to a fence and some vegetation separating the subject property from northern neighbouring lots, the dwellings are situated at a considerable distance from one another (approximately 36 metres from the subject property's rear lot line), thereby minimizing concerns regarding privacy conflicts. The proposed discrepancy from what is required is minimal, and will continue to allow for ample amenity space on the property.

Additionally, the addition proposes a compliant lot coverage ensuring there is a balance of open space and 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 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:

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

ECA – Development Engineering: “From a Development engineering perspective, we have no concerns or comments for this Minor Variance application.”

Public Comments:

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

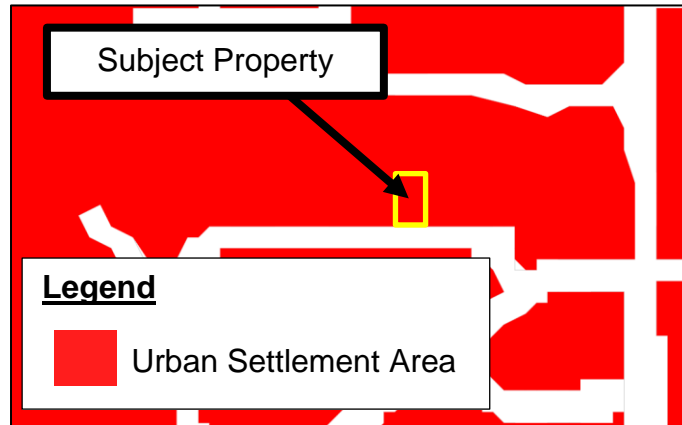
Attachments

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

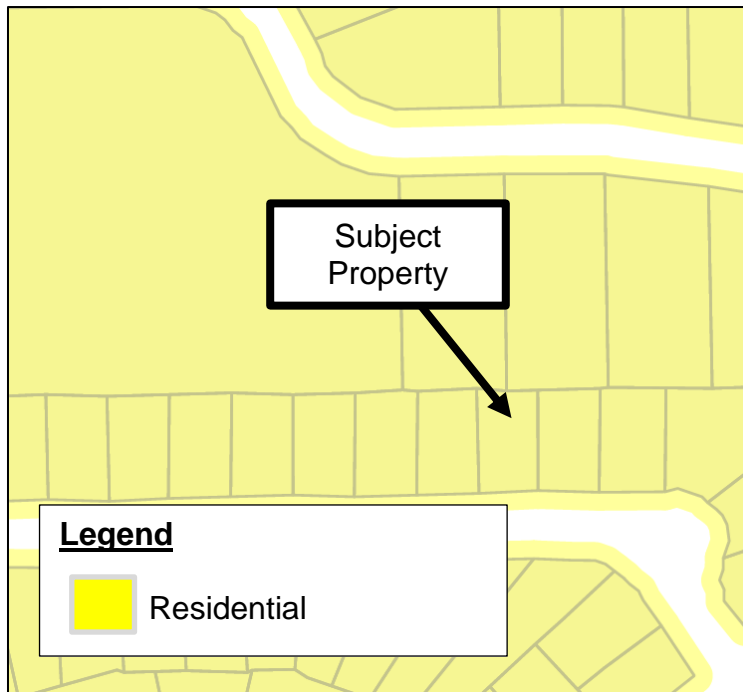
Phone: 705-324-9411 extension 1367
E-Mail: ashahid@kawarthalakes.ca
Department Head: Leah Barrie, Director of Development Services
Division File: D20-2024-104

Schedule 1 Relevant Planning Policies and Provisions

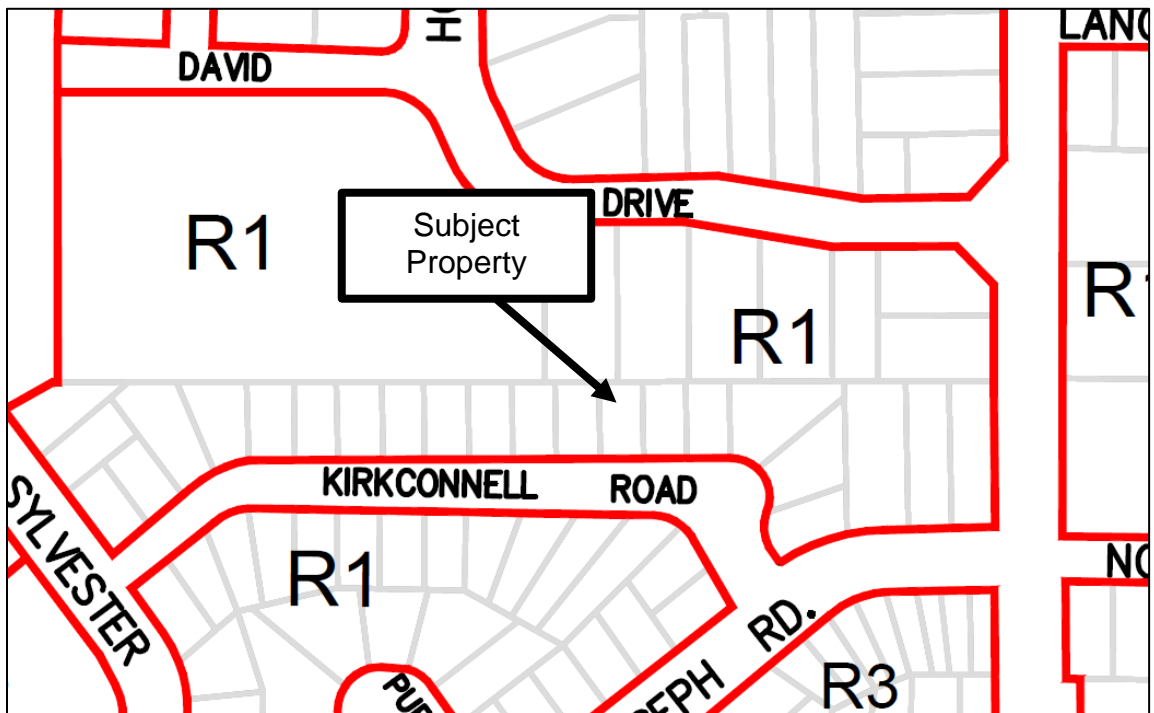
City of Kawartha Lakes Official Plan



Lindsay Secondary Plan



Town of Lindsay Zoning By-Law 2000-75



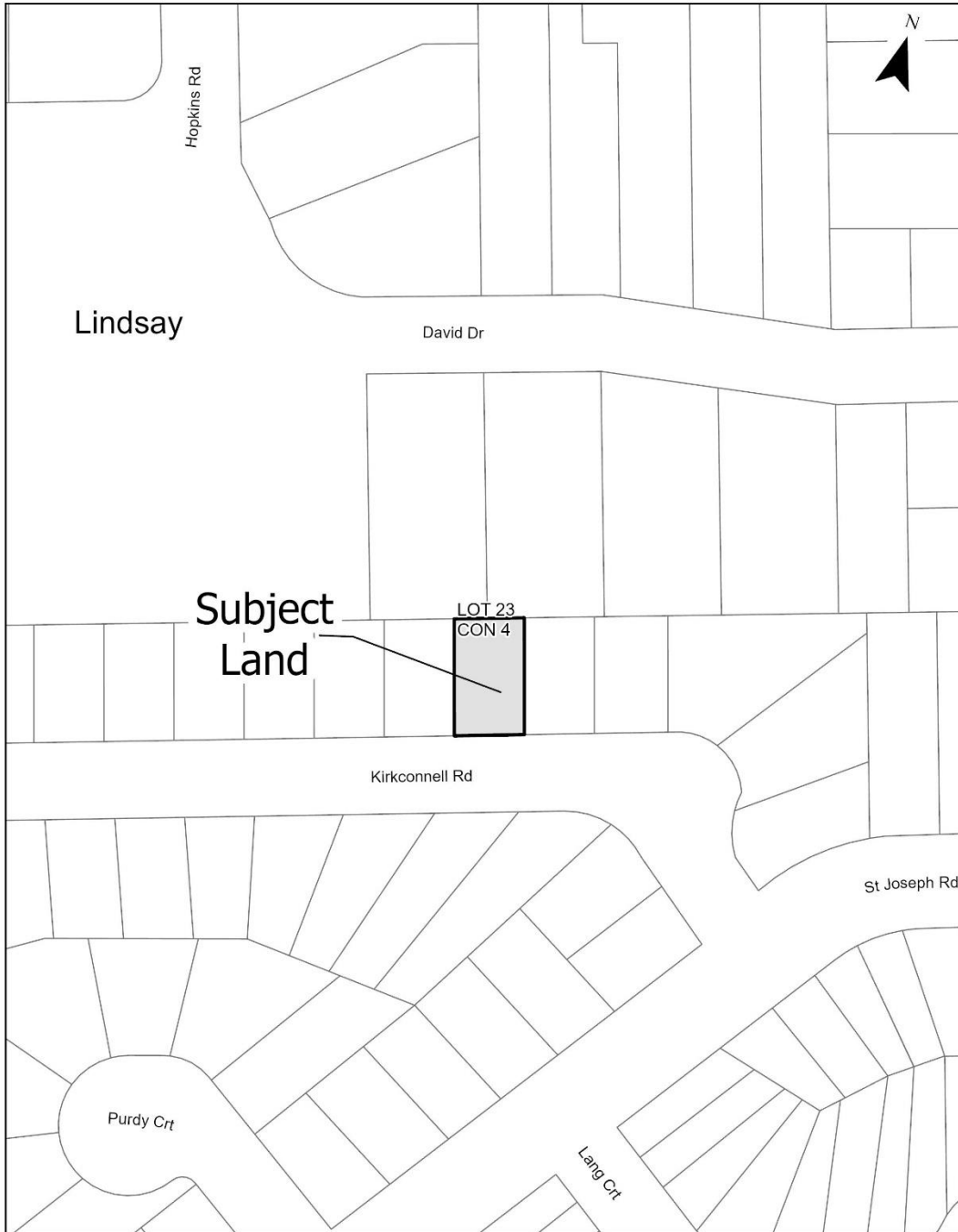
to

REPORT COA2024-112

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LOCATION MAP

D20-2024-104



APPENDIX " B "

to

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AERIAL PHOTO



to

APPLICANT'S SKETCH

