

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Bell**  
Report Number COA2025-017

---

**Public Meeting**

**Meeting Date:** February 27, 2025

**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 a new front porch.

**Relief sought:**

1. Section 7.2 c) of the Zoning By-law requires a minimum front yard setback of 7.5 metres; the proposed setback is 4.4 metres.

The variance is requested at **23 Fair Avenue** (File D20-2025-004).

---

**Author:** Katherine Evans, Acting Development Supervisor

**Signature:** 

---

**Recommendations**

**That** Report COA2025-017 – **Mainguy**, be received;

**That** minor variance application D20-2025-004 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 COA2025-017, 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 COA2025-017. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

## Application Summary

Proposal:	Construction of a new porch
Owners:	Colleen and Arthur Bell
Applicant:	Josh Mainguy
Legal Description:	Part Lot 13, Plan 75
Official Plan <sup>1</sup> :	Urban Settlement Area (City of Kawartha Lakes Official Plan, 2012) and Residential (Lindsay Secondary Plan, 2023)
Zone <sup>2</sup> :	Residential Two (R2) Zone (Town of Lindsay Zoning By-law 2000-75)
Site Size:	525 m <sup>2</sup> (5,651.05 sq. ft.)
Site Access:	Year round municipal road
Site Servicing:	Municipal water and sanitary sewers
Existing Uses:	Residential
Adjacent Uses:	Residential, institutions and community facilities, and open space

## Rationale

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

The subject property is located in an established residential neighbourhood located towards the centre of the Town of Lindsay. The property is rectangular in shape and contains a single detached dwelling constructed in 1900 (according to Municipal Property Assessment Corporation) and a detached garage.

The proposal is to replace the previously existing enclosed front porch that has been recently demolished with a new unenclosed covered porch. The previously existing porch was a safety concern, and the new porch will be an improvement for the property owners. The porch will provide shelter from the elements when entering and exiting the dwelling, and will add visual interest to the front of the dwelling. Many of the dwellings on Fair Avenue have front porches, some enclosed

---

<sup>1</sup> See Schedule 1

<sup>2</sup> See Schedule 1

and some unenclosed, so the proposal is in keeping with the existing built form in the area.

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 provides 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. The subject property is designated Residential under the Lindsay Secondary Plan. This designation permits a variety of dwelling types and accessory buildings and structures.

Therefore, the variance is considered to maintain the general intent and purpose of the Secondary Plan.

**The variance maintains the general intent and purpose of the Zoning By-law.**

The subject property is zoned Residential Two (R2) Zone under the Town of Lindsay Zoning By-law 2000-75. A single detached dwelling as well as accessory buildings and structures 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.

Section 7.2 c) of the Zoning By-law requires a minimum front yard setback of 7.5 metres. The proposed setback is 4.4 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 previously existing front porch had a front yard setback of approximately 4.5 metres, so the new porch is only minimally encroaching beyond what previously existed. The sidewalk and boulevard provide physical and visual separation between the porch and the travelled portion of the road, and the proposed porch is not anticipated to impact traffic, road maintenance, or sight lines.

The Zoning By-law contains a provision which allows development to occur in line with the established building line, being the average distance between buildings that predate the Zoning By-law and the streetline. Based on a desktop exercise, the average setback is approximately 6 metres. Therefore, the established building line provision does not avoid the need for a minor variance for this porch. However, the properties directly adjacent to the subject property have porches with similar reduced front yard setbacks, so the proposal is in keeping with the character of the area.

**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 comments for or objection to 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

---

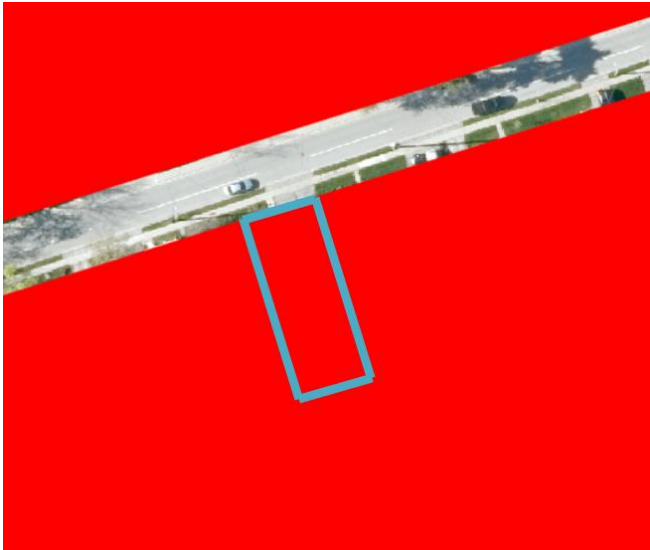
<b>Phone:</b>	705-324-9411 extension 1883
<b>E-Mail:</b>	kevans@kawarthalakes.ca
<b>Department Head:</b>	Leah Barrie, Director of Development Services
<b>Division File:</b>	D20-2025-004


## Schedule 1

### Relevant Planning Policies and Provisions

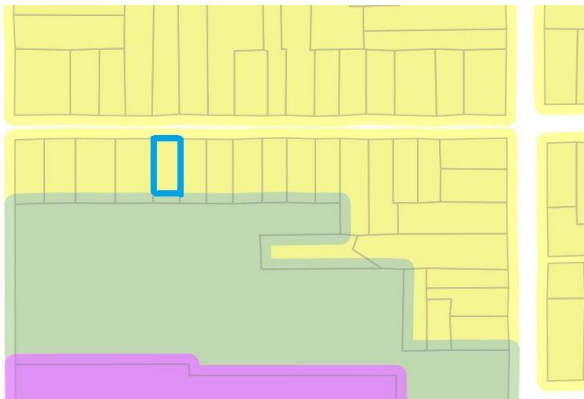
---


#### City of Kawartha Lakes Official Plan




 Urban Settlement Area

#### 18. Urban Settlement Designation



 Parks and Open Space

 Institutions and Community Facilities

 Residential

### **31.2.3. Land Use Policies**

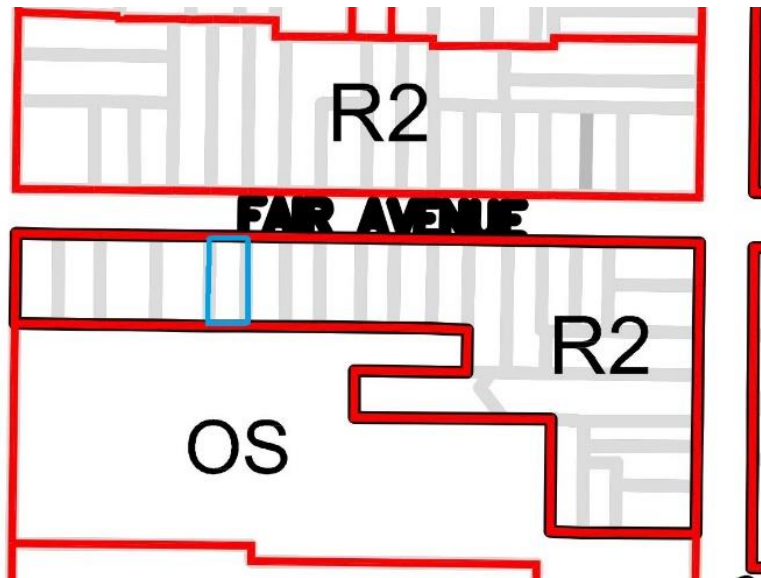
#### 31.2.3.1. Residential

##### 31.2.3.1.1. Permitted Uses

##### 31.2.3.1.2. Residential Densities

##### 31.2.3.1.2.1. Low Density Residential Development

## Town of Lindsay Zoning By-law 2000-75



### Section 7 Residential Two (R2) Zone

7.1 R2 Uses Permitted

7.2 R2 Zone Requirements

c) Minimum front yard setback 7.5 m

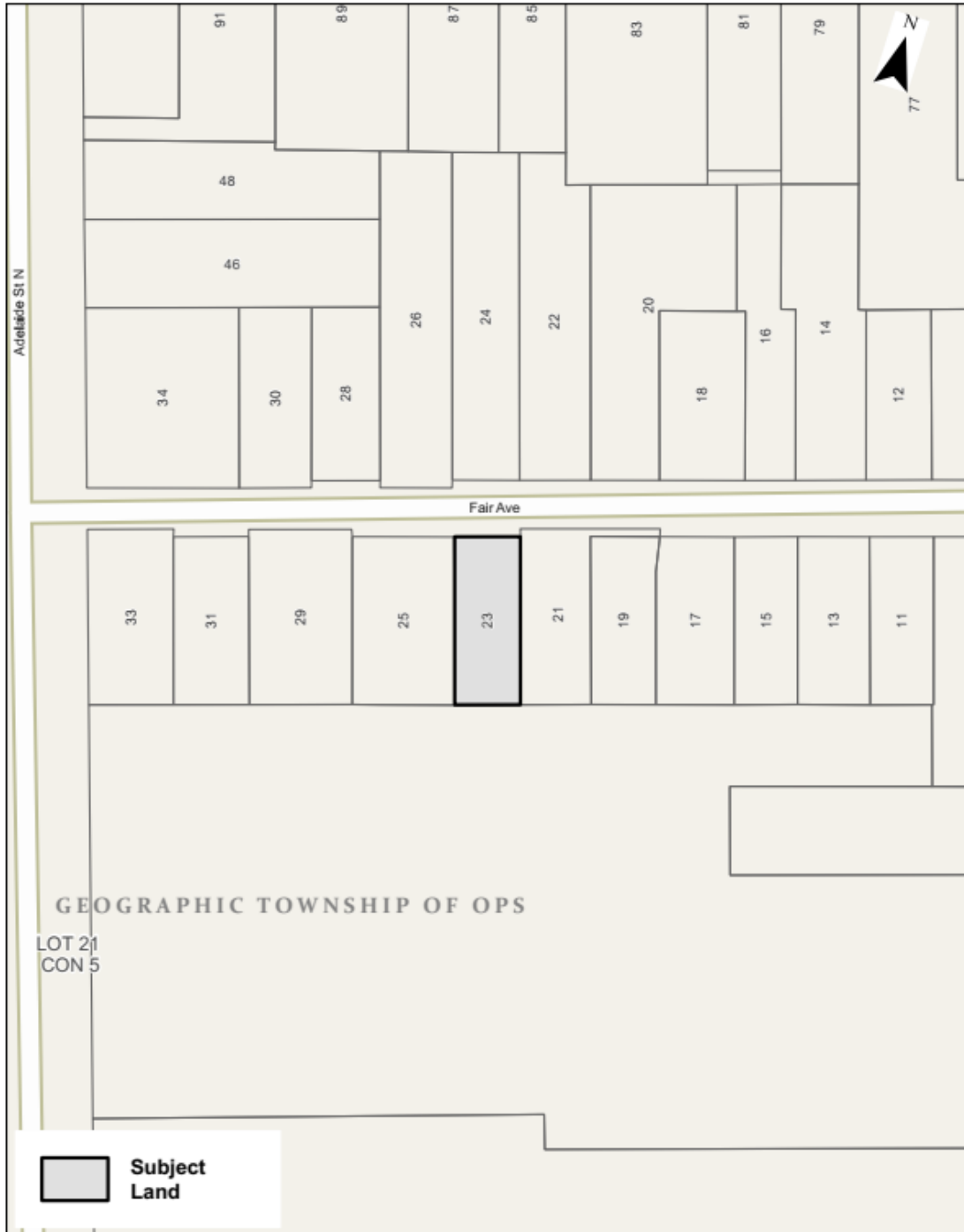
to

REPORT COA2025-017

FILE NO: D20-2025-004

LOCATION MAP

D20-2025-004





APPENDIX “ B ”

to

REPORT COA2025-017

FILE NO: D20-2025-004

## AERIAL PHOTO



