

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Banderk**  
Report Number COA2018-077

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**Public Meeting**

**Meeting Date:** November 29, 2018  
**Time:** 1:00 pm  
**Location:** Victoria Room, City Hall, 26 Francis Street, Lindsay

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**Ward: 2– geographic Township of Laxton**

**Subject:** The purpose and effect is to request relief from Section 4.2(g) to reduce the minimum water setback from 15 metres to 10 metres to permit an addition to a single detached dwelling.

The variance is requested at 118 Shadow Lake Road 3, geographic Township of Laxton (File D20-2018-060).

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**Author: David Harding, Planner II**

**Signature:**

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**Recommendations:**

**RESOLVED THAT** Report COA2018-077 Banderk, be received;

**THAT** minor variance application D20-2018-060 be DEFERRED for a period not to exceed four months to provide the owner sufficient time to supply the City with a revised proposal, and if needed, re-advertise the amended proposal.

**Background:**

**Proposal:** To construct an addition measuring approximately 6.3 metres (20.7 feet) x 5.9 metres (19.4 feet) on the southern corner of the dwelling.

**Owner:** Kenneth Banderk

**Legal Description:** Lot 22, Plan 455, geographic Township of Laxton, City of Kawartha Lakes

**Official Plan:** Waterfront within the City of Kawartha Lakes Official Plan

**Zone:** Rural Residential Type Two (RR2) Zone within the United Townships of Laxton, Digby and Longford Zoning By-law 32-83

**Site Size:** 3,600 square metres (0.89 acres)

Site Servicing: Private individual well and septic system

Existing Uses: Shoreline Residential

Adjacent Uses: North: Shoreline Residential  
South: Shoreline Residential  
East: Shadow Lake  
West: Shoreline Residential

**Rationale:** Staff are concerned over the potential and massing impacts that are likely to result from the application as proposed. The owner has agreed to investigate amending their proposal to address these concerns.

**1) Is the variance minor in nature?**

**And**

**2) Is the proposal desirable and appropriate for the use of the land?**

**Undetermined at this time**

The owner is in the process of updating the proposal.

**3) Does the variance maintain the intent and purpose of the Official Plan?**

**Undetermined at this time**

The owner is in the process of updating the proposal.

**4) Does the variance maintain the intent and purpose of the Zoning By-law?**

**Undetermined at this time**

The owner is in the process of updating the proposal.

**Other Alternatives Considered:**

The owner's consultant submitted a preliminary design for an addition in March. The addition proposed a water setback of approximately 7 metres. Staff advised the consultant that a water setback of less than 15 metres was not supportable due to the Official Plan policies in place and the fact that an addition of an equal or greater footprint could still occur on the rear of the dwelling provided the addition was moved northwards.

The owner submitted a revised plan in August that proposed a water setback of 10 metres. While this distance is an improvement, staff advised that they have concerns with the proposal as applied for.

**Servicing Comments:**

The property is serviced by private individual well and septic system.

**Consultations:**

Notice of this application was circulated in accordance with the requirements of the Planning Act. Comments have been received from:

**Agency Comments:**

Kawartha Region Conservation Authority (November 19, 2018): No concerns.

Engineering and Corporate Assets Department (November 20, 2018): No concerns.

**Public Comments:**

No comments as of November 19, 2018.

**Attachments:**

Appendices A-E to  
COA2018-077.pdf

Appendix "A" – Location Map

Appendix "B" – Aerial Photo

Appendix "C" – Applicant's Sketch

Appendix "D" – Conceptual Elevations

Appendix "E" – Department and Agency Comments

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**Department Head:** Chris Marshall

**Department File:** D20-2018-060