

# The Corporation of the City of Kawartha Lakes

## Committee of Adjustment Report – Gorassi

Report Number COA2019-051

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### Public Meeting

**Meeting Date:** August 15, 2019

**Time:** 1:00 pm

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

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### Ward 2 – Geographic Township of Verulam

**Subject:** The purpose and effect is to request relief from Section 5.1.4(a) to reduce the minimum interior side yard requirement from 1.2 metres to 0.79 metre in order to permit the construction of an addition onto a boathouse.

The variances are requested at 798 Cedar Glen Road, geographic Township of Verulam (File D20-2019-035).

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**Author:** Quadri Adebayo, Planner II      **Signature:**

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### Recommendations:

**Resolved That** Report COA2019-051 Louis Gorassi be received;

**That** minor variance application D20-2019-035 be GRANTED, as the application meets the tests set out in Section 45(1) of the *Planning Act*.

### Conditions:

- 1) **That** the construction of the boathouse related to this approval shall proceed generally in accordance with the sketch in Appendix C and elevations in Appendix D submitted as part of Report COA2019-051, which shall be attached to and form part of the Committee's Decision. Any deviation from these specifications will require review by the City and may necessitate further approvals to be granted by the City and/or any other governing agency, body or authority, where applicable;
- 2) **That** the owner acknowledge through the granting of this approval that the boathouse shall not be used for human habitation. Similar wording shall be placed on the required building permit; and
- 3) **That** the 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 COA2019-051. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.**

<b>Background:</b>	This application proposes to construct an addition onto an existing boathouse that was built circa 1945 (MPAC). The proposed development will maintain the limits of the easterly wall of the boathouse within the easterly interior side yard where relief is being sought. This application was deemed complete July 6, 2019.
<b>Proposal:</b>	To construct an approximately 34 square metre (366 square foot) addition to single-storey detached boathouse. The existing boathouse is approximately 41.63 square metres (448 square foot) in size.
<b>Owners:</b>	Louis Gorassi
<b>Applicant:</b>	Andrew Chudy
<b>Legal Description:</b>	Part Lot 11, Concession 3, Plan 209, Lot 1 to 2, geographic Township of Verulam, now City of Kawartha Lakes
<b>Official Plan:</b>	Waterfront in the City of Kawartha Lakes Official Plan
<b>Zone:</b>	Residential Type One (R1) Zone within the Township of Verulam Zoning By-law 6-87
<b>Site Size:</b>	0.53 acres (2,120 square metres)
<b>Site Servicing:</b>	Private individual septic and lake water systems
<b>Existing Uses:</b>	Residential
<b>Adjacent Uses:</b>	North: Sturgeon Lake East & West: Residential South: Residential, Agricultural

**Rationale:**

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

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

The proposed interior side yard reduction accounts for the measurement between the easterly side lot line and the existing building footprint established by the easterly wall of the boathouse. Notwithstanding that the established building wall is 0.86 metres from the easterly lot line; the slanted alignment of the easterly lot line from north to south further reduces the interior side yard

depth at 0.79 metres for the proposed addition onto the south end of the boathouse. Observation from site visit also suggests that the existing amenity space in the easterly side yard will not be significantly impacted as no construction is proposed to be installed within the said yard at all. The addition will be constructed onto the westerly and southerly walls of the existing boathouse respectively. Also, given that the easterly abutting parcel is a small piece of land in separate ownership that appears to function as a recreational back lot containing a dock and boat slip with an exclusive access, no land use compatibility issues are anticipated.

As well, no negative impact is anticipated from the proposed addition to the integrity of the abutting lake as necessary permits have been obtained from the respective regulatory authorities (Trent Severn Waterway - TSW and Kawartha Conservation - KRCA). See Appendix F for the permits. The existing vegetation along the easterly side lot line is also anticipated to buffer the scale of the proposed additions to the boathouse.

Based on the above, the variance is minor as well as desirable and appropriate for the use of the land.

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

**Yes**

The 0.41 metre interior side yard reduction from the 1.2 metres required, proposed for addition, if granted, is not anticipated to be perceptible. The proposed addition will not detract from the existing shoreline character of the neighbourhood and has not been determined by commenting agencies to pose any negative impacts in relation to spatial separation or setback from property lines.

Considering the fact that the proposal has not fully exercised the zoning provision privileges for accessory buildings, utilizing a total lot coverage of approximately 5.8% from a possible 10% maximum in conjunction with the other accessory buildings on the property (two sheds and a detached garage), and maintaining a boathouse height of approximately 3.35 metre where 4 metres maximum is allowed, the applicant has reasonably demonstrated that it is possible to develop the lot.

Therefore, the variance maintains the general intent and purpose of the Zoning By-Law.

**4) Do the variances maintain the intent and purpose of the Official Plan?**

**Yes**

The property is designated Waterfront in the City of Kawartha Lakes Official Plan. Accessory buildings such as boathouse are contemplated within this designation. Thus, the proposal maintains the general intent and purpose of the City's Official Plan.

**Other Alternatives Considered:**

No other alternatives have been considered at this time.

**Servicing Comments:**

The property is serviced by private individual septic and lake water systems.

**Consultations:**

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

**Agency Comments:**

Building Division (August 1, 2019): No concerns.

Building Division – Part 8 Sewage Systems (March 26, 2019 & August 1, 2019): No objection. See comments.

Engineering & Corporate Assets Division (August 2, 2019): No objections.

**Public Comments:**

None as of July 6, 2019.

**Attachments:**

A pdf document is embedded into this document. Please contact Quadri Adebayo, planner at 705-324-9411 extension 1367 to request an alternative format.



Appendices A-F to  
Report COA2019-051

Appendix A – Location Map  
Appendix B – Aerial Photo  
Appendix C – Applicant's Sketch  
Appendix D – Elevation Drawings  
Appendix E – Department and Agency Comments  
Appendix F – KRCA and TSW Permits

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<b>Department File:</b>	D20-2019-035