

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Gonda
Report Number COA2022-055

Public Meeting

Meeting Date: August 18, 2022
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

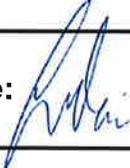
Ward 1 – Geographic Township of Bexley

Subject: The purpose and effect is to permit an addition to a boathouse.

Relief Sought:

- 1) Section 3.1.2.2 requires a minimum side yard setback of 1.2 metres; the existing setback, proposed to remain, is 0.8 metres.
- 2) Section 3.1.3.3 permits a maximum of 3 accessory structures; the existing boathouse subject to the application is accessory structure 4.

The variance is requested at **626 Indian Point Road** (File D20-2022-048).

Author: Leah Barrie, RPP, Manager of Planning **Signature:** 

Recommendations

That Report COA2022-055 – Gonda, be received;

That minor variance application D20-2022-048 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 and D submitted as part of Report COA2022-055, 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 COA2022-055. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	To permit an addition to a boathouse
Owners:	Peter and Jana Gonda
Applicant:	Keji Planners & Builders (Joe McCool)
Legal Description:	Part Lots 13 and 14, Range NWB (being Lots 24 to 26, Plan 242)
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Limited Service Residential 'LSR' (Township of Bexley Zoning By-law 93-09)
Site Size:	0.97 ha (2.4 ac)
Site Access:	Combination, City provides winter maintenance and Association provides summer maintenance
Site Servicing:	Private individual well and septic system
Existing Uses:	Residential
Adjacent Uses:	Residential, woodlands

Rationale

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

Over time, it can be expected that property owners may endeavour to redevelop their lots to achieve a higher and better use. The owners wish to expand an existing boathouse to shelter a larger boat. A second boathouse is at capacity.

The variance maintains the general intent and purpose of the Official Plan.

The boathouse is permitted as-of-right in the Waterfront designation and its proposed expansion does not contravene the policy framework; performance and siting criteria are implemented through the Zoning By-law.

According to Kawartha Conservation the property is adjacent to Balsam Lake/fish habitat and a significant woodland (Natural Heritage Features), flooding and/or

¹ See Schedule 1

² See Schedule 1

erosion hazards may be present on the property (Natural Hazard Feature), and, is within the boundary of the Balsam and Cameron Lake Management Plan (Water Resources). KRCA has determined that any potential negative impacts resulting from the development can be mitigated with the use of proper erosion and sediment control measures to ensure that no sediment resulting from construction enters the drainage ditch and nearby watercourse or waterbody, and through following all conditions outlined within the required permit. The location of the proposed development is based on an existing structure and cleared woodland. As such, an EIS will not be required.

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

The 26 sq m boathouse (circa 1965) holds a non-complying setback of 0.8 m; the lake-side +/- 13 sq m addition proposes to extend the setback with no further encroachment. Sufficient space exists along the north side of the boathouse to perform maintenance activities.

Though the existing number of accessory structures exceed the maximum permitted (3), recognition of the existing non-compliance is needed to facilitate the addition.

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.

An existing vegetative buffer screens the boathouse from the adjacent neighbour's boathouse to the north, providing an element of privacy.

The existing buildings and site features (including the dwelling, tennis court, and 4 accessory structures), are absorbed well by the lot area without any massing issues, and are compatible with the surrounding low density residential uses and features.

Other Alternatives Considered:

Not applicable.

Consultation Summary

Notice of this application was circulated in accordance with the requirements of the Planning Act.

Agency Comments:

No concerns or objections received as of the writing of the staff report.

Kawartha Conservation: "We recommend the landowner take any opportunity to naturalize the shoreline and buffer strip around the shoreline and existing structure to ensure minimal impacts to fish habitat and ecological function of Balsam and

Cameron Lakes. A permit will be required pursuant to Ontario Regulation 182/06, including an erosion and sediment control plan, prior to any onsite works being completed. All in water works for the replacement of the boathouse must be done between July 15 and March 31 to ensure the protection of the shoreline and lakebed during fish spawning times. The permit will require the replacement building to have a finished floor elevation of 0.3 m above the Balsam Lake high water level of 256.5 msl.”

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
Appendix D – Elevation

Phone: 705-324-9411 extension 1240
E-Mail: lbarrie@kawarthalakes.ca
Department Head: Richard Holy, Director of Development Services
Division File: D20-2022-048

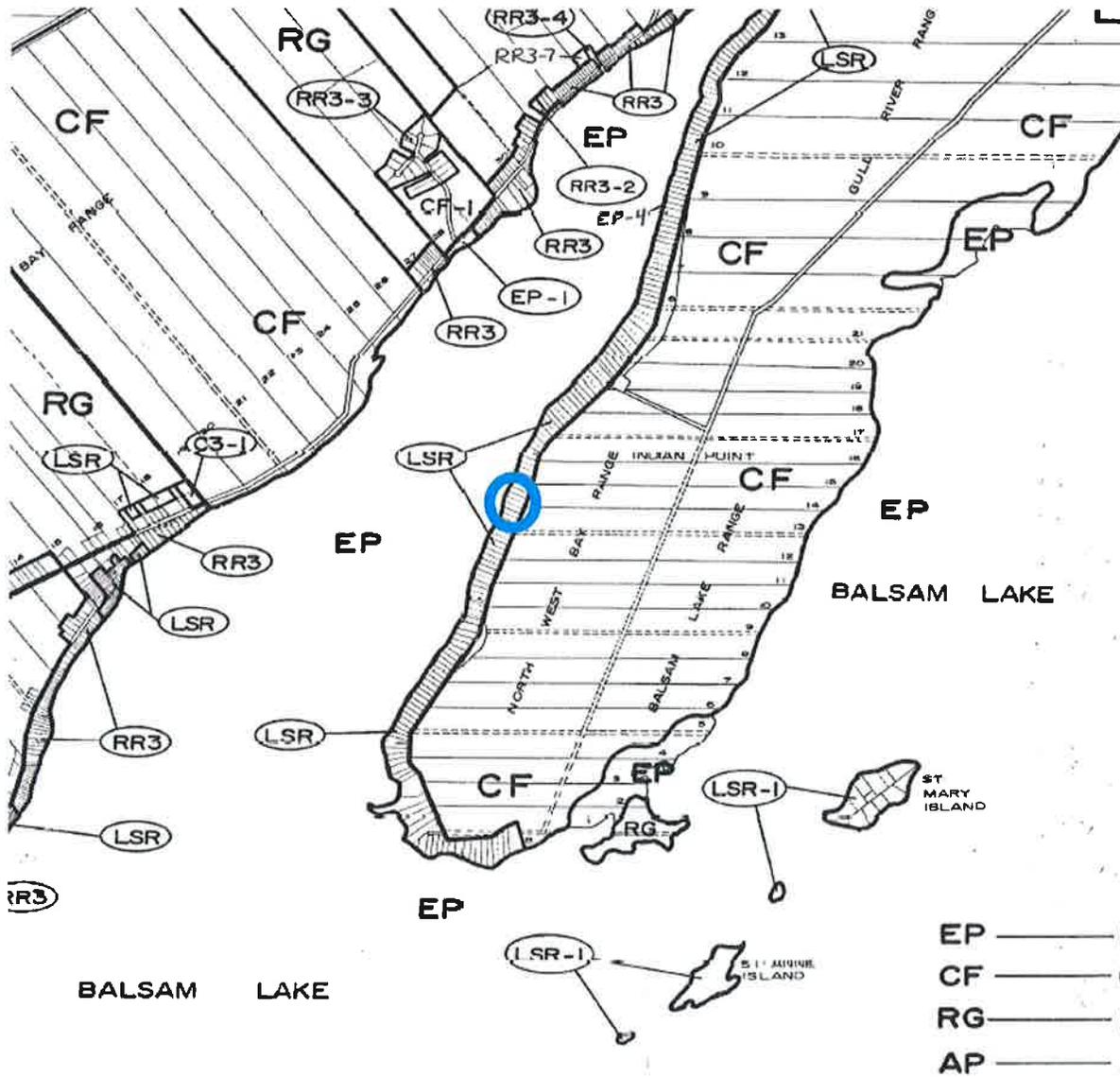
Schedule 1 Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



- 3.5 Natural Heritage System
- 3.11 Water Setback and Accessory Uses
- 20 Waterfront Designation

Township of Bexley Zoning By-law 93-09



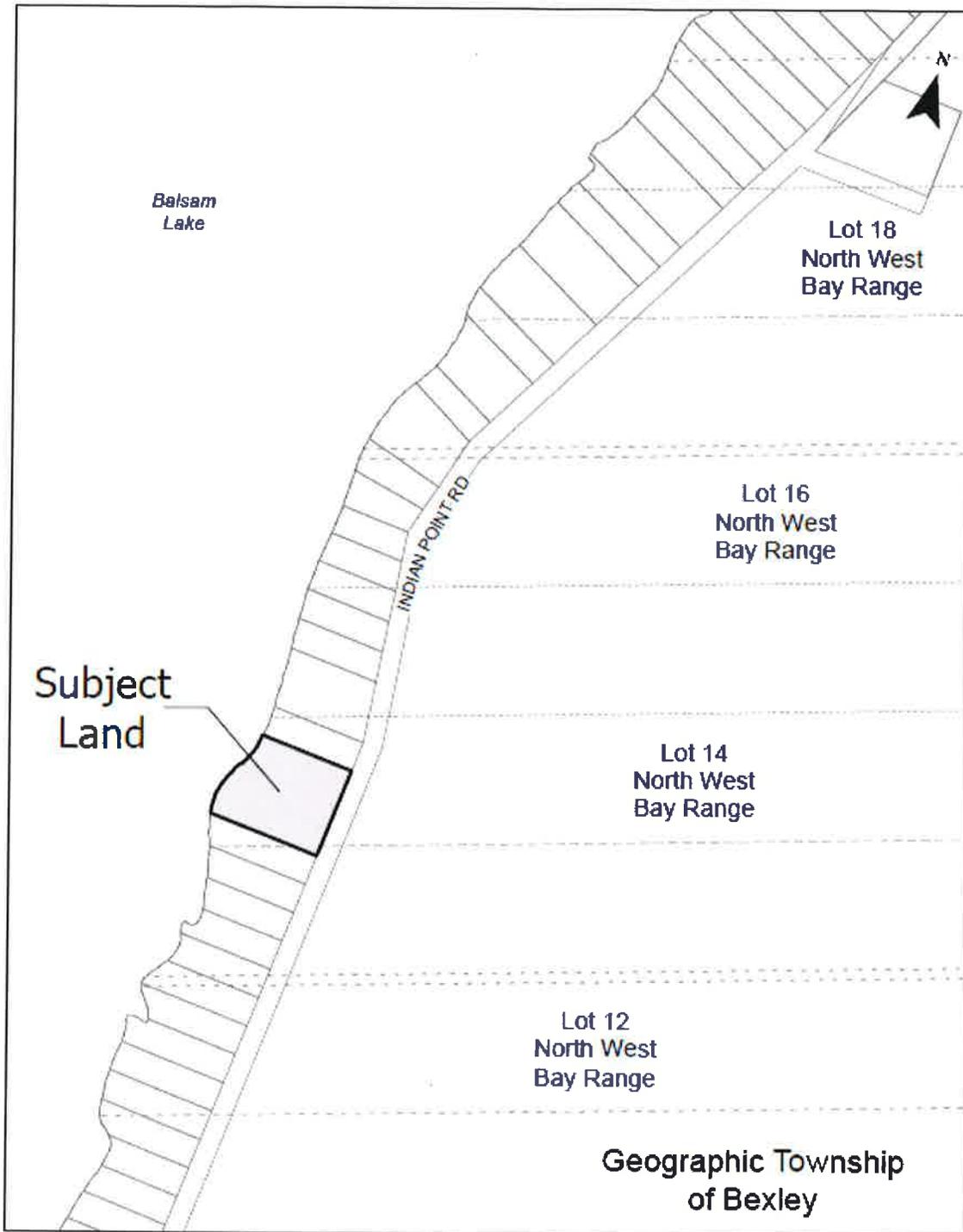
3.1 Accessory Buildings, Structures and Uses
 Part 13 Limited Service Residential (LSR) Zone

to

REPORT COA2022-055

FILE NO: D20-2022-048

LOCATION MAP

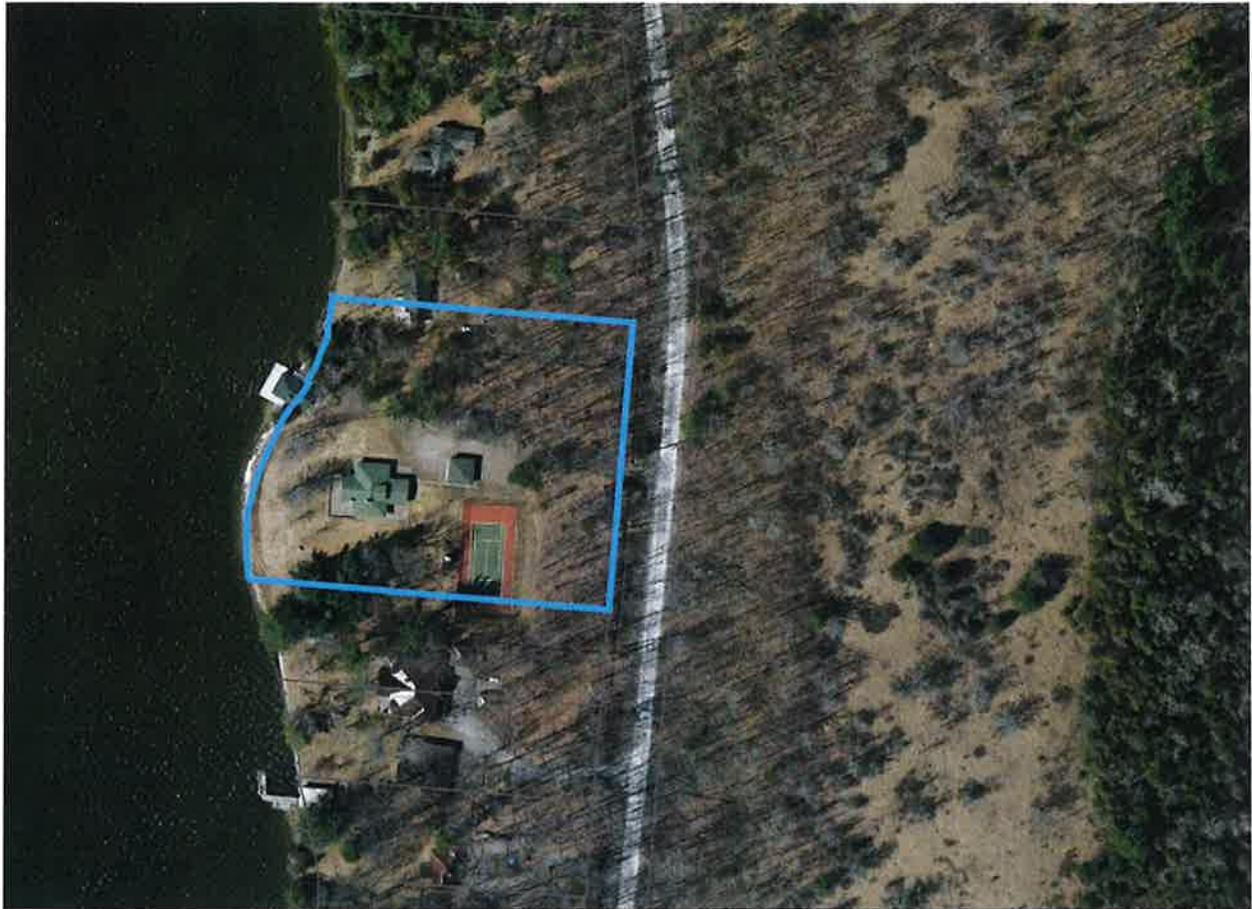


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AERIAL PHOTO

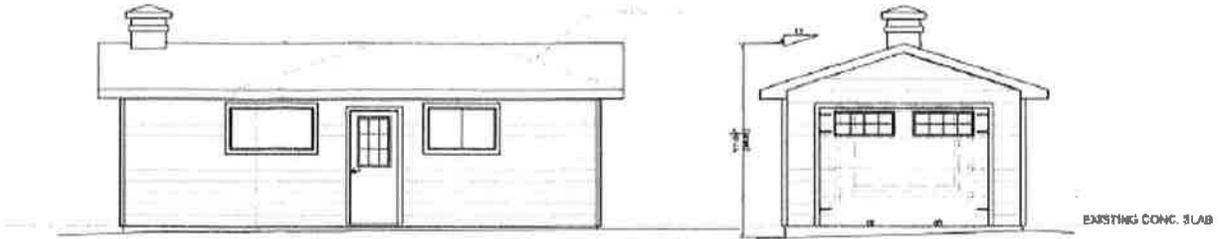


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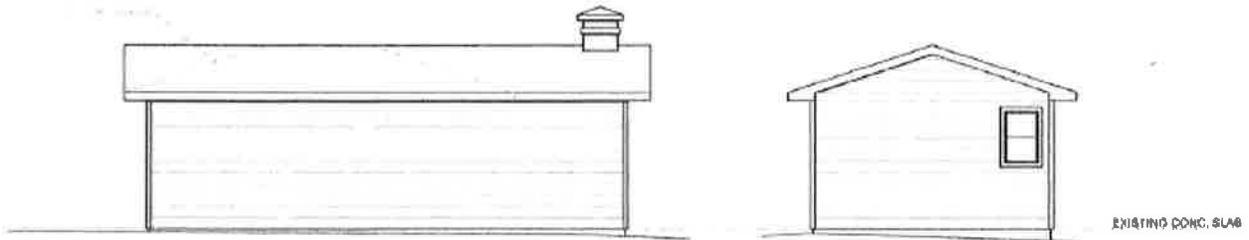
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ELEVATION



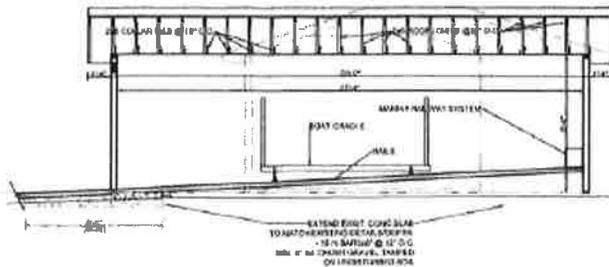
SOUTH ELEVATION

WEST ELEVATION

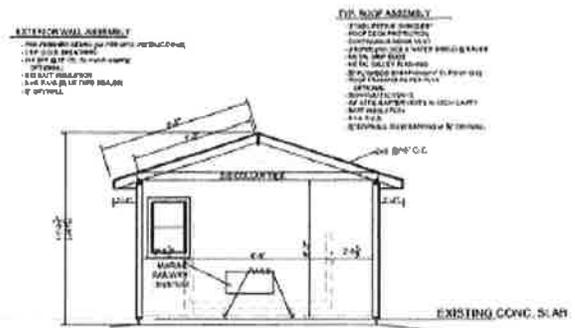


NORTH ELEVATION

EAST ELEVATION



SECTION A-A



SECTION B-B