

# The Corporation of the City of Kawartha Lakes

## Committee of Adjustment Report – Martire

Report Number COA2022-078

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### Public Meeting

**Meeting Date:** October 27, 2022

**Time:** 1:00 pm

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

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### Ward 3 – Geographic Township of Fenelon

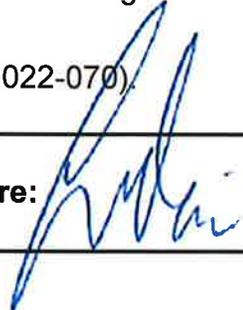
**Subject:** The purpose and effect is to facilitate the construction of an accessory building (boathouse). Relief sought:

1. Section 15.2.1.4 permits a maximum lot coverage of 30%; the proposed is 31%.
2. Section 3.1.2.1 permits a maximum lot coverage for all accessory buildings of 8%; the proposed is 9%.
3. Section 3.1.2.2 requires that the location of an accessory building be no closer than +/- 1.2 metres to a residential building on the same lot; the proposed is zero (0) metres.
4. Part 2 - definition of 'Accessory Building' is characterized as being 'detached'; the proposed is 'attached'.

The variance is requested at **57 Potts Shore Road** (File D20-2022-070).

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

**Signature:** 

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### Recommendations

That Report COA2022-078 – Martire, be received;

That minor variance application D20-2022-070 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 Appendices C and D submitted as part of Report COA2022-078, 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 COA2022-078. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

## Application Summary

|                    |  |
|--------------------|--|
| Proposal:          | To facilitate the construction of a +/- 107 sq m accessory building (boathouse)          |
| Owners:            | Santro Martire   |
| Applicant:         | RWH Construction (Kassie Holtom)   |
| Legal Description: | Part Lot 25, Concession 8  |
| Official Plan:     | Waterfront (City of Kawartha Lakes Official Plan, 2012) <sup>1</sup>                     |
| Zone:              | Limited Service Residential 'LSR' (Township of Fenelon Zoning By-Law 12-95) <sup>1</sup> |
| Site Size:         | 1,142.9 sq m (0.28 ac)   |
| Site Servicing:    | Private individual well and septic system  |
| Site Access:       | Year-round municipal road  |
| Existing Uses:     | Residential  |
| Adjacent Uses:     | Residential, agricultural  |

## Rationale

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

Over time it can be expected that owners may endeavour to redevelop their property to achieve its highest and best use. The dwelling exceeds the front yard setback to accommodate the septic system in the front yard. An elevated, unenclosed deck wraps around the entire rear length of the dwelling. Given the siting of the existing building and structures, the location of the boathouse is an efficient use of limited rear yard space and an effective adaptive reuse of underutilized space under the existing deck.

A crawl space exists under the dwelling; the boathouse abuts the dwelling but will not be connected or accessible to the dwelling in any way; there are no kitchen or

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<sup>1</sup> See Schedule 1

sanitary conveniences proposed. Marine rails will be used for stored watercraft to access the water.

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

The proposed boathouse is permitted in the Waterfront designation; performance and siting criteria are implemented through the Zoning By-law.

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

The proposed boathouse is permitted in the LSR zone. The size of the boathouse is to ensure it is the correct depth for boat storage while staying compliant with yard setbacks. Notwithstanding the increased coverage, the proposed floor area of the boathouse at +/- 107 sq m falls well under the maximum permitted 225 sq m. The single percentage point increases are negligible.

Attaching the boathouse to the dwelling maintains the seamless nature of the wrap-around deck, and does not constitute a residential addition. The minimum setback requirement is in place so that should adjacent buildings not be structurally attached, that they be at least 1.2 m apart to ensure necessary separation distance with respect to fire safety.

**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:**

None applicable.

**Consultation Summary**

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

**Agency Comments:**

**DS-Building and Septic Division (Septic):** "A sewage system use permit was located for this property under file F-34-89. The sewage system report indicates the system to be located in the roadside property yard of the dwelling. The boathouse is being proposed on the water yard of the dwelling. Clearance distances will be maintained for the construction. As such, the Building and Septic Division has no concerns with the minor variance as it relates to private on-site sewage disposal."

**ECA-Development Engineering Division:** "There is no concern or comment from an engineering perspective."

**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 – Elevations

Appendix E – Supplementary Information

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**Phone:** 705-324-9411 extension 1240

**E-Mail:** [lbarrie@kawarthalakes.ca](mailto:lbarrie@kawarthalakes.ca)

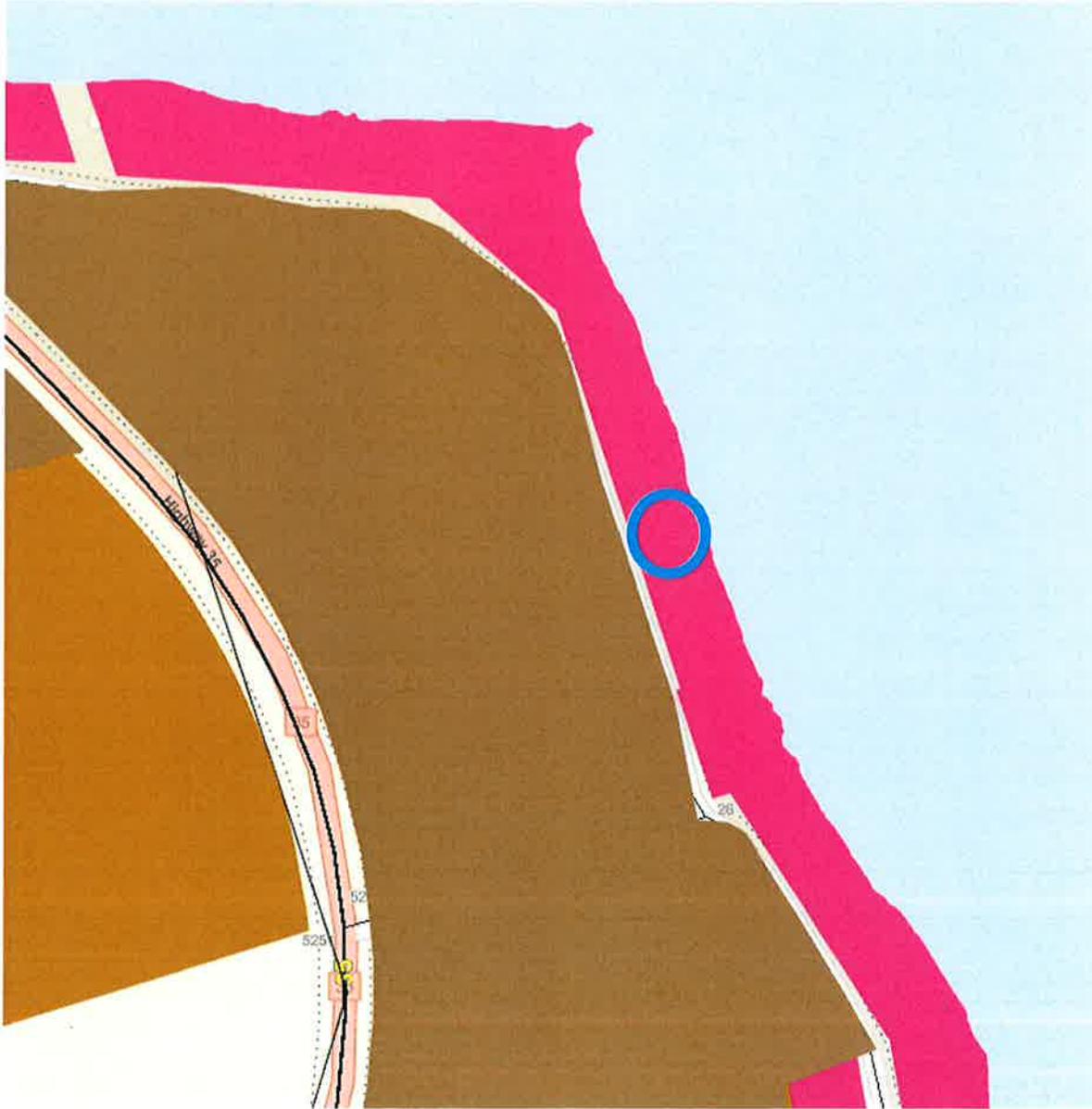
**Department Head:** Richard Holy, Director of Development Services

**Division File:** D20-2022-070

## Schedule 1 Relevant Planning Policies and Provisions

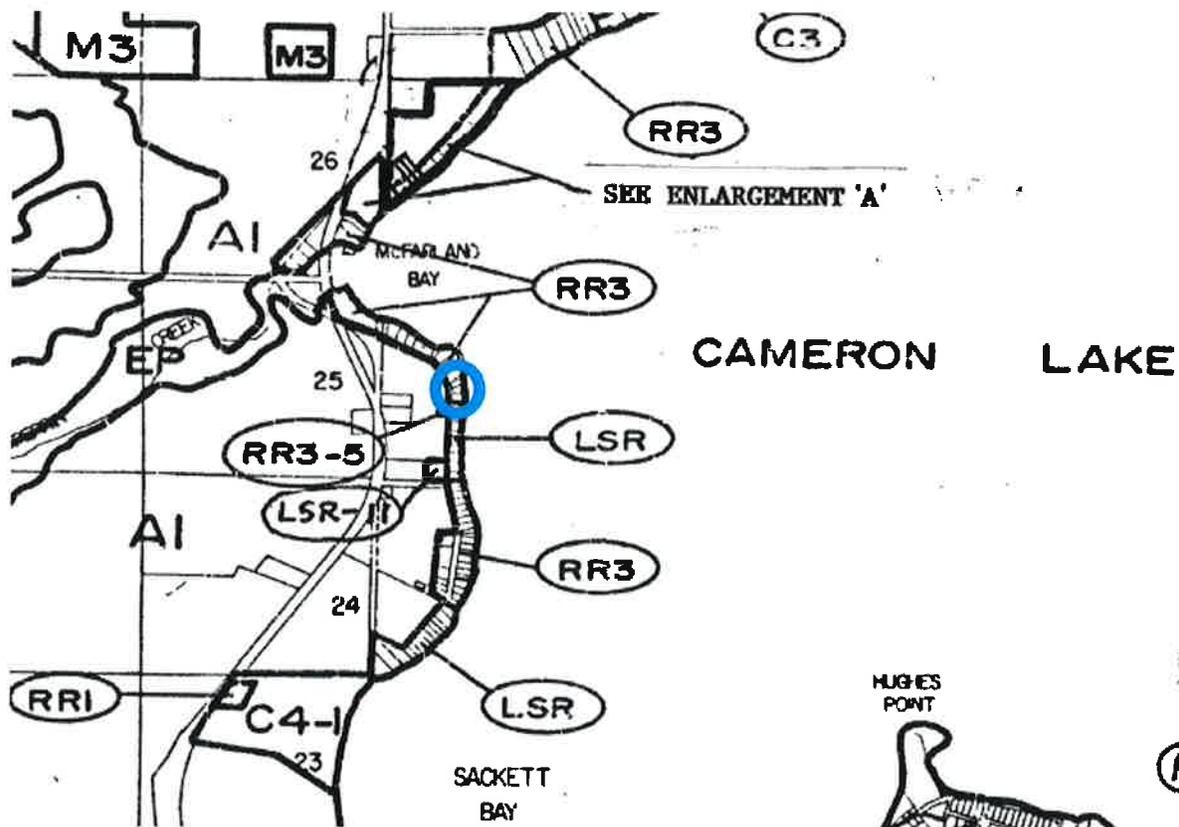
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### City of Kawartha Lakes Official Plan



20. Waterfront

## Township of Fenelon Zoning By-Law 12-95



### Part 3 General Provisions

#### 3.1 Accessory Buildings, Structures and Uses

##### 3.1.2 Location

An accessory building may be erected no closer than 1.2 metres to a residential building located on the same lot.

##### 3.1.3 Lot Coverage and Height

##### 3.1.3.1 The total lot coverage for all accessory buildings and structures shall not exceed 8 percent of the lot area to a maximum of 225 square metres.

### Part 15 Limited Service Residential (LSR) Zone

#### 15.2 Zone provisions

##### 15.2.1.4 Lot coverage (max.) 30%

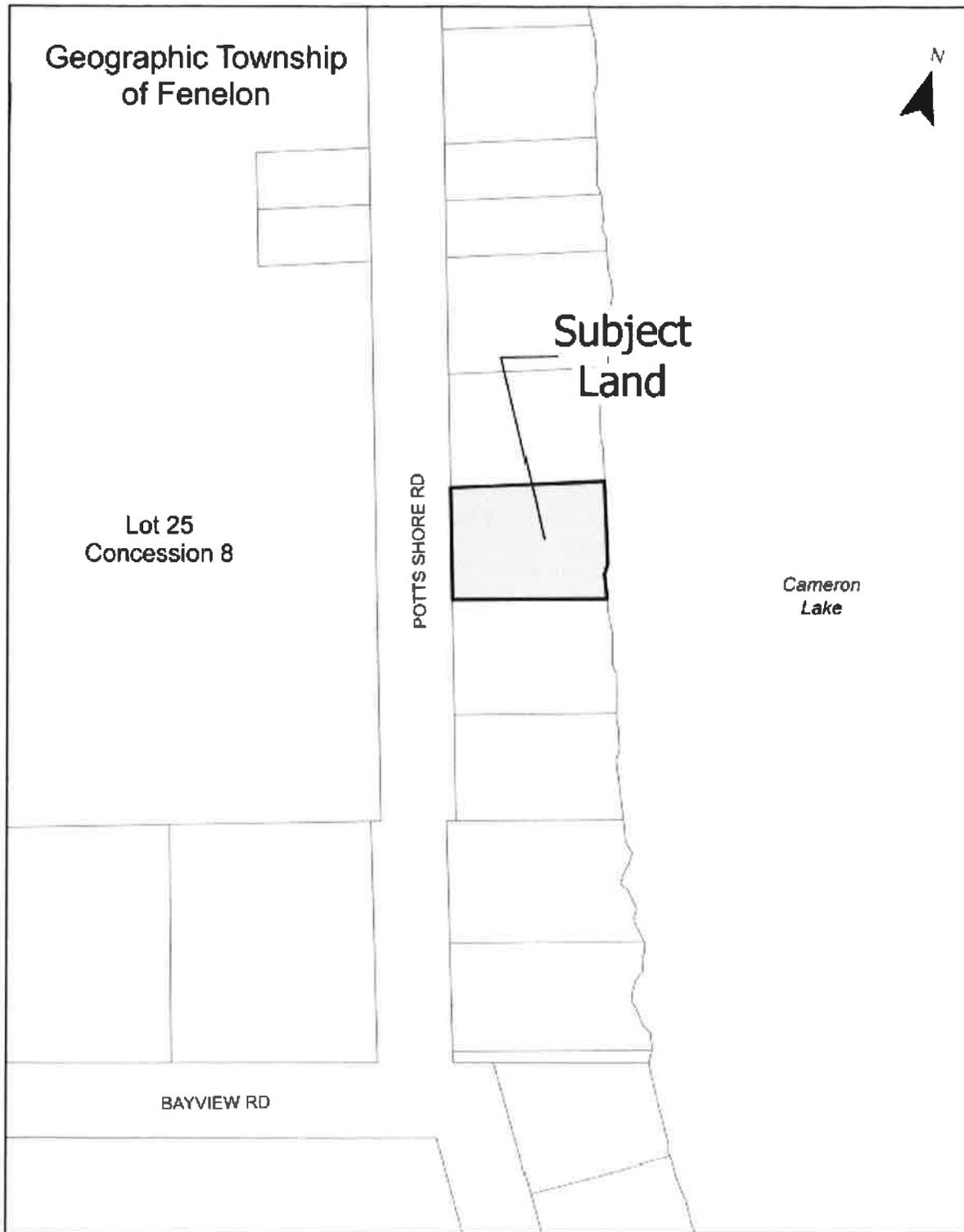
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REPORT COA2022-078

FILE NO: D20-2022-070

LOCATION MAP

# D20-2022-070



to

REPORT COA2022-078

FILE NO: D20-2022-070

**AERIAL PHOTO**



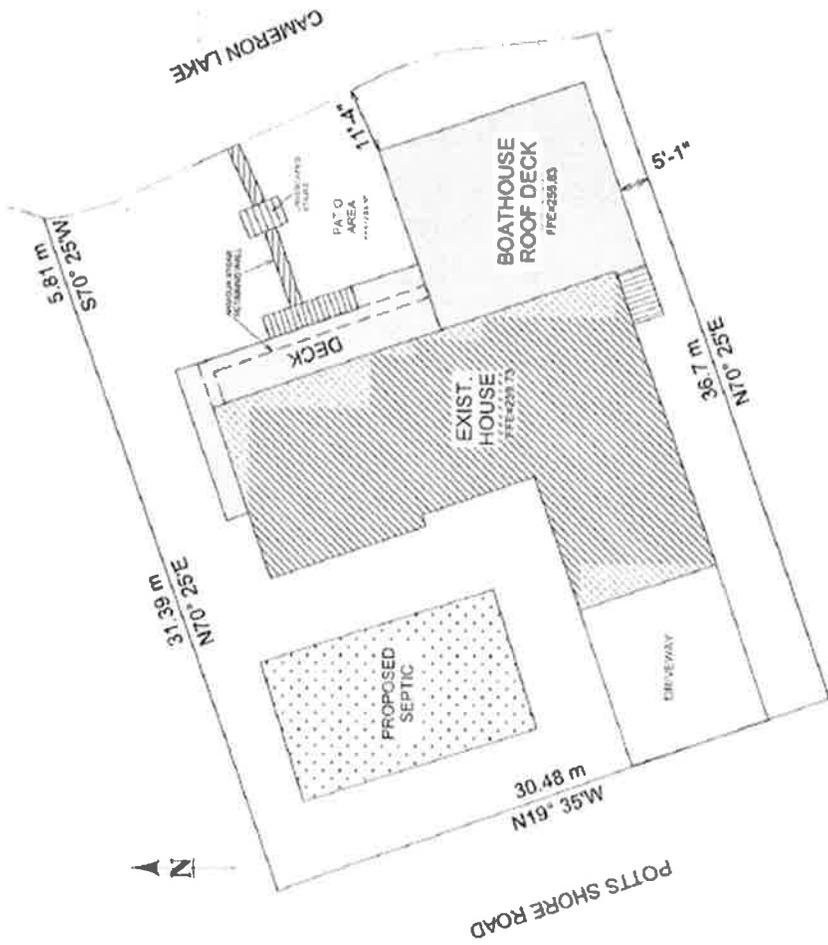
to

REPORT COA2022-078

FILE NO: D20-2022-070

APPLICANT'S SKETCH

RECEIVED  
 JUL 12 2022  
 City of Kawartha Lakes  
 Development Services  
 Planning Division



SITE PLAN

|  |  |                          |                               |              |                   |                              |                |                 |              |
|--|--|--------------------------|-------------------------------|--------------|-------------------|------------------------------|----------------|-----------------|--------------|
|  <p>13 Lickfield St.<br/>                 Peterborough, Ont.<br/>                 P9A 1K7<br/>                 Tel: 705.754.7773<br/>                 Fax: 705.754.7774<br/>                 www.rwh.ca</p> |  | DESIGNED FOR:<br>Martine | DESIGNED BY:<br>Michael Burke | CAMERON LAKE | Presentation View | DWG: M2022-078-1<br>BY: M.B. | DATE: 07-12-22 | SCALE: SEE VIEW | SHEET #<br>3 |
|--|--|--------------------------|-------------------------------|--------------|-------------------|------------------------------|----------------|-----------------|--------------|

APPENDIX “ D ”

to

REPORT COA2022-078

FILE NO: D20-2022-070

## ELEVATIONS



to

REPORT COA2022-078

FILE NO: D20-2022-070

**SUPPLEMENTARY INFORMATION**

