

# The Corporation of the City of Kawartha Lakes

## Committee of Adjustment Report – Raffan

Report Number COA2024-074

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### Public Meeting

**Meeting Date:** August 22, 2024

**Time:** 1:00 pm

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

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### Ward 1 – Geographic Township of Somerville

**Subject:** The purpose and effect is to facilitate the construction of an attached screened porch onto the existing dwelling.

### Relief sought:

1. Section 5.2 f) of the Zoning By-law requires a minimum water setback of 15 metres; the proposed setback to the porch is metres 8.

The variance is requested at **64 Shadow Lake Road 18** (File D20-2024-065).

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**Author:** Katherine Evans, Planner II

**Signature:** 

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### Recommendations

**That** Report COA2024-074 – Raffan, be received;

**That** minor variance application D20-2024-065 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 COA2024-074, 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 COA2024-074. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

## Application Summary

Proposal:	Construction of an attached screened porch onto the existing dwelling
Owners:	Christine Raffan
Applicant:	Same as owner
Legal Description:	Part Lot 53, Concession Front Range Somerville
Official Plan <sup>1</sup> :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone <sup>2</sup> :	Limited Service Residential (LSR) Zone (Township of Somerville Zoning By-law 78-45)
Site Size:	1,464 sq. m. (15,758.36 sq. ft.)
Site Access:	Private road
Site Servicing:	Private individual septic system and lake draw water
Existing Uses:	Residential
Adjacent Uses:	Residential and agricultural

## Rationale

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

The subject property is within an established residential area located on the eastern shore of Silver Lake. The property is irregular in shape and is a waterfront lot. The property currently contains a single detached dwelling constructed in 1953 (according to Municipal Property Assessment Corporation), a cabin, and a shed.

The proposal is to construct a screened porch onto the water side of the existing single detached dwelling. The proposed porch will provide outdoor amenity space that is also sheltered from the elements and insects.

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<sup>1</sup> See Schedule 1

<sup>2</sup> See Schedule 1

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 property is designated Waterfront within the City of Kawartha Lakes Official Plan (2012). Low density residential uses are permitted within this designation. Performance and siting criteria is implemented through the Zoning By-Law.

As per policy 3.11, the intent of the Official Plan is that development maintains a minimum setback of 15 metres from the shoreline in order to avoid natural hazards which may result in loss of life and/or loss of property, and provide environmental buffers in order to maintain and improve water quality and habitat. The existing dwelling is also within the minimum water setback, and as such the proposed screened porch is not creating a new hazard by introducing habitable space into the water setback where it does not already exist. It is not anticipated that the addition of the screened porch will impact the existing shoreline conditions.

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

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

The subject property is zoned Limited Service Residential (LSR) Zone under the Township of Somerville Zoning By-law 78-45. 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 water setback.

Section 5.2 f) of the Zoning By-law requires a minimum water setback of 15 metres. The proposed setback to the screened porch is metres 8 metres. The intent of a minimum water setback is to protect built form from natural hazards, provide sufficient space to establish vegetation to improve waterbody health, and to provide sufficient space for the infiltration of stormwater runoff.

From the closest point, the existing dwelling is closer to the shoreline than the proposed screened porch. The screened porch is to encroach no further into the water setback than the existing deck, which is to be removed and replaced with the screened porch. It is not anticipated that the proposed porch will increase the risk associated with human habitation being located within the water setback. The location of the porch is not anticipated to impact the existing shoreline conditions, infiltration, or waterbody health.

Therefore, the variance is considered to maintain the general intent and purpose of the Zoning By-Law.

**The variance is minor in nature.**

There are no anticipated impacts on environmental features; neighbouring properties; or, the function of the 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:**

**Building and Septic Division (Building):** “No comments.”

**Engineering and Corporate Assets Division:** “From a Development engineering perspective, we have no comment or objection to the proposed Minor Variance.”

**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

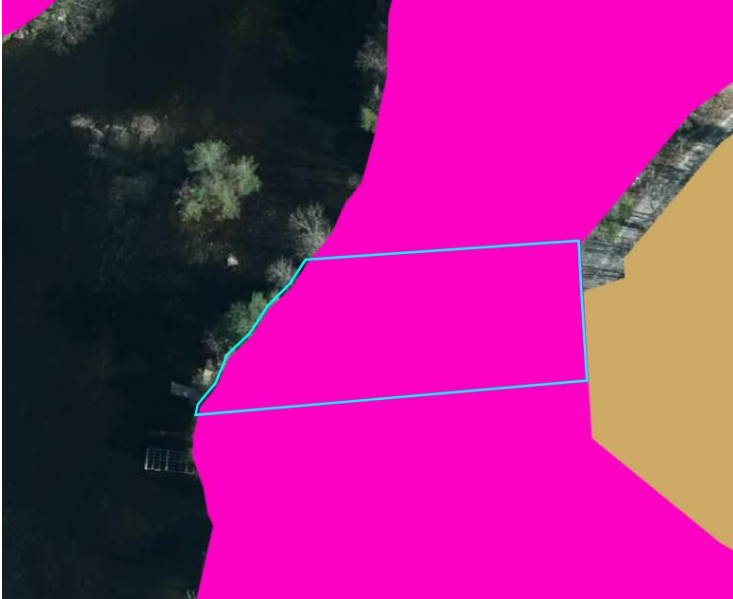
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**E-Mail:** kevans@kawarthalakes.ca  
**Department Head:** Leah Barrie, Director of Development Services  
**Division File:** D20-2024-065

## Schedule 1 Relevant Planning Policies and Provisions

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### City of Kawartha Lakes Official Plan

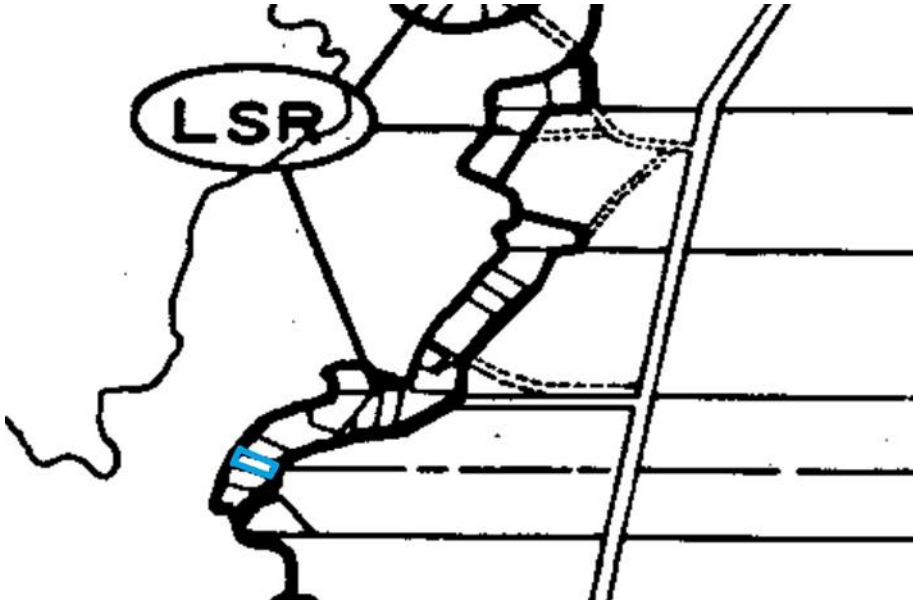


#### 3.11. Water Setback and Accessory Uses

- 3.11.1. All buildings, structures and septic systems shall be located a minimum of 30 metres from the high water mark and this setback shall be maintained in its natural state with no disturbance of the vegetation and soils (except for at capacity lake trout lakes where the setback will be 300 metres from the shoreline of the lake, or such that drainage from the tile fields would flow at least 300 metres before reaching the lake or the tile field on each new lot is located such that it would drain into the drainage basin of another waterbody, which is not at capacity). Within the 30-metre water setback, a boathouse and dock will be permitted.

#### 20. Waterfront Designation

## Township of Somerville Zoning By-law 78-45



### Section 5 Limited Service Residential (LSR) Zone

5.1 LSR Uses Permitted

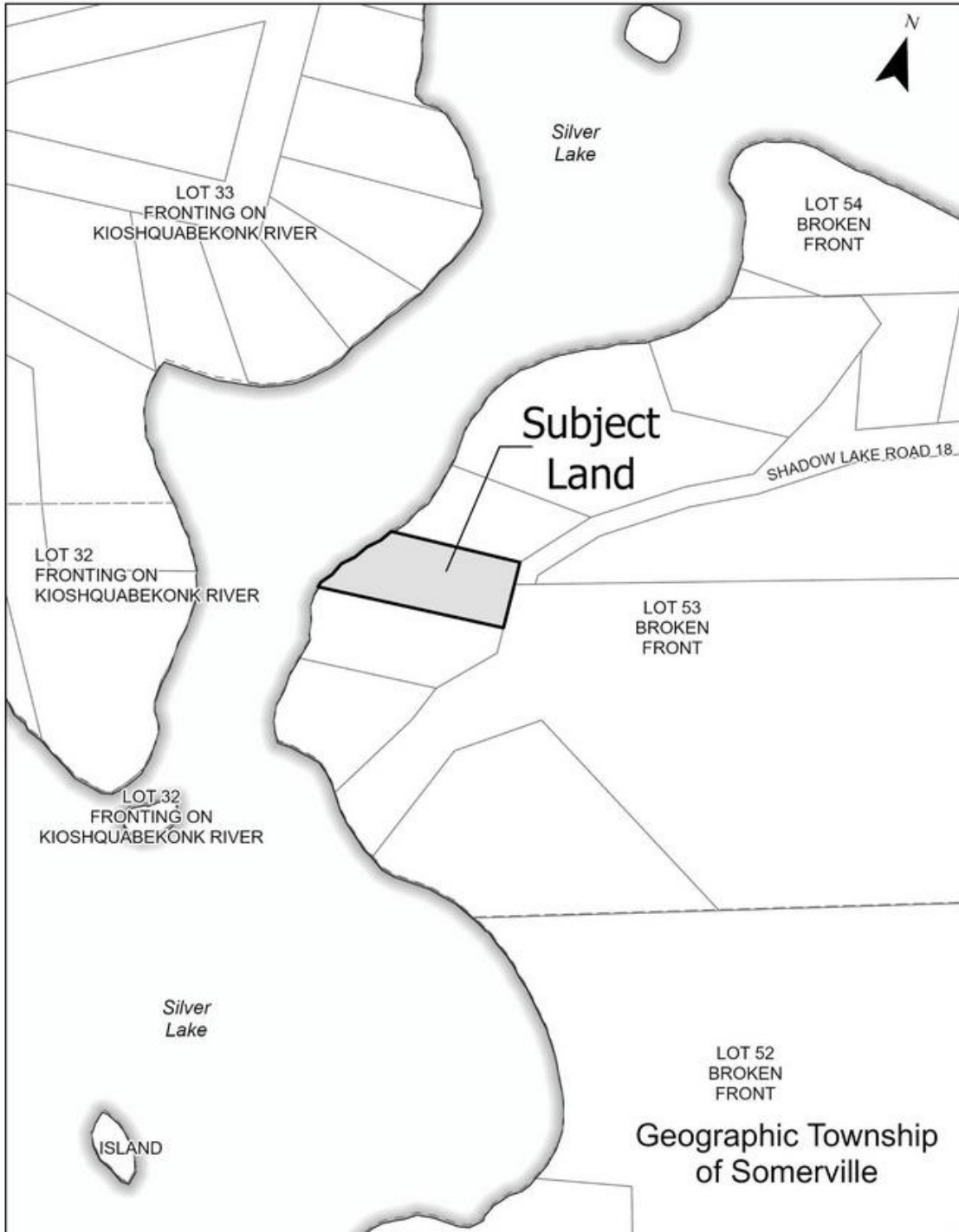
5.2 LSR Zone Requirements

5.2 f) Minimum water setback 15 m

to

**LOCATION MAP**

**D20-2024-065**



APPENDIX " B "

to

REPORT COA2024-074

FILE NO: D20-2024-065

**AERIAL PHOTO**



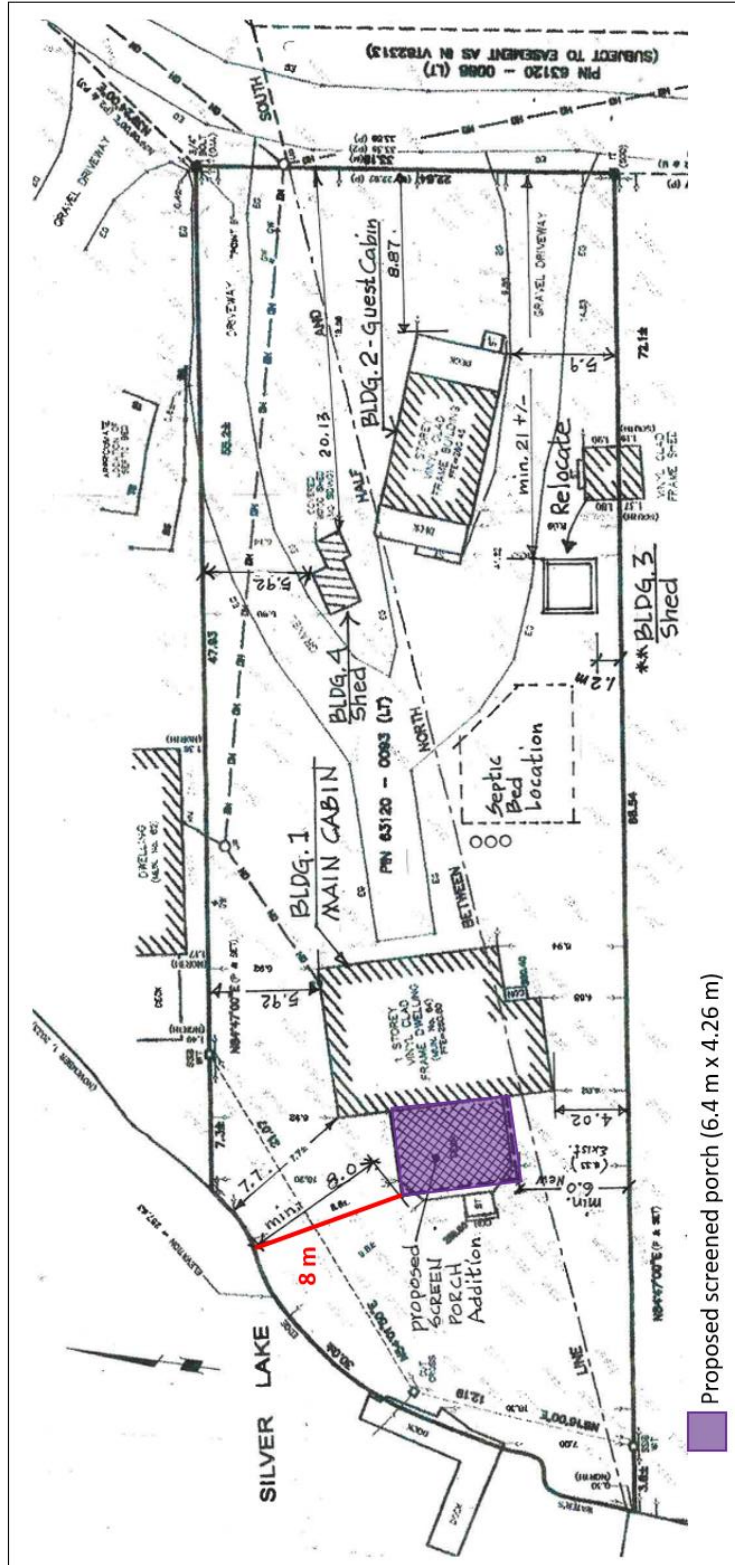


to

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APPLICANT'S SKETCH



Proposed screened porch (6.4 m x 4.26 m)