

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Adam

Report Number COA2024-096

Public Meeting

Meeting Date: October 24, 2024

Time: 1:00 pm

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

Ward 4 – Geographic Township of Mariposa

Subject: The purpose and effect is to facilitate the construction of an addition onto the existing dwelling and a new lakeside deck. The proposed lakeside deck will replace the previous sunroom and deck. The existing mudroom will be removed in place of the proposed addition.

Relief sought:

1. Section 14.2.1.4 of the Zoning By-law, which requires a 30 metre water setback; the proposed water setbacks are 12.9 metres (deck stairs) and 17.64 metres (addition).

The variance is requested at **20 Lakeview Boulevard** (File D20-2024-088).

Author: Ahmad Shahid, Planner II

Signature:



Recommendations

That Report COA2024-096 – Adam, be received;

That minor variance application D20-2024-088 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 COA2024-096, 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 COA2024-096. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Construction of an addition onto the existing dwelling and a new lakeside deck. Existing lakeside deck, sunroom, and mudroom to be removed.
Owners:	Michael and Pat Adam
Applicant:	TD Consulting Inc.
Legal Description:	Part Lot 11, Concession C (being Lot 11 of Registered Plan 447)
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Rural Residential Type Three (RR3) Zone (Township of Mariposa Zoning By-law 94-07)
Site Size:	1,497.34 square metres (0.37 acres)
Site Access:	Year-round maintained road
Site Servicing:	Private individual well and septic system
Existing Uses:	Residential
Adjacent Uses:	Residential

Rationale

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

The subject property is situated on the shoreline of Lake Scugog with access from Lakeview Boulevard. The built-form in the neighbourhood is comprised of low-density residential dwellings and assorted accessory structures. According to the Municipal Property Assessment Corporation (MPAC), the dwellings in this area were constructed through the mid-to-late 1900's. Many of these properties have

¹ See Schedule 1

² See Schedule 1

gone through various extents of renovations, alterations, and additions, some going through complete redevelopments more recently in the last 20 years.

The property currently contains a one-storey single-detached dwelling (1970), a detached garage, and shed. There was previously a lakeside deck and sunroom attached to the dwelling, which was found to be removed during a physical site visit to the property (October 1st, 2024).

The proposal seeks to facilitate the construction of an addition onto the existing dwelling and a new lakeside deck. The proposed lakeside deck will replace the footprint of the previous sunroom and deck and remain in the same footprint. The existing mudroom will be removed in place of the proposed addition. The lakeside deck features both a covered and uncovered component. The proposed addition will provide a new kitchen space, mudroom, and porch for the property owners.

Considering the age of the previous dwelling and overall locality, it is deemed suitable for property owners to undertake redevelopment of their properties with the aim of realizing the most optimal utilization. It is evident that there is a trend of redevelopment/upgrading in the area, with property owners seeking to redevelop their waterfront properties with new additions, renovations, and entirely new structures.

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 subject property is designated Waterfront under the City of Kawartha Lakes Official Plan (2012). The objective of the Waterfront designation is to recognize low density residential development as the primary land use, as such, single detached dwellings and accessory uses are permitted within the designation.

The Official Plan establishes water setback policies in Section 3.11 to provide sufficient spatial separation to protect development from erosion hazards and protect and enhance the ecological function of the waterbody. Through the establishment of a water setback, a buffer is created between the built form and waterbody for vegetation and to protect and enhance the ecological function of the waterbody and its fish habitat. The proposal utilizes the existing dwelling setback, limiting the ability to move further from the shoreline. The proposed lakeside deck does not further encroach into the water setback, than the previous sunroom and deck. Moreover, the variance supports the objectives of the Waterfront designation as it does not change the existing low-density residential land use, maintains a low profile and preserves the existing shoreline.

Performance and siting criteria is implemented through the zoning by-law.

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 Rural Residential Type Three (RR3) Zone under the Township of Mariposa Zoning By-law 94-07. The RR3 Zone permits a vacation dwelling, a single detached dwelling, a home occupation as well as accessory structures. Relief is required from the minimum water setback.

Section 14.2.1.4 of the Zoning By-law, requires a 30 metre water setback; the proposed water setbacks are 12.9 metres (deck stairs) and 17.64 metres (addition). The intent of the minimum water setback is to protect built form from natural hazards, protect and enhance the ecological function of waterbodies by creating a buffer between built form and water for the establishment and preservation of vegetation. The existing building footprint of the dwelling, is located entirely within the 30 metre water setback of the Zoning By-law. As such, any addition onto the existing dwelling regardless of placement would result in constructing within the water setback. It is important to mention, neither the proposed deck nor the addition to the existing dwelling further expand into the rear yard. The proposal addition seeks to expand towards the eastern side yard, however, due to the slight curved-shape of the shoreline, this results in a closer edge of the shoreline to the proposed addition. The proposed lakeside deck replaces the previous footprint of the sunroom and old deck, which has since been removed. The proposed deck does not encroach any further into the existing water setback.

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 municipal 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:

DS – Building and Septic (Building): “No comments.”

DS – Building and Septic (Septic): “A sewage system installation report has been issued for a replacement system under file SS2023-0330. The report indicates the holding tank has been installed in the roadside yard of the dwelling. The addition and deck are proposed on the side and lakeside of the dwelling, respectively. The

placement of the construction in these locations will not encroach on the minimum clearance distances to the holding tank. As well, the holding tank has the allowable capacity for the proposed addition.

As such, the Building and Septic Division has no issue with the minor variance proposal as it relates to private on-site sewage disposal.”

ECA – Development Engineering: “From a Development engineering perspective, we have no comments or objections for this Minor Variance application.”

Public Comments:

No comments received as of the writing of the staff report.

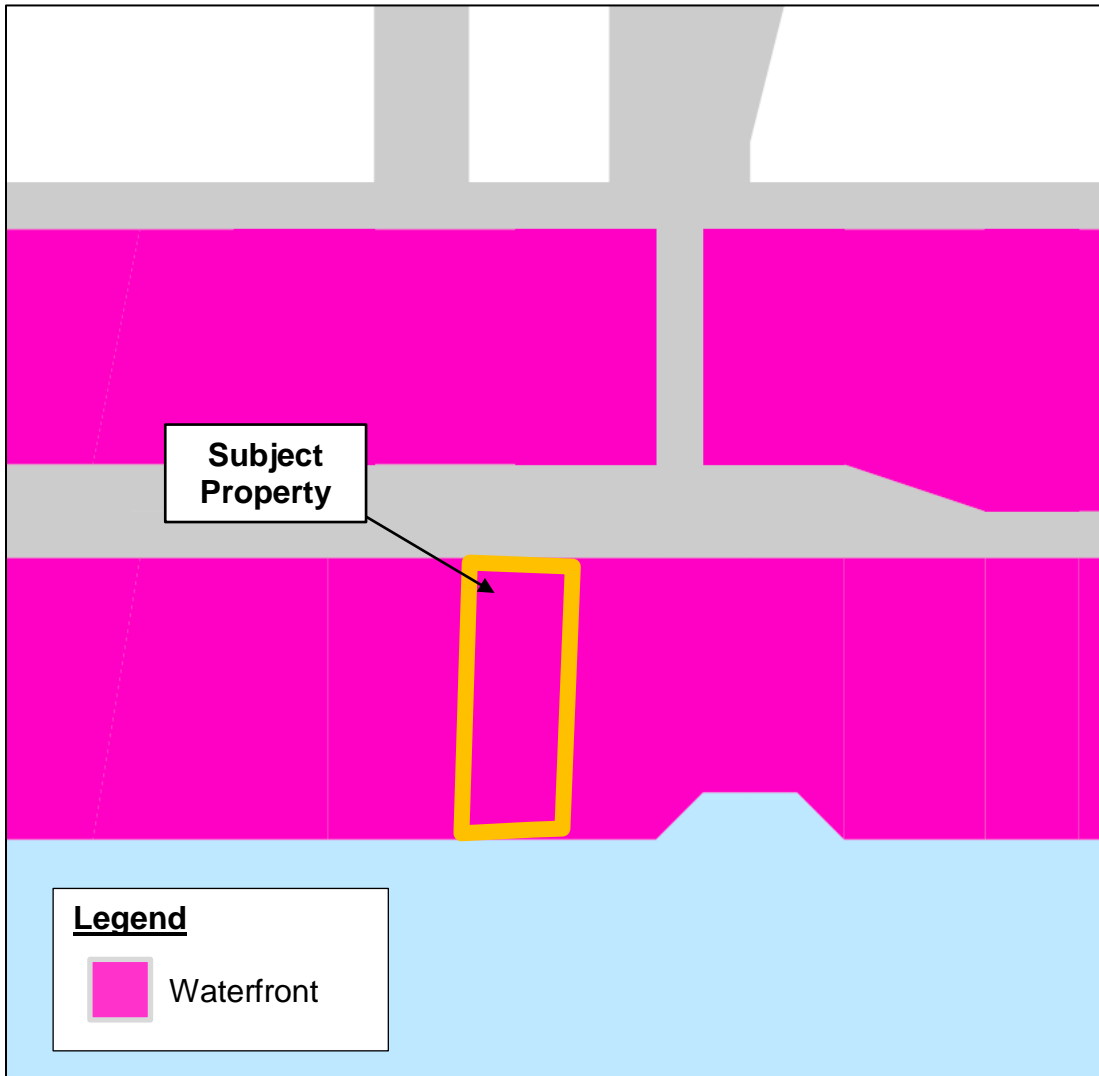
Attachments

- Appendix A – Location Map
- Appendix B – Aerial Photo
- Appendix C – Applicant’s Sketch
- Appendix D – Existing and Proposed Floor Plans

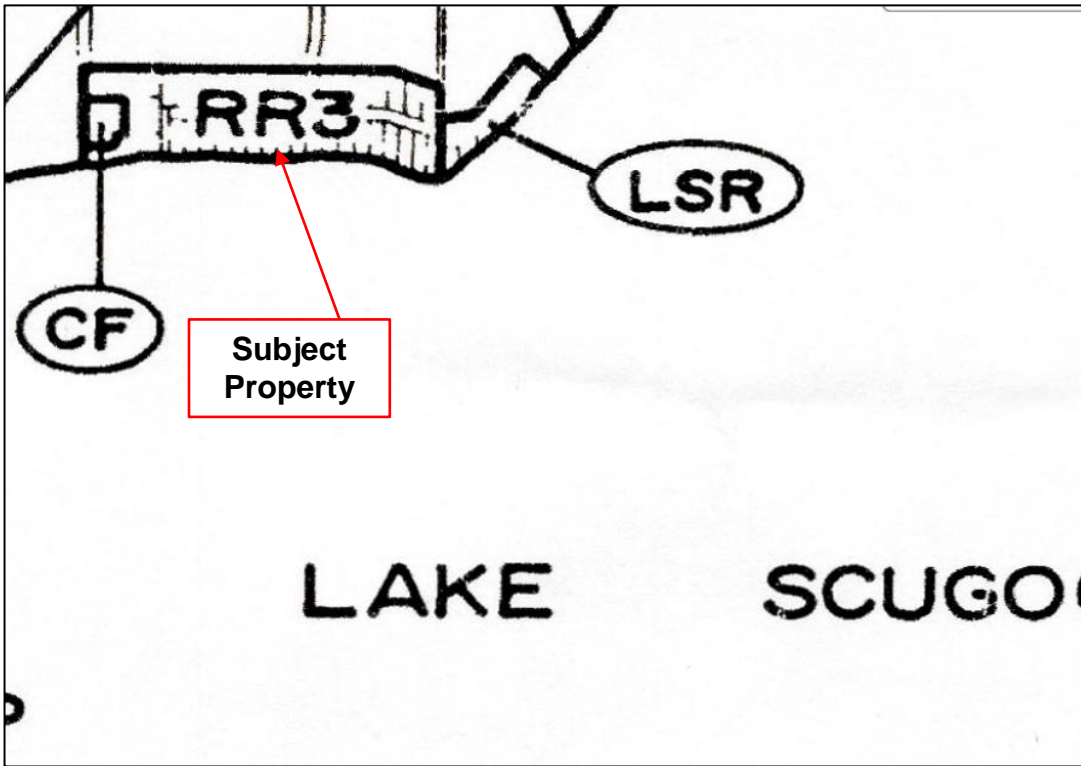
Phone: 705-324-9411 extension 1367
E-Mail: ashahid@kawarthalakes.ca
Department Head: Leah Barrie, Director of Development Services
Division File: D20-2024-088

Schedule 1 Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



Township of Mariposa Zoning By-law 94-07



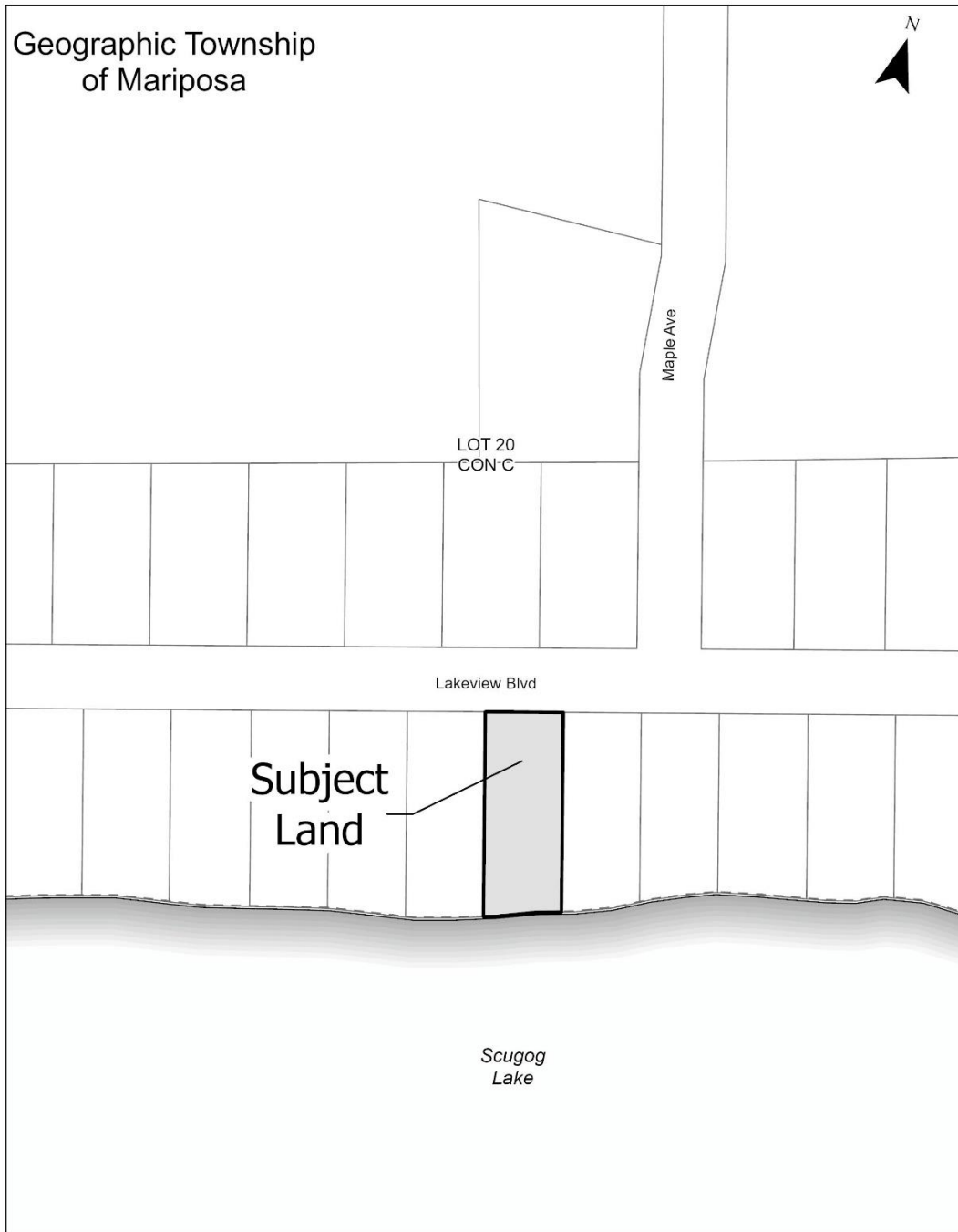
to

REPORT COA2024-096

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LOCATION MAP

D20-2024-088



APPENDIX " B "

to

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AERIAL PHOTO (2018)

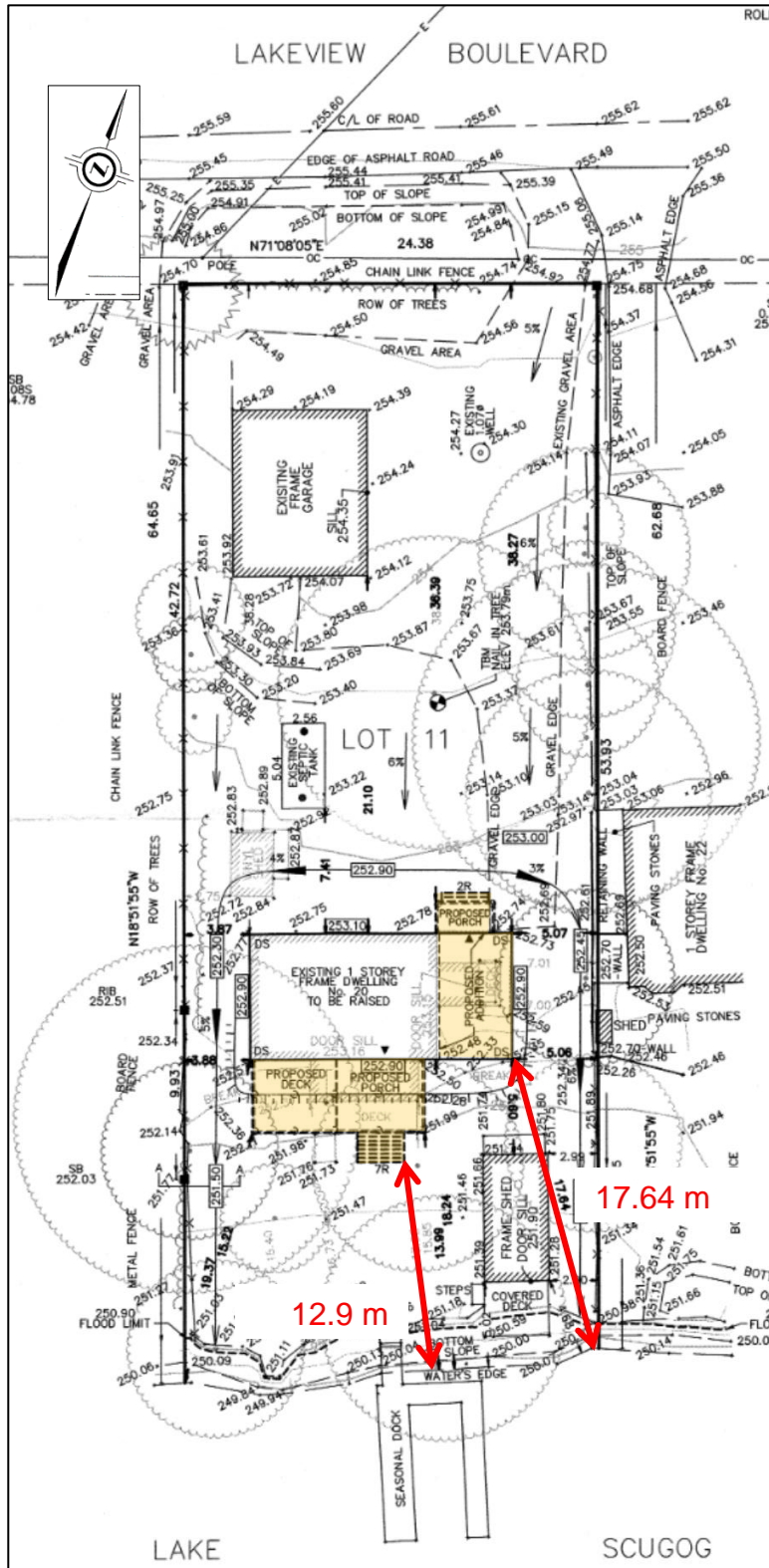


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APPLICANT'S SKETCH



to

EXISTING AND PROPOSED FLOOR PLANS

