

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Macri
Report Number COA2025-029

Public Meeting

Meeting Date: **March 27, 2025**

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 facilitate the demolition of the existing boathouse and the construction of a new larger boathouse.

Relief sought:

1. Section 3.1.5.1 of the Zoning By-law provides that a boathouse is subject to the minimum side yard setback for accessory buildings and structures. Section 3.1.2.2 of the Zoning By-law requires a minimum interior side yard setback for accessory structures of 1.2 metres; the proposed setback is 1 metre; and,
2. Section 12.3.1.2 of the Zoning By-law permits a maximum height for a boathouse of 4 metres; the proposed height is 4.5 metres.

The variance is requested at **55 Ridge Drive, Bexley** (File D20-2025-016).

Author: Katherine Evans, Acting Development Supervisor

Signature: 

Recommendations

That Report COA2025-029 – **Macri**, be received;

That minor variance application D20-2025-016 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

COA2025-029, 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 COA2025-029. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Demolition of the existing boathouse and the construction of a new larger boathouse
Owners:	Ferdinando and Loraine Macri
Applicant:	TD Consulting Inc.
Legal Description:	Lots 28 to 29, Plan 185
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Rural Residential Type Three Exception One (RR3-1) Zone (Township of Bexley Zoning By-law 93-09)
Site Size:	9,279 sq. m. (99,878 sq. ft.)
Site Access:	Year round municipal road
Site Servicing:	Private individual well and septic system
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 neighbourhood located on the southern shore of Balsam Lake. The property currently contains a single

¹ See Schedule 1

² See Schedule 1

detached dwelling constructed in 1990 (according to Municipal Property Assessment Corporation), a shed, a detached garage, and a boathouse.

The proposal is to demolish the existing boathouse and construct a new larger boathouse. The new boathouse will provide additional space for the property owners to store boating equipment. Several properties in the immediate vicinity have boathouses, so the proposal is in keeping with the existing built form in the area.

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). Low-density residential uses and buildings and structures accessory to residential uses are permitted in the Waterfront designation. Performance and siting criteria is implemented through the Zoning By-Law.

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. This policy states that a boathouse is permitted within this setback.

As per policy 20.3.10., provisions such as building and structure height limits are implemented to ensure buildings and structures do not exceed the height of the tree canopy or break the skyline horizon. Building heights should be measured from the lakeside, maintain a low profile, and blend with the natural surroundings.

The subject property contains a stand of tall mature trees and the boathouse will not exceed the height of the tree canopy. The boathouse is to be located next to this stand of trees, so this proposed location allows the best opportunity for the boathouse to blend with the natural features that exist on the property. The mature trees and dwelling, which are located at a higher grade, will provide balance and ensure the boathouse is not a feature which starkly stands out against the horizon when viewing the property from the water or from across the lake.

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 Exception One (RR3-1) Zone under the Township of Bexley Zoning By-law 93-09. A single detached dwelling as well as accessory buildings and structures are permitted within this zone. The exception zone requires a site specific front and interior side yard setback for the main building, as well as a site specific height maximum for boathouses. The proposal complies with all provisions of the Zoning By-law with the exception of the minimum interior side yard setback for accessory structures, and the maximum height for a boathouse under the RR3-1 Zone.

Section 3.1.5.1 of the Zoning By-law provides that a boathouse is subject to the minimum side yard setback for accessory buildings and structures. Section 3.1.2.2 of the Zoning By-law requires a minimum interior side yard setback for accessory structures of 1.2 metres. The proposed setback is 1 metre. The purpose of an interior side yard is to manage massing and privacy issues, and to provide sufficient space for lot drainage and building maintenance.

The proposal is to maintain as much of the same footprint of the existing boathouse as possible. The existing boathouse has an interior side yard setback of 1 metre, so the proposal does not encroach further into the side yard than what currently exists. A stand of mature vegetation separates the subject property from the neighbouring property, providing a physical and visual buffer between the proposed boathouse and the abutting lot to the west. The neighbouring property contains a boathouse, located at its western lot line, so the proposed boathouse on the subject property and the boathouse on the neighbouring property do not abut one another, maintaining privacy. Impacts to lot drainage are not anticipated, and the 1 metre setback will provide sufficient space for carrying out any required building maintenance on the side of the boathouse.

Section 12.3.1.2 of the Zoning By-law permits a maximum height for a boathouse of 4 metres. The proposed height is 4.5 metres. The intention of establishing a maximum height for a boathouse is to prevent human habitation from occurring in the upper level of these buildings, and to manage the bulk and massing of built form along the shoreline.

The proposed boathouse does not contain a second storey and human habitation is not proposed. As per Section 12.3.1.2 of the Zoning By-law, the height of a boathouse in the RR3-1 Zone is measured starting at the maintained summer water level as opposed to the foundation of the building. The existing boathouse is 4 metres in height, and the proposed 0.5 metre increase is not anticipated to result in massing issues.

The subject property has approximately 65 metres of shoreline, and the boathouses on the abutting properties are 28 metres and 50 metres away from the location of the proposed boathouse, so it is not anticipated that the proposal will result in the shoreline appearing overbuilt. The neighbouring property to the west contains what appears to be a two storey boathouse based on the configuration of the building and the location of the doors, so the proposed increase in height is not out of character with the adjacent lots.

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:

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

Building and Septic Division (Septic): “A sewage system use permit has been located for the property. The sewage system report indicates the system is constructed in the roadside yard of the single detached dwelling. The boathouse is being proposed on the lakeside of the dwelling. The placement of the boathouse will ensure the required minimum clearance distances are maintained. Additionally, the boathouse will not contain and plumbing fixtures or habitable space. As such, the Building and Septic Division have no issue with the minor variance proposal as it relates to private on-site sewage disposal.”

Engineering and Corporate Assets Division: “From a Development engineering perspective, we have no objection to or comment on 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

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Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-016

Schedule 1

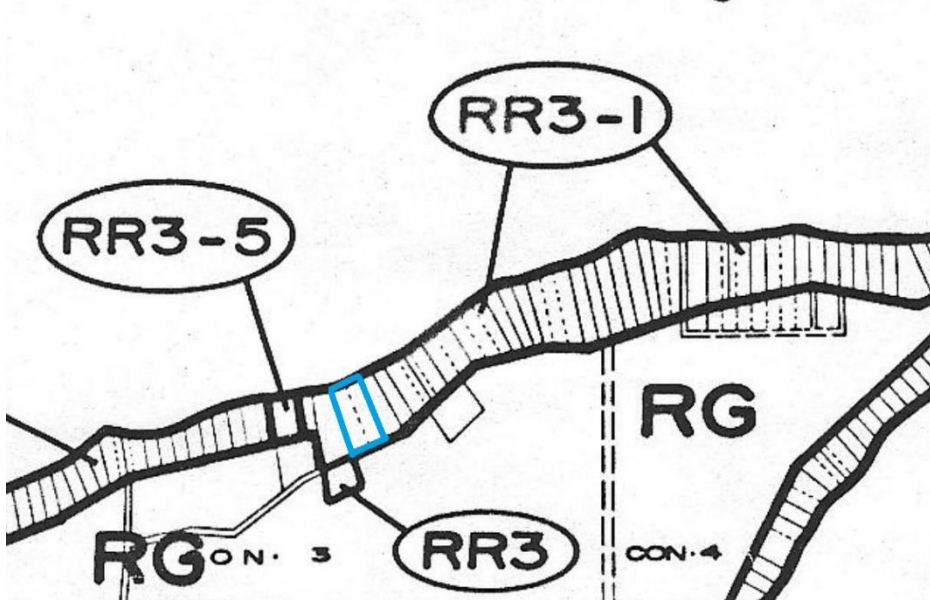
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



20. Waterfront Designation

Township of Bexley Zoning By-law 93-09



Part 3 General Provisions

3.1 Accessory Buildings, Structures and Uses

3.1.2 Location

3.1.2.2 An accessory building may be erected not closer than 1.2 metres from a rear lot line and 1.2 metres from the side lot line nor closer to a street than the required front yard setback for the zone in which it is located and shall not be closer than 1.2 metres to a residential building located on the same lot.

3.1.5 Boat House, Pump House or Docking Facilities

3.1.5.1 Notwithstanding any other provisions of this By-law, a boat house, pump house, or docking facility may be erected and used in a yard fronting on a navigable waterway within the water setback provided that the approval of any other governmental authority having jurisdiction within this area has been obtained and further provided the location complies with the required minimum side yard for accessory buildings or structures.

Part 12 Rural Residential Type Three (RR3) Zone

12.1 Uses Permitted

12.2 Zone Provisions

12.3 Rural Residential Type Three Exception Zones

12.3.1 Rural Residential Type Three Exception One (RR3-1) Zone

Notwithstanding subsection 12.2.1, articles 12.2.1.3 (a) and (b), land zoned "RR3-1" shall be subject to the following zone provisions:

(a) Minimum Front Yard 15 m

(b) Minimum side yard shall be 3 metres on each side, plus 1 metre on each side for each additional or partial storey above the first.

12.3.1.2 Notwithstanding article 3.1.3.2, on land zoned "RR3-1" the maximum height of all boat houses shall mean the vertical distance on a building or structure measured between the maintained summer water level and the top of the roof and the maximum height shall be 4 metres.

to

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LOCATION MAP

D20-2025-016



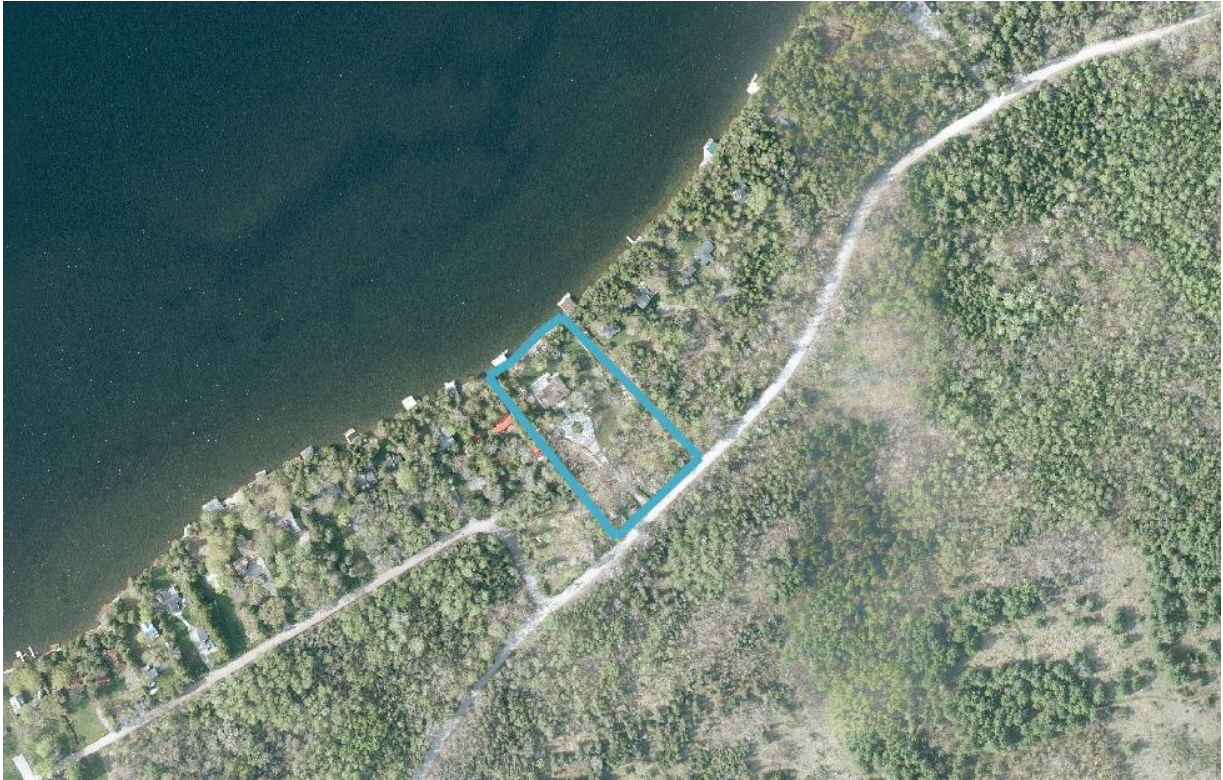
APPENDIX " B "

to

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AERIAL PHOTO



to

APPLICANT'S SKETCH

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