

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Lau
Report Number COA2025-033

Public Meeting

Meeting Date: March 27, 2025

Time: 1:00 pm

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

Ward 6 – Geographic Township of Verulam

Subject: The purpose and effect is to facilitate the construction of a front covered porch onto the existing dwelling.

Relief sought:

1. Section 5.18.3. of the Zoning By-law requires a minimum 15 metres, plus the minimum front yard setback (7.5 m) required from the centre of the road allowance; the proposed setback from the street centreline is 13.36 metres (from stairs) and 14.38 metres (from porch landing);
2. Section 8.2.d. of the Zoning By-law requires a 7.5 metre front yard setback, the proposed front yard setback is 3.98 metres (from stairs) and 5 metres (from porch landing).

The variance is requested at **748 County Road 24** (File D20-2025-020).

Author: Ahmad Shahid, Planner II

Signature:



Recommendations

That Report COA2025-033 – **Lau**, be received;

That minor variance application D20-2025-020 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 COA2025-033, 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 COA2025-033. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Construction of front covered porch onto existing dwelling
Owners:	Vincent Lau
Applicant:	Owner
Legal Description:	Part Lot 12, Concession 5 (being Part 9 of Reference Plan 57R-2227)
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Residential Type One (R1) Zone (Township of Verulam Zoning By-Law 6-87)
Site Size:	1,053.63 square metres (11,334.4 square feet)
Site Access:	Year-round maintained road
Site Servicing:	Holding tank and lake drawn water
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 shore of Sturgeon Lake, with access from County Road 24 (year-round maintained public road). The neighbourhood is primarily low-density residential, with a mix of seasonal and permanent residences in the form of single detached dwellings.

¹ See Schedule 1

² See Schedule 1

The subject property currently contains a two-storey cottage with a detached garage. The proposal seeks to facilitate the construction of a front covered porch to allow for access to the dwellings elevated entrance. The width of the porch landing is 2.44 metres, with steps extending into the front yard.

The proposed development does not change the use of the lot, nor does it create incompatibility in terms of land use with nearby properties or disrupt the character of 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. The objective of the Waterfront designation is to recognize low density residential development as the primary land use. 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 Residential Type One (R1) Zone under the Township of Verulam Zoning By-Law 6-87. The R1 Zone permits multiple uses including but not limited to a single detached dwelling and seasonal dwelling. Relief is sought from the front yard setback and street centreline setback.

Section 8.2.d. of the Zoning By-law requires a 7.5 metre front yard setback, the proposed front yard setback is 3.98 metres (from stairs) and 5 metres (from porch landing). The intent of the minimum front yard setback is to ensure adequate spatial separation between built form and the travelled portion of the road and to maintain features such as the character of the streetscape. The provision aims to ensure the property is cohesive with surrounding properties and area. The existing front yard setback of the dwelling is 7.5 metres, as such, any structure extending beyond the main wall of the dwelling would be encroaching into the front yard. Due to the curved-shape of the shoreline, the lot depth is less than that of the neighbouring lots along the road with shoreline onto the lake. With the dwelling being constructed in 2015 (according to applicant), it may have been situated closer to the road in order to increase its distance as far as possible from the shoreline. The proposed porch does not impact the travelled portion of the road, and as result of being unenclosed, it is not expected to negatively impact the perception of the surrounding built form. Furthermore, when on-site the road shoulder appears wide, distancing built form from the travelled portion of the road, which contributes to the perception that the built form is situated further from the front lot line than is actually the case.

Furthermore, Section 5.18.3. of the Zoning By-law requires a minimum 15 metres, plus the minimum front yard setback (7.5 m) required from the centre of the road allowance for a total setback of 22.5 metres; the setback from the street centreline is 13.36 metres (from stairs) and 14.38 metres (from porch landing). The street

centreline setback appears to have been written on the premise that built form will be adequately set back from the road in the event the municipality decided to take a road widening. In this area, the road centreline setback provision may be considered dated, as there are existing encroachments that would render (potential) future road widening challenging and unlikely. For reference, the Rural Zoning By-law (RZBL) that was adopted by Council although under appeal and not currently in effect has taken situations like this into account and removed the street centreline setback requirement.

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 the property. The report indicates a Class 5 Holding Tank has been installed and approved in the side yard of the property. The placement of the porch on the front of the dwelling in the roadside yard will not encroach on the required clearance distances to the holding tank. Nor will the construction cause any changes to the capacity requirements of the system. As such, the Building and Septic Division has no issue with the minor variance proposal as it relates to private on-site sewage disposal.”

Public Comments:

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

Attachments

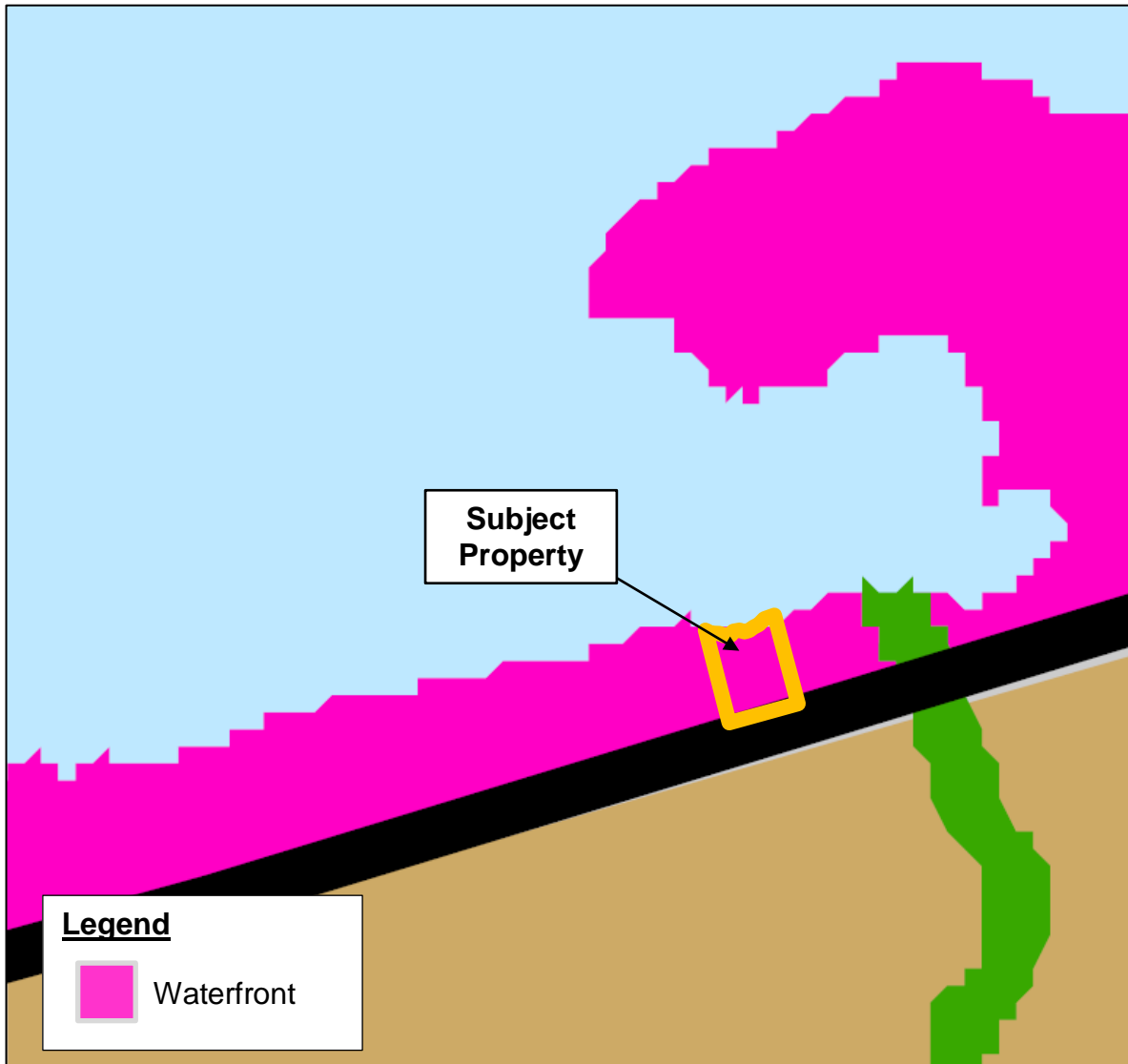
Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant’s Sketch

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E-Mail: ashahid@kawarthalakes.ca
Department Head: Leah Barrie, Director of Development Services
Division File: D20-2025-020

Schedule 1

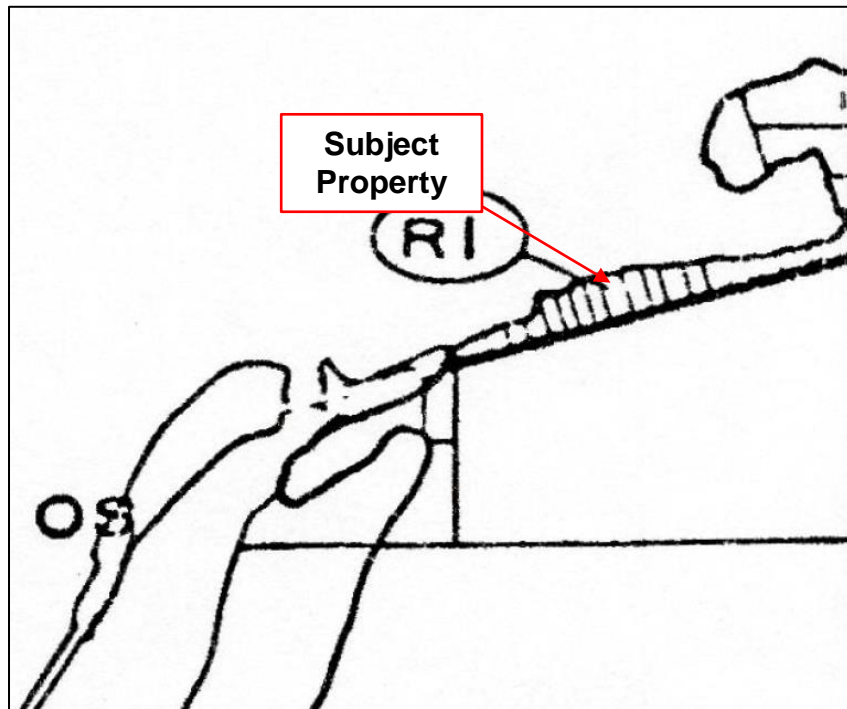
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan (2012)



Section 20. Waterfront Designation

Township of Verulam Zoning By-Law 6-87



Section 5. General Provisions
Section 8. Residential Type One (R1) Zone

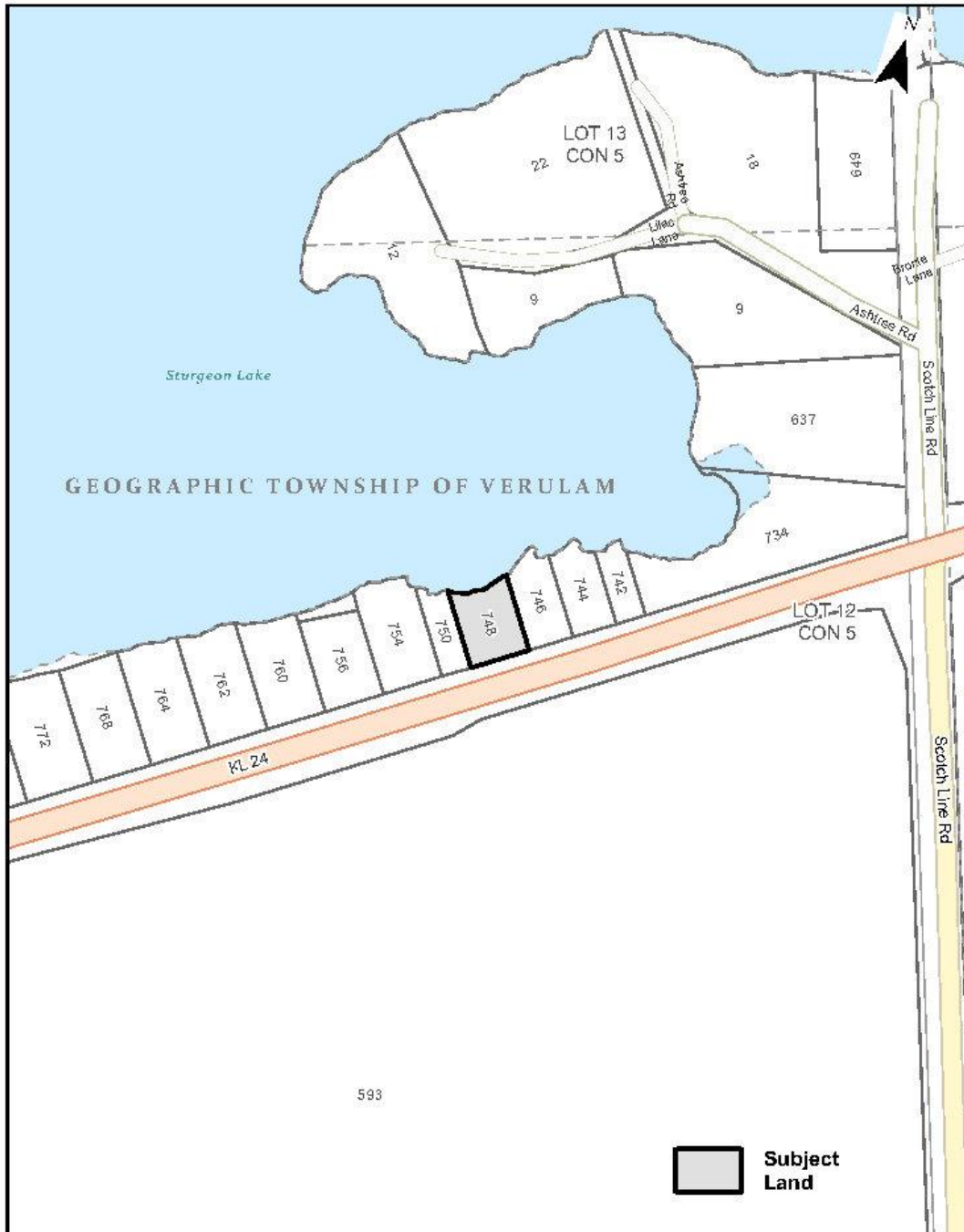
to

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LOCATION MAP

D20-2025-020



APPENDIX " B "

to

REPORT COA2025-033

FILE NO: D20-2025-020

AERIAL PHOTO (2023)



to

APPLICANT'S SKETCH

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