

The Corporation of the City of Kawartha Lakes

Agenda

Committee of Adjustment Meeting

COA2025-04

Thursday, March 27, 2025

1:00 P.M.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Councillor Emmett Yeo

Betty Archer

Gerald Erickson

Eric Finn

Sandra Richardson

Lloyd Robertson

Stephen Strangway

This Public Meeting will be held both in person and virtually with electronic public participation.

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Video and/or audio recording is not permitted during Council or Committee of Council meetings, pursuant to Trespass to Property Act, R.S.O. 1990, c. T.21.

1.	Call to Order	
2.	Administrative Business	
2.1	Adoption of Agenda Committee of Adjustment March 27, 2025	
2.2	Declaration of Pecuniary Interest	
2.3	Adoption of Minutes Committee of Adjustment February 27, 2025 Minutes	6 - 25
3.	New Applications	
3.1	Minor Variances	
3.1.1	COA2025-024 Katherine Evans, Acting Development Supervisor File Number: D20-2025-011 Location: 7 Bronte Lane Part Lot 12 and 13, Concession 6 Geographic Township of Verulam Owners: Kevin Primmer and Beverly Swan Applicant: TD Consulting Inc.	26 - 38
3.1.2	COA2025-025 Ahmad Shahid, Planner II File Number: D20-2025-012 Location: 171 Sunset Beach Road Part Lot 10, Concession 6 (being Lot 27 of Plan 182) Geographic Township of Laxton (LDL) Owners: Valery Grydko and Oksana Gratchev Applicant: Emmett Yeo	39 - 49

3.1.3	COA2025-026	50 - 59
	<p>Katherine Evans, Acting Development Supervisor File Number: D20-2025-013 Location: 165 McGill Drive Part Lots 2 and 3, Concession 14 (being Lot 55 on Plan 149) Geographic Township of Manvers Owner: Insook Koh Applicant: Mohsen Kazemi</p>	
3.1.4	COA2025-027	60 - 69
	<p>Ahmad Shahid, Planner II File Number: D20-2025-014 Location: 94 Irene Ave Part Lots 4 and 5, Plan 73 (being Part 1 on Reference Plan 57R7804) Geographic Township of Sturgeon Point Owner: Tyler Pinder Applicant: TD Consulting Inc.</p>	
3.1.5	COA2025-028	70 - 80
	<p>Katherine Evans, Acting Development Supervisor File Number: D20-2025-015 Location: 39 Burnett Shore Road Part lot 16 Front Range Geographic Township of Somerville Owners: Carolyn Hui-Yen Koh and Andrew Tan Applicant: Andrew Tan</p>	
3.1.6	COA2025-029	81 - 91
	<p>Katherine Evans, Acting Development Supervisor File Number: D20-2025-016 Location: 55 Ridge Drive Lots 28 to 29, Plan 185 Geographic Township of Bexley Owners: Ferdinando and Loraine Macri Applicant: TD Consulting Inc.</p>	

3.1.7	COA2025-030	92 - 101
	<p>Ahmad Shahid, Planner II File Number: D20-2025-017 Location: 4 Linden Valley Road Part Lot 1, Concession 14 (being part 1 on Reference Plan 57R3261) Geographic Township of Mariposa Owner/ Applicant: Jeremiah Beaudrow</p>	
3.1.8	COA2025-031	102 - 111
	<p>Ahmad Shahid, Planner II File Number: D20-2025-018 Location: Vacant Lot Rutherford Road Part Lot 14, Concession 10 (being Part 1 of Reference Plan 57R-7790) Geographic Township of Fenelon Owners/ Applicants: Michael and Vikki Cooper</p>	
3.1.9	COA2025-032	112 - 121
	<p>Katherine Evans, Acting Development Supervisor File Number: D20-2025-019 Location: 6 Sunrise Crescent Part Lot 1, Concession 5 (being Lot 26 on Plan 474) Geographic Township of Fenelon Owners: Jordan and Michelle Cardozo Applicant: Jordan Cardozo</p>	
3.1.10	COA2025-033	122 - 131
	<p>Ahmad Shahid, Planner II File Number: D20-2025-020 Location: 748 County Road 24 Part Lot 12, Concession 5 (being Part 9 of Reference Plan 57R-2227) Geographic Township to Verulam Owner/Applicant: Vincent Lau</p>	
3.1.11	COA2025-034	132 - 141
	<p>Katherine Evans, Acting Development Supervisor File Number: D20-2025-021 Location: 43 Campbell Beach Road Part Lot 11, Concession 1 (being Lot 11 on Plan 235) Geographic Township of Carden Owner/Applicant: Thuan Nguyen</p>	

Ahmad Shahid, Planner II

File Number: D20-2025-022

Location: 23 Duncan Drive, Eldon

Part Lot 27, Concession 1 (being Lot 9 and 9A, Plan 305; Part C, 1918C); as well as Part Lot 27, Concession 1 (being Lot 8 and 8A, Plan 305; Part C, 1918C)

Geographic Township of Eldon

Owners: Lisa Eagleson-Madden

Applicant: Joseph Madden

3.2

Consents

4.

Deferred Applications

4.1

Minor Variances

4.2

Consents

5.

Other Business

6.

Correspondence

7.

Next Meeting

The next meeting will be Wednesday, April 23rd at 1:00pm in Council Chambers, City Hall.

8.

Adjournment

The Corporation of the City of Kawartha Lakes

Minutes

Committee of Adjustment Meeting

COA2025-03
Thursday, February 27, 2025
1:00 P.M.
Council Chambers
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

Members:
Councillor Emmett Yeo
Betty Archer
Gerald Erickson
Eric Finn
Sandra Richardson
Lloyd Robertson
Stephen Strangway

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1. **Call to Order**

Chair Robertson called the meeting to order at 1:25pm, which was delayed due to technical difficulties with live streaming and electronic participation.

Chair Robertson, Members S. Strangway, S. Richardson, G. Erickson and E. Finn attended in person.

Staff, L. Barrie, Director of Development Services, K. Evans, Acting Development Supervisor, A. Shahid, Planner II, M. McKinnon, Supervisor of Plans Review and Inspections, M. LaHay, Secretary-Treasurer and C. Crockford, Recording Secretary attended in person.

Absent, Councillor Yeo and Member Archer.

2. **Administrative Business**

2.1 Adoption of Agenda

February 27, 2025

Committee of Adjustment Agenda

The Chair amended the agenda to bring forward Section 3.1.6 Report COA2025-018, 42 Pavillion Road, Verulam to be heard first and moved Sections 3.1.8 Report COA2025-020, 254 Port Hoover Road, Mariposa and 3.1.9 Report COA2025-021, 4 Cadillac Boulevard, Emily, to be heard after Section 3.1.11, to allow time to rectify electronic difficulties and permit the applicants to attend via zoom.

CA2025-036

Moved By S. Strangway

Seconded By S. Richardson

That the agenda for February 27, 2025 be approved as amended.

Carried

2.2 Declaration of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

2.3 Adoption of Minutes

January 30, 2025
Committee of Adjustment Minutes

CA2025-037

Moved By E. Finn

Seconded By G. Erickson

That the minutes of the previous meeting held January 30, 2025 be adopted as printed.

Carried

3. New Applications

3.1 Minor Variances

3.1.6 COA2025-018

Ahmad Shahid, Planner II

File Number: D20-2025-005

Location: 42 Pavillion Road

Part Lot 10, Concession 2 (being Part of Lots 89 and 90, Plan 128)

Geographic Township of Verulam

Owners: Lorenzo and Maria D'Alessandro

Applicant: Lorenzo D'Alessandro

Mr. Shahid brought to the attention of the Committee that in light of recent information received before the meeting that he suggested the application be deferred in order for the applicant to provide staff with a Surveyor's Real Property Report. A survey is requested from staff in order to clarify lot boundaries, specifically the west side lot line of the subject property, and its relation to the existing buildings and structures on the property. The applicants' submitted sketch will be compared with the survey to ensure its accuracy. Mr. Shahid suggested the application be deferred to a hearing no later than three (3) months from today's hearing.

The applicant, Mr. D'Alessandro was present and was opposed to the deferral. He also noted that a surveyor was at his property this morning not at his request.

Mr. Shahid apologized to the applicant and Committee for the late deferral and followed up by indicating that upon review there were discrepancies noted between the sketch advertised and the survey provided by the applicant.

The Committee referred to the deferral and asked if it was connected to the surveyors visit to the property this morning and what additional information would the surveyor provide. Mr. Shahid stated that the surveyors visit to the property was nothing to do with staff or the City. Mr. Shahid stated he was not comfortable proceeding today as the sketch may potentially show inaccurate setbacks.

The Committee asked Mr. Shahid if it is in the applicant's best interest to defer this application. Mr. Shahid replied yes.

The Committee asked if the applicant would incur deferral fees. Mr. Shahid replied that there would be no deferral fees.

The Committee suggested that the application be deferred to the following hearing in March. Mr. Shahid suggested to remain with three (3) months, and if a resolution is completed earlier then the application would be heard accordingly.

The Committee motioned to defer the application until the March 27, 2025 meeting.

There were no further questions from the Committee or other persons.

CA2025-038

Moved By S. Strangway

Seconded By S. Richardson

That application D20-2025-005 be deferred for a period of one (1) month, returning at the latest to the March 27, 2025 meeting. This will allow the applicant such time as to provide staff with a Surveyor's Real Property Report ("survey"). A survey is needed to confirm lot boundaries, and identify precise measurement between lot boundaries and all existing buildings and structures.

Carried

3.1.1 COA2025-013

Katherine Evans, Acting Development Supervisor

File Number: D20-2025-001

Location: 1 Macal Drive (Subject Site: 5 Homewood Avenue)

East Part Lot 1, Concession 3 (being Part 1 on Reference Plan 57R679)

Geographic Township of Fenelon

Owners: Yukon Prop Co. LP c/o Jeffrey Somerville

Applicant: Jim Wilson

Ms. Evans summarized Report COA2025-013. The purpose and effect is to facilitate the construction of an attached garage. Relief sought: Section 14.2.1.5 e) of the Zoning By-law requires a minimum interior side yard setback of 3 metres on one side and 1.2 metres on the other side; the proposed setback is 0.9 metres.

Agency comments were received from the Ministry of Transportation stating the subject lands are within MTO's permit control area, therefore, any approvals or permits identified by the Ministry as being required need to be received prior to the construction and/or alteration of any buildings and/or structures and prior to the issuance of any municipal building permits or approvals as per Section 8. (2) (a) of the Building Code Act.

There were no questions from the Committee or other persons.

CA2025-039

Moved By S. Strangway

Seconded By E. Finn

That minor variance application D20-2025-001 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 COA2025-013, 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 COA2025-013. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

3.1.2 COA2025-014

Katherine Evans, Acting Development Supervisor

File Number: D20-2025-002

Location: 55 Hazel Street

Part Lot 10, Concession 2 (being lots 89 and 90 on Plan 128)

Geographic Township of Verulam

Owner/Applicant: Doris Kelly Ewing

Ms. Evans summarized Report COA2025-014. The purpose and effect is recognize an existing gazebo. Relief sought: Section 8.2 j) of the Zoning By-law permits a maximum lot coverage of 33% of the lot area; the existing lot coverage is 35%; and, Section 5.1.4 b) of the Zoning By-law requires a minimum rear yard setback for accessory structures of 1.2 metres; the existing setback is 0.1 metres.

Ms. Evans gave a brief summary of the public concerns received from the neighbouring property, 42 Pavilion Road, regarding setbacks and impacts to privacy, which were provided to the Committee. Ms. Evans stated that the platform for the gazebo is classed as landscaping due to the height and does not require a setback. The applicant is seeking relief for the gazebo. Ms. Evans indicated that the fence attached to the platform is entirely contained on 55 Hazel Street. The fabric curtain attached to the gazebo is for privacy purposes between 55 Hazel Street and neighbouring property. The curtain has been secured to the gazebo to prevent it blowing over to the neighbour's property.

The applicant, Ms. Ewing was present in person and available for questions. Ms. Ewing made the Committee aware that she owned the fence that is built within the subject property and not on the lot line.

In opposition to the application, Mr. D'Alessandro spoke to concerns, which were previously provided to the Committee disputing the definition of the platform classed as landscaping and hazards pertaining to the gazebo.

The Committee asked Mr. Lorenzo if the gazebo roof affects his sight lines. Mr. Lorenzo responded.

The Chair asked Ms. Evans if she had any response to comments made. Ms. Evans had no further comments.

Committee motioned to approve the application as recommended by staff.

Mover: E. Finn

Seconder: L. Robertson

The applicant, Ms. Ewing is of the opinion that she is being compliant. The complaint referred to the setback from the fence, which is contained on her property, and not from the lot line. Ms. Evans clarified Ms. Ewing's comments as to the gazebo being placed on the flattest portion of the property and explained that with the retaining wall, there are limitations as to how far the gazebo could be moved.

In opposition to the application, Ms. D'Alessandro was present in person and spoke to her concerns with the minor variance and that she had filed complaints with the Building Division and Municipal Law Enforcement.

The Chair asked Ms. Evans if she would like to respond. Ms. Evans indicated that when a complaint has been filed through the Municipal Law Enforcement Office and or Building Division, when appropriate the next step is to apply for a minor variance for non-compliance to be brought to the Committee of Adjustment for a decision.

The Committee asked staff, in order to rectify the concern, apart from expense, would there be an issue to build a new retaining wall closer to the house that would meet the Zoning By-laws. Ms. Evans responded that the owner would need a Site Alteration Permit to change the grade of their property and to see how it would affect neighbouring properties. Ms. Evans was of the opinion that the minor variance meets the four tests.

The Chair asked members who were in favour and opposed.

For: E. Finn, L. Robertson

Opposed: S. Strangway, S. Richardson and G. Erickson

Motion Failed.

Committee discussed the possibility of building a new retaining wall and move the deck and gazebo a metre away from the fence.

A new motion was proposed to defer the application to allow the owner time to inquire as to what is involved to move the retaining wall/gazebo and costs. The Committee discussed a time line of two (2) months.

There were no further questions from the Committee or other persons.

CA2025-040**Moved By** S. Strangway**Seconded By** S. Richardson

That Application D20-2025-002 be deferred for a period of not more than two (2) months, returning at the latest to the April 24, 2025 meeting. The Committee has deferred the application as they have requested details on the work required and cost of relocating the gazebo further from the rear lot line.

Carried

The Chair called for a break at 2:14pm to allow the staff time to connect to live streaming. The Meeting was called back to order at 2:25pm.

3.1.3 COA2025-015

Katherine Evans, Acting Development Supervisor

File Number: D20-2022-057

Location: 1023 Little Britain Road

Part Lot 6, Plan 79

Geographic Township of Mariposa

Owner: Raymond and Ruby Zinsmeister

Applicant: Raymond Zinsmeister

Ms. Evans summarized Report COA2025-015. The purpose and effect is to recognize an existing detached garage for the purposes of obtaining a building permit. Relief sought: Section 3.1.2.2 of the By-law requires a minimum rear yard setback for accessory structures of 2 metres; the existing setbacks are 1.7 metres from the northwest corner and 1.6 metres from the northeast corner; Section 3.1.2.2 of the Zoning By-law requires a minimum side yard setback for accessory structures of 2 metres; the existing setback is 1.8 metres from the southeast corner; Section 3.1.3.1 a) of the Zoning By-law permits a maximum lot coverage for accessory structures of 10% of the lot area to a maximum of 100 square metres; the coverage is 12% and 158 square metres; Section 3.1.3.2 of the Zoning By-law permits a maximum height of 5 metres; the height is 5.2 metres; and, Section 3.1.3.3 of the Zoning By-law governs the number of accessory structures, and permits a maximum of 2 accessory structures; 3 accessory structures exist on the property.

There were no questions from the Committee or other persons.

CA2025-041

Moved By S. Strangway

Seconded By G. Erickson

That minor variance application D20-2022-057 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 and the drawings in Appendix D submitted as part of Report COA2025-015, which shall be attached to and form part of the Committee's Decision;
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 COA2025-015. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

3.1.4 COA2025-016

Ahmad Shahid, Planner II

File Number: D20-2025-003

Location: 3706 Monck Road

Part Lot 75 Part Road Allowance, Concession Front Range (being Part 4, RP 57R-10330)

Geographic Township of Somerville

Owners/Applicants: Phil and Maria Dobbs

Before proceeding with the presentation, Mr. Shahid drew the Committees attention to the memo provided to the members, which indicated that during the preparation of the report, the Supervisor of Plans Review and Inspections stated

that a number of structures would require a building permit. Since the writing of the report, the Building Division confirmed that the building permits are not required for these existing structures. Relief is limited now to the proposed screen porch. Mr. Shahid turned it over to the Committee to determine if the application should proceed today. Committee agreed to proceed.

Mr. Shahid summarized Report COA2025-016. The purpose and effect is to facilitate the construction of a screened-in porch on an existing deck. Relief sought: Section 4.2.f. of the Zoning By-law requires a minimum 15 metre water setback; the water setback remains unchanged at 8.68 metres from the proposed screened-in porch.

After the writing of the report, comments were received from the Supervisor of Plans Review and Inspection, stating no comments. The Supervisor of Part 8 Sewage Systems stated no issue with the minor variance as it relates to private on site sewage system disposal.

There were no questions from the Committee or other persons.

CA2025-042

Moved By E. Finn

Seconded By G. Erickson

That minor variance application D20-2025-003 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 COA2025-016, 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 COA2025-016. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

3.1.5 COA2025-017

Katherine Evans, Acting Development Supervisor

File Number: D20-2025-004

Location: 23 Fair Avenue

Part Lot 13, Plan 75

Former Town of Lindsay

Owners: Colleen and Arthur Bell

Applicant: Josh Mainguy

Ms. Evans summarized Report COA2025-017. The purpose and effect is to facilitate the construction of a new front porch. Relief sought: Section 7.2 c) of the Zoning By-law requires a minimum front yard setback of 7.5 metres; the proposed setback is 4.4 metres.

There were no questions from the Committee or other persons.

CA2025-043

Moved By S. Richardson

Seconded By S. Strangway

That minor variance application D20-2025-004 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 COA2025-017, 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 COA2025-017. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried**3.1.7 COA2025-019**

Ahmad Shahid, Planner II

File Number: D20-2025-006

Location: Cockburn Street

Lot 35, Plan 30

Geographic Township of Laxton

Owner/Applicant: Larry B. Carpentier

Mr. Shahid summarized Report COA2025-019. The purpose and effect is to recognize an existing dwelling on the property, as well as construct an attached covered porch. Relief sought: Section 4.2.j. of the Zoning By-law requires a minimum 58 square metre dwelling unit floor area; the existing floor area of the dwelling is 22.84 square metres.

Comments received after the writing of the report from the Ministry of Transportation stating the subject lands are within the permit control area and that any approval and permits must be applied for. Mr. Shahid has submitted a Land Development Review for this application.

Mr. Carpentier was present in person and available for questions.

There were no questions from the Committee or other persons.

CA2025-044**Moved By** S. Richardson**Seconded By** E. Finn

That minor variance application D20-2025-006 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 COA2025-019, 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 COA2025-019. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

3.1.10 COA2025-022

Katherine Evans, Acting Development Supervisor
 File Number: D20-2025-009
 Location: 1027 Highway 7
 South Part Lot 17, Concession 9 (being Part 2 on Reference Plan 57R3878)
 Geographic Township of Mariposa
 Owners: Megan and Daniel Golde
 Applicant: Megan Golde

Ms. Evans summarized Report COA2025-022. The purpose and effect is to facilitate demolition of a portion of the detached garage and the construction of a new larger addition onto the detached garage. The garage (circa 1975) holds a legal non-conforming status whereby residential uses and uses accessory to residential uses predate the Zoning By-law adopted in 1994, that zones the lot Highway Commercial Exception Four (C2-4) Zone, and Section 17.1 does not otherwise permit a single detached dwelling or buildings and structures accessory to a single detached dwelling.

Ms. Evans had submitted a Land Development Review with the Ministry of Transportation and advised the Building and Septic Division that she is waiting on comments to confirm if a permit is required.

The Committee asked staff for clarification as to comments written on Appendix C. Ms. Evans responded.

The applicant, Megan Golde was present in person and available for questions.

There were no further questions from the Committee or other persons.

CA2025-045

Moved By S. Strangway

Seconded By G. Erickson

That permission application D20-2025-009 be GRANTED, as the application satisfies Section 45(2) of the Planning Act.

Conditions

1. **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C and the drawings in Appendix D submitted as part of Report COA2025-022, which shall be attached to and form part of the Committee's Decision; and,
2. **That** building construction related to the permission application 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 minor variance application as described in report COA2025-022. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

3.1.11 COA2025-023

Ahmad Shahid, Planner II

File Number: Minor Variance D20-2025-010 and Consent D03-2025-008

Location: 48 Prince Street East

Part Lot 9 West of Anne Street, Plan 70

Former Village of Bobcaygeon

Owner: Nick Holmes

Applicant: TD Consulting Inc.

Mr. Shahid summarized Report COA2025-023. The purpose and effect is facilitate the severance of the property to create one (1) new residential building

lot and retain a lot containing an existing single-detached dwelling. The proposed severed lot is to contain a future single detached dwelling. Relief sought: Section 5.2.b. of the Zoning By-law which requires a minimum 15 metre lot frontage for a lot serviced by municipal water and sanitary sewers; the proposed lot frontage of the severed lot is 13.67 metres.

The applicant, Nick Fegan of TD Consulting Inc. was present and available for questions.

There were no questions of the Committee or other persons.

CA2025-046

Moved By S. Richardson

Seconded By S. Strangway

That minor variance application D20-2025-010 be **GRANTED**, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

1. **That** development related to this approval shall proceed generally in accordance with the sketch in Appendix D submitted as part of Report COA2025-023, which shall be attached to and form part of the Committee's Decision;
2. **That** the two (2) sheds located on the proposed severed lot identified in Appendix D be removed within a period of six (6) months after the date of the Notice of Decision. This condition will be considered fulfilled upon the owner providing photographic evidence to the Planning Administration (planningadmin@kawarthalakes.ca) and including the Secretary-Treasurer that the sheds have been removed; and,
3. **That** development 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 approval pertains to the minor variance application as described in report COA2025-023. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

That consent application **D03-2025-008** be **GRANTED**, as the application represents good planning, and is in accordance with Section 53(1) of the Planning Act.

Note: The owner shall pay all costs associated with the registration of the required documents.

This approval pertains to the consent application as described in report COA2025-023. Fulfillment of all conditions is required for the consent to be completed.

Conditions of provisional consent for File No. D03-2025-008

1. Submit to the Planning Administration (planningadmin@kawarthalakes.ca) and including the Secretary-Treasurer one copy of the preliminary reference plan of survey of the lot to be severed for review and endorsement and the subsequent registered reference plan of survey; or, alternatively, the applicant's solicitor or an Ontario Land Surveyor shall provide a legal description that can be tendered for registration and meets the intent of the consent as applied for.
2. That the minor variance (D20-2025-010) be in force and in effect.
3. The owner shall apply for and pay the prescribed fee to obtain an Entrance Review Approval Letter for all existing and proposed entrances and submit it to the Secretary-Treasurer as written confirmation from the Public Works Roads Division that the entrance(s) comply with By-Law 2017-151 or that an entrance compliant with the same would be possible if one does not currently exist. Entrance applications can be completed and submitted through Permit Central from the following page on the City's website: <https://www.kawarthalakes.ca/en/living-here/entrance-permits.aspx>
4. Submit to the Secretary-Treasurer payment of all past due taxes and charges added to the tax roll, if any, at such time as the deeds are stamped.
5. Payment to the City of Kawartha Lakes of the stamping fee prevailing at the time the deeds are stamped, for the review and clearance of these conditions. The current fee is \$500.00. Payment shall be by certified cheque, money order, or from a lawyers trust account.
6. Payment of the cash-in-lieu of the dedication of parkland, equal to 5% of the appraised value of the land to be severed, as determined by an experienced and qualified land appraiser (CRA or AACI) as of the day before the day the provisional consent was given. The appraisal report shall accompany the cash-in-lieu payment. The City is not required to

accept the appraisal report and reserves the right to peer-review the appraisal report and negotiate the cash-in-lieu payment. Payment shall be made by certified cheque, money order, or from a lawyers trust account.

7. Submit to the Secretary-Treasurer a deed in triplicate for endorsement with the certificate of consent which deed shall contain a registerable description of the parcel of land described in the decision.
8. The owner's solicitor shall provide a written undertaking to the Secretary-Treasurer confirming, pursuant to Subsection 53(43) of the Planning Act, that the deed in respect of this transaction shall be registered in the proper land registry office within six months from the date that the Secretary-Treasurer's certificate is stamped on the deed, failing which the consent shall lapse.
9. The owner's solicitor shall also undertake to provide a copy of the registered Transfer to the Secretary-Treasurer as conclusive evidence of the fulfillment of the above-noted undertaking.
10. All of these conditions shall be fulfilled within a period of two years after the giving of the Notice of Decision, failing which, pursuant to Subsection 53(41) of the Planning Act, this consent shall be deemed to be refused.

Carried

3.1.8 COA2025-020

Ahmad Shahid, Planner II

File Number: D20-2025-007

Location: 254 Port Hoover Road

Part Lots 12 and 13, Concession A, Part Road Allowance

Geographic Township of Mariposa

Owners/Applicants: Ryan Kane

Mr. Shahid summarized Report COA2025-020. The purpose and effect is to facilitate the construction of a new single detached dwelling with basement walkout, deck, and attached garage. All existing structures are to be removed. Relief sought: Section 8.2.1.3.a. of the Zoning By-law, which requires a minimum 30 metre front yard setback; the proposed front yard setback is 10.36 metres.

Agency comments received after the writing of the report from Kawartha Conservation stated no concerns with the minor variance and that a permit is not required. The Supervisor of Part 8 Sewage Systems stated no issue with the minor variance as it relates to on site sewage disposal.

There were no questions from the Committee or other persons.

CA2025-047

Moved By E. Finn

Seconded By G. Erickson

That minor variance application D20-2025-007 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 COA2025-020, 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 COA2025-020. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

3.1.9 COA2025-021

Katherine Evans, Acting Development Supervisor

File Number: D20-2025-008

Location: 4 Cadillac Boulevard

Part Lot 22, Concession 5 (being Block 1 on Plan 450, less Part 1 on Reference Plan 57R893)

Geographic Township of Emily

Owners: Tina and Ronald Russell

Applicant: Tina Russell

Ms. Evans summarized Report COA2025-021. The purpose and effect is to recognize an existing shed for the purpose of obtaining a building permit. Relief sought: Section 3.1.2.1 of the Zoning By-law permits accessory structures to be located in the interior side or rear yard; the shed is located in the front yard.

Agency comments were received after the writing of the report from Otonabee Conservation stating no concerns with the minor variance and that a permit is not required.

Mr. Russell was present via electronic participation and available for questions.

There were no questions from the Committee or other persons.

CA2025-048

Moved By S. Richardson

Seconded By G. Erickson

That minor variance application D20-2025-008 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 COA2025-008, 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 COA2025-021. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

3.2 Consents

4. Deferred Applications

4.1 Minor Variances

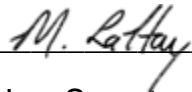
4.2 Consents

5. Other Business

Ms. Barrie addressed the technical issues experienced leading up to and during the meeting. Ms. Barrie thanked City staff who contributed to ensure the meeting continued.

6. Correspondence**7. Next Meeting**

The next meeting will be Thursday, March 27th at 1:00pm in Council Chambers, City Hall.

8. Adjournment**CA2025-049****Moved By:** S. Richardson**Seconded By:** E. Finn**That** the meeting be adjourned at 3:04pm.

Mark LaHay, Secretary-Treasurer

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Primmer and Swan
Report Number COA2025-024

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 detached garage/workshop.

Relief sought:

1. Section 5.1.3 b) of the Zoning By-law permits accessory structures in the interior side and rear yard; the garage/workshop is to be located in the front yard; and,
2. Section 5.1.5 of the Zoning By-law permits a maximum height for accessory structures of 5 metres; the proposed height is 6.5 metres.

The variance is requested at **7 Bronte Lane** (File D20-2025-011).

Author: **Katherine Evans, Acting Development Supervisor**

Signature: *Katherine Evans*

Recommendations

That Report COA2025-024 – **Primmer and Swan**, be received;

That minor variance application D20-2025-011 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 and the drawings in Appendix D submitted as part of Report COA2025-024, 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 COA2025-024. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	The construction of a detached garage/workshop
Owners:	Kevin Primmer and Beverly Swan
Applicant:	TD Consulting Inc.
Legal Description:	Part Lot 12 and 13, Concession 6
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Residential Type One (R1) Zone and Open Space (OS) Zone (Township of Verulam Zoning By-law 6-87)
Site Size:	1.7 ha. (4.3 ac.)
Site Access:	Year round municipal road (Scotch Line Road) and private road (Bronte Lane)
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 neighbourhood located on the southern shore of Sturgeon Lake. The property is irregular in shape and is a waterfront lot. The property has frontage on County Road 24 and Scotch Line Road, which are year round municipal roads. Bronte Lane is a private road which runs through the middle of the subject property and functions similar to a driveway

¹ See Schedule 1

² See Schedule 1

off of Scotch Line Road. Bronte Lane is used to access one other lot to the east of the subject property. The property currently contains a single detached dwelling constructed in 1977 (according to Municipal Property Assessment Corporation), a boathouse, and a storage building.

The proposal is to construct a detached garage/workshop. The building will provide space for the property owner's car collection, ATVs, snowmobiles, as well as general storage and workshop space. This property went through the Minor Variance application process in September 2024 (File No. D20-2024-074) and a portion of the proposed building at that time was described as an Additional Residential Unit (ARU). Relief was needed for the ARU/garage to be located in the front yard. The maximum height for a detached ARU is 10 metres.

The current proposal is no longer for an ARU. The proposed structure is to be a garage/workshop and not to be used for any human habitation. As such, the maximum height for an accessory structure (other than an ARU) of 5 metres applies and relief is required to permit the proposed height. While relief was granted in September 2024 for the structure to be located in the front yard, this relief is requested again through this Minor Variance to avoid the variances lapsing at different times.

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. Low density residential uses are permitted within this designation. 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 and Open Space (OS) Zone under the Township of Verulam Zoning By-law 6-87. The portion of the property zoned OS is approximately 1,788 square metres in size and is located at the southern boundary of the property. No existing or proposed structures are to be located within this zone. A single detached dwelling, as well as accessory buildings and structures are permitted within the R1 Zone. The proposal complies with all provisions of the Zoning By-law with the exception of the permitted location for accessory buildings and structures and the maximum height for accessory structures.

Section 5.1.3 b) of the Zoning By-law provides that an accessory building or structure that is not attached to the main building shall not be erected in any yard other than the interior side or rear yard. The proposed detached garage/workshop is to be located in the front yard. The intent of limiting the location of accessory

structures to the interior side or rear yard is to ensure accessory uses remain subordinate to the primary use by being located in less visible areas on the property. Locating accessory structures in the interior side or rear yard also ensures there is adequate amenity space in the front yard, and the property is in keeping with the character of the rest of the neighbourhood.

As defined by the Zoning By-law, the front lot line of a corner lot is the shorter lot line that abuts the street. Therefore, the lot line which abuts County Road 24 is the front lot line, and the lot line that abuts Scotch Line Road is an exterior side lot line. The Zoning By-law defines the front yard as the entire width of the yard between the front lot line and the main building. As such, the area between County Road 24 and the dwelling is all considered the front yard.

The property is approximately 220 metres deep. The dwelling is approximately 178 metres from the front lot line and 16.2 metres from the rear lot line (the shoreline). As such, the property has an extensive front yard and a smaller rear yard, limiting the opportunity to site an accessory structure in a permitted location. The proposed location of the detached garage/workshop being in the front yard will still allow for a significant amount of amenity space in the front yard.

The property is heavily vegetated, and the location of the proposed accessory structure is surrounded by a stand of mature vegetation. As the visibility of the accessory structure is limited when viewing the property from the street, its location is not anticipated to impact the residential character of the property. Additionally, there are several properties in the surrounding area with accessory structures in the front yard, so the proposal is in keeping with the existing built form. The proposed garage/workshop has adequate setbacks from the private road (Bronte Lane) so its location will not impede the use of the road to access the subject property or the neighbouring property to the east.

Section 5.1.5 of the Zoning By-law permits a maximum height for accessory structures of 5 metres. The proposed height is 6.5 metres. The purpose of establishing a maximum height for accessory structures in a residential zone is to ensure the accessory use is visually subordinate to the primary (residential) use and to maintain the residential character of an area.

Due to the mature vegetation and lot configuration, the proposed garage/workshop will be minimally visible. The property is 4.3 acres in size and the larger lot size allows for larger accessory structures while ensuring the property does not appear overbuilt and that the residential character of the property does not change. The maximum accessory structure lot coverage is 10%. Including the proposed garage/workshop, existing storage building, and boathouse the accessory structure lot coverage is 4%. Additionally, the tall trees surrounding the proposed location could result in the garage/workshop appearing shorter in comparison, as the height of the trees draws the eye upward making the height of the garage appear less significant in comparison.

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.”

Building and Septic Division (Septic): “An application for a sewage system permit has been received for the proposed detached garage/workshop construction. The sewage system is being proposed to facilitate the construction of a washroom in the garage. The sewage system has been located to meet the minimum clearance distance requirements. There will be no habitable/living space as part of this proposal. Additionally, the placement of the detached garage/workshop will not encroach on the existing sewage system serving the main dwelling. 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
Appendix D – Construction Drawings
Appendix E – Floor Plan

Phone: 705-324-9411 extension 1883

E-Mail: kevans@kawarthalakes.ca
Department Head: Leah Barrie, Director of Development Services
Division File: D20-2025-011

Schedule 1

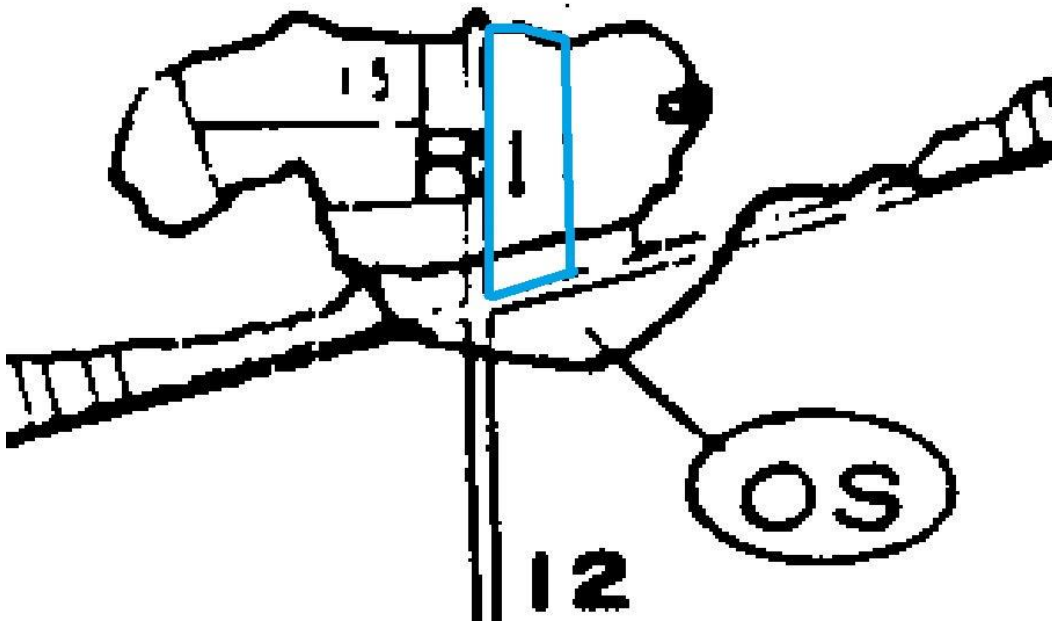
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



20. Waterfront Designation

Township of Verulam Zoning By-law 6-87



Section 5 General Provisions

5.1 Accessory Uses

5.1.3 Location

b) Except as otherwise provided herein, in a Residential Zone, any accessory building or structure which is not attached to the main building shall not be erected in any yard other than the interior side yard or rear yard.

Section 5.1.5 Height

The height of an accessory building or structure, in a residential zone or to a residential use, shall not exceed 5 metres (16.4 ft.). Further, the height of such accessory building or structure shall be measured as the mean level between eaves and ridge of a gabled, hip, gambrel or mansard roof, or other type of pitched roof.

Section 8 Residential Type One (R1) Zone

8.1 R1 Uses Permitted

8.2 R1 Zone Provisions

Section 18 Open Space (OS) Zone

18.1 OS Uses Permitted

18.2 OS Zone Provisions

to

REPORT COA2025-024

FILE NO: D20-2025-011

LOCATION MAP

D20-2025-011

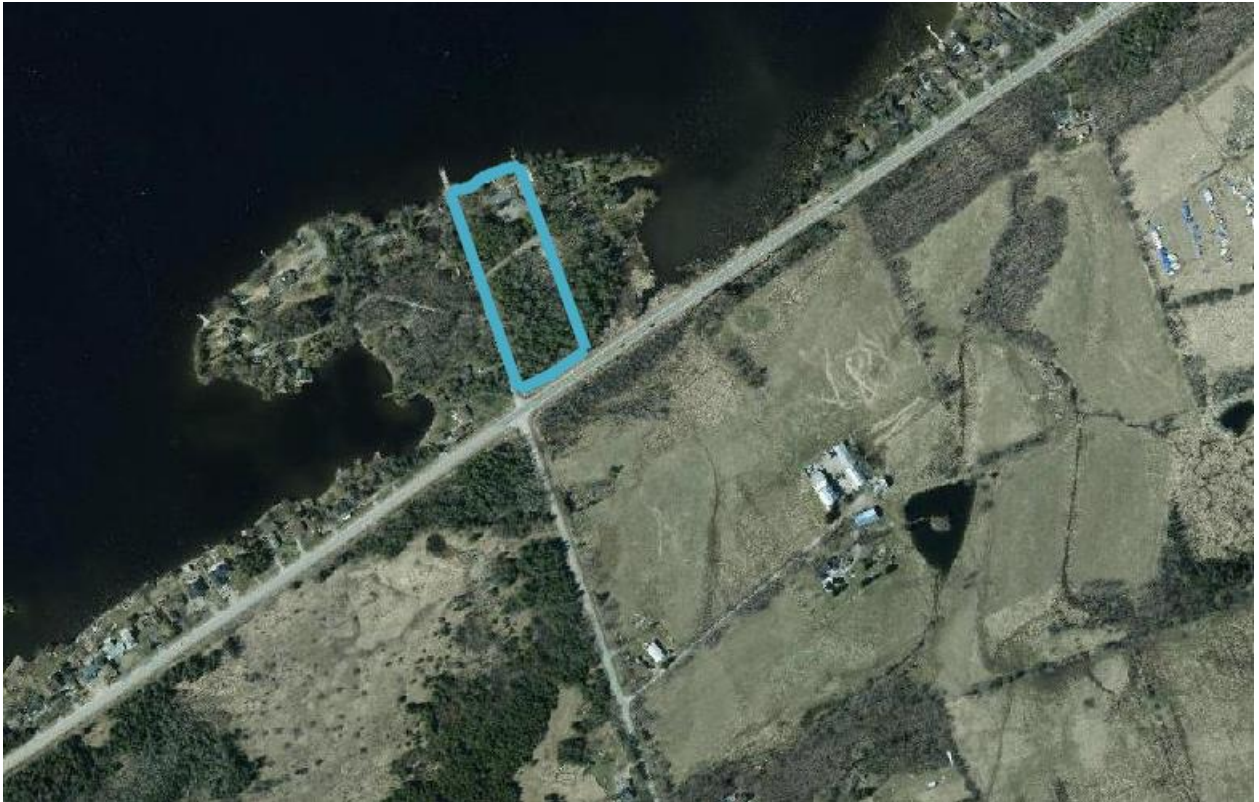


to

REPORT COA2025-024

FILE NO: D20-2025-011

AERIAL PHOTO

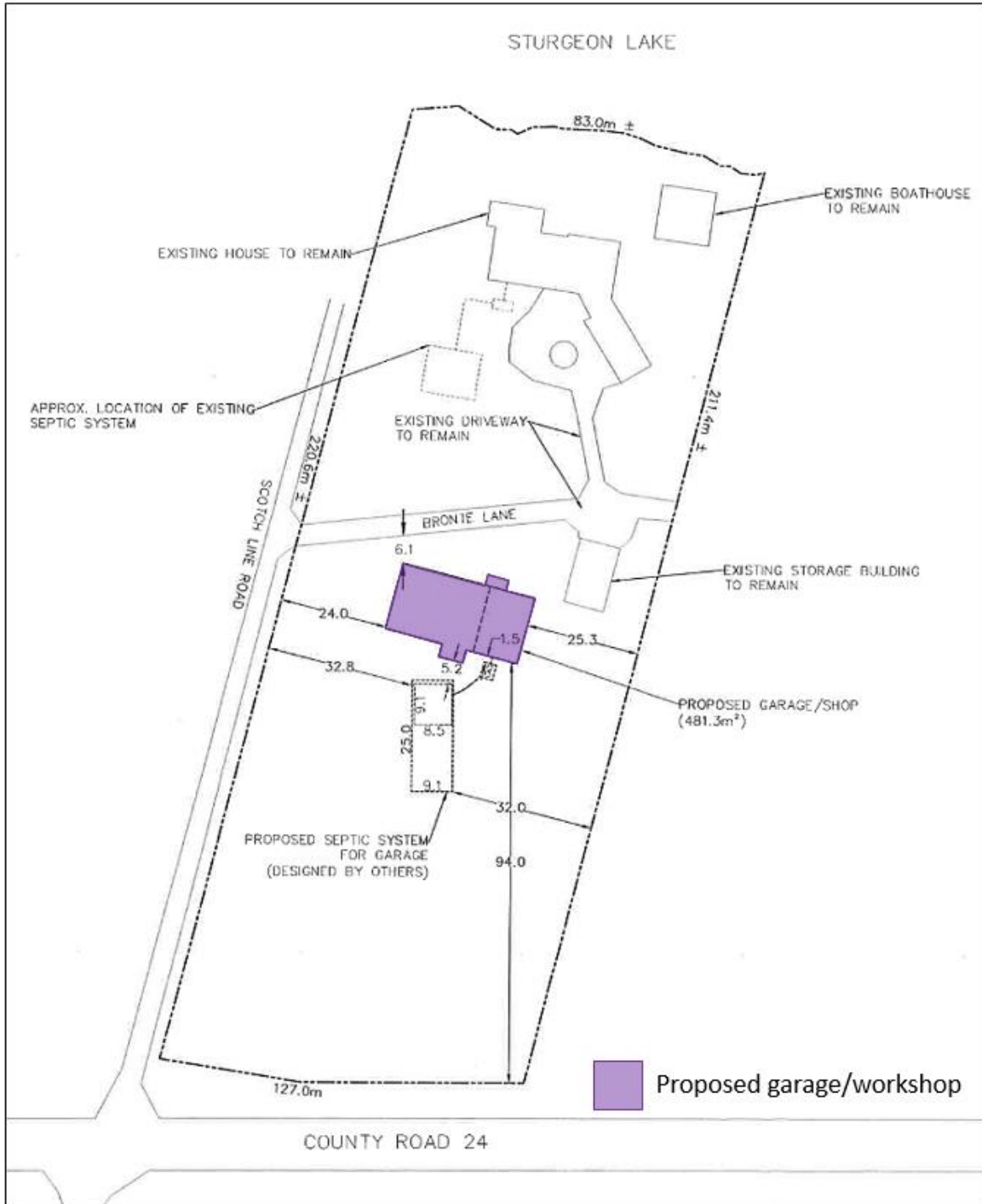


to

APPLICANT'S SKETCH

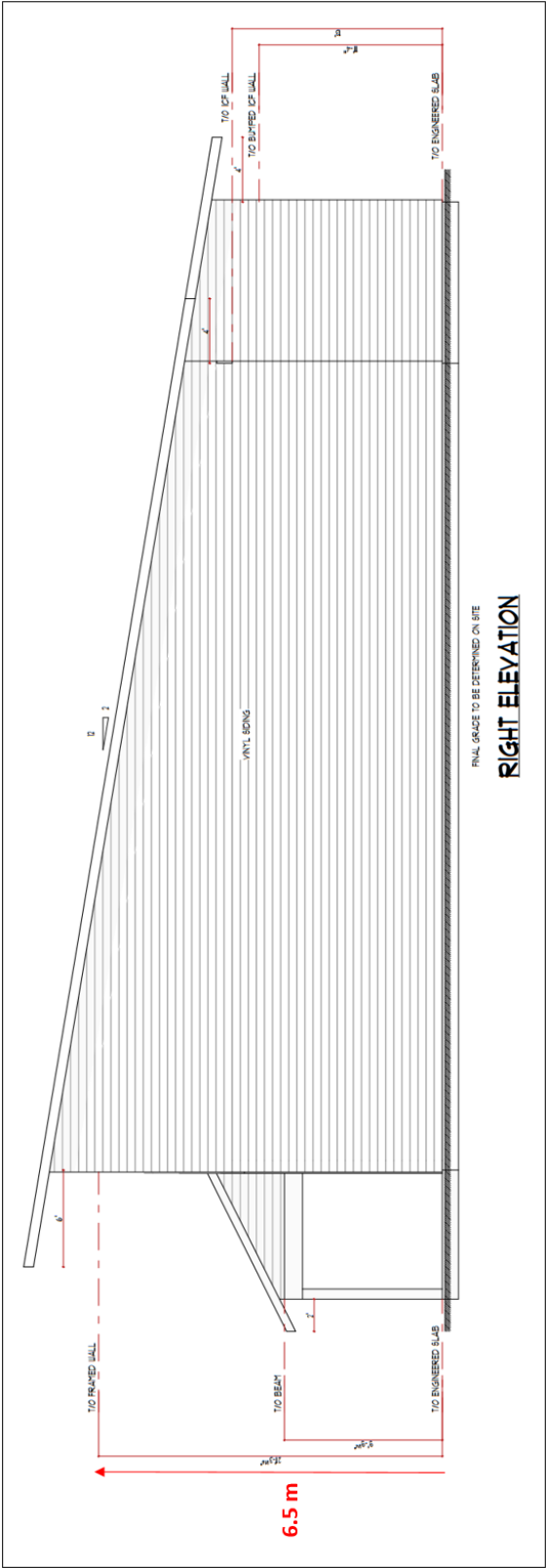
REPORT COA2025-024

FILE NO: D20-2025-011



CONSTRUCTION DRAWINGS

APPENDIX “ D ”
to
REPORT COA2025-024
FILE NO: D20-2025-011



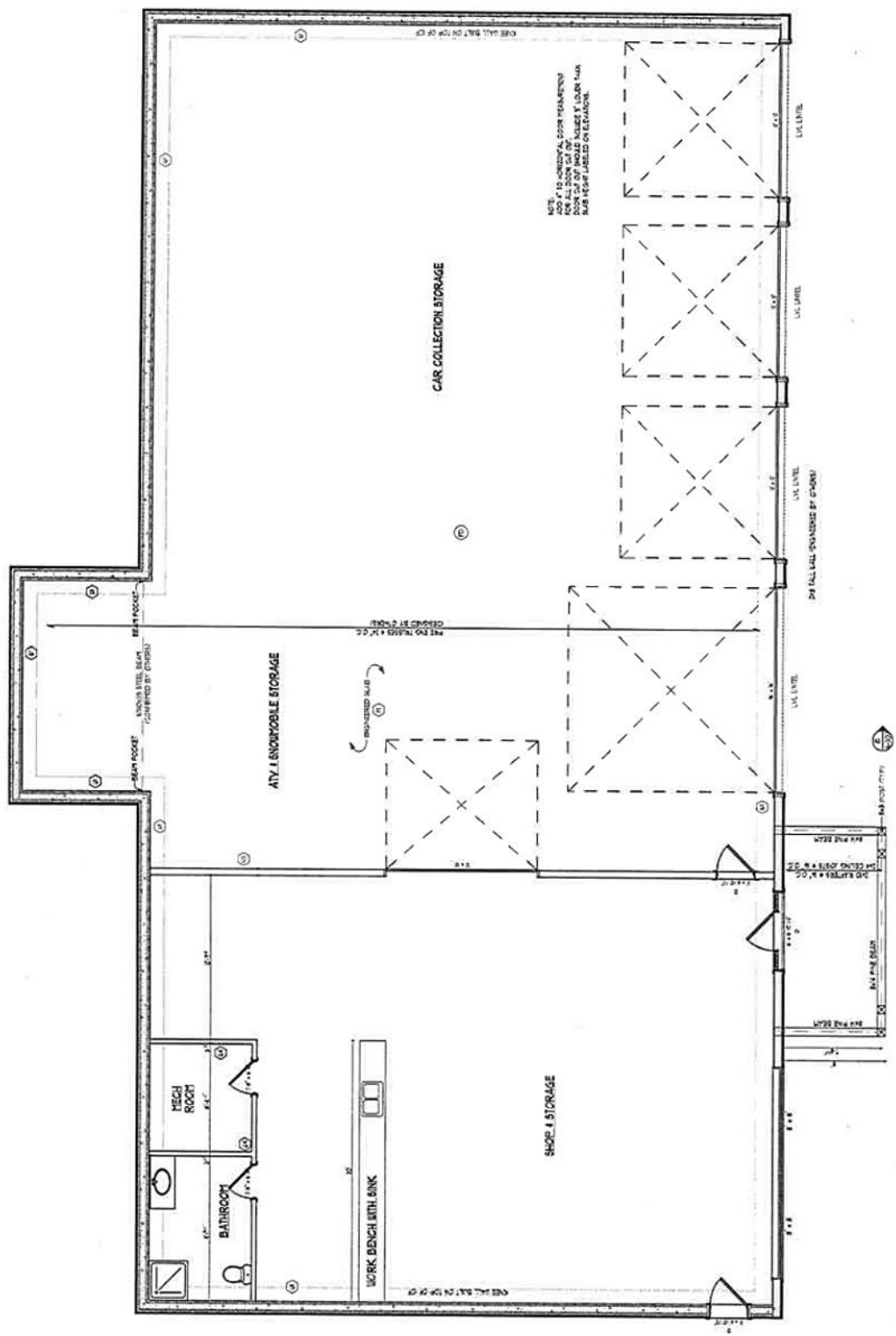
FLOOR PLAN

APPENDIX " E "

to

REPORT COA2025-024

FILE NO: D20-2025-011



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Grydko and Gratchev
Report Number COA2025-025

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 Laxton (LDL)

Subject: The purpose and effect is to facilitate the recognition of two (2) existing gazebo's and an existing sauna. The existing shed and storage container are to be removed.

Relief sought:

1. Section 5.2.g. of the Zoning By-law requires a minimum 15 metre water setback; the existing structures have a water setback of 12.1 metres (Gazebo 'B') and 10.3 metres (Sauna);
2. Section 18.1.b. of the Zoning By-law requires a minimum 1.3 metre side yard setback for accessory structures; the existing side yard setbacks are 0.31 metres (Gazebo 'A') and 0.58 metres (Sauna).

The variance is requested at **171 Sunset Beach Road** (File D20-2025-012).

Author: **Ahmad Shahid, Planner II** **Signature:**



Recommendations

That Report COA2025-025 – Grydko and Gratchev, be received;

That minor variance application D20-2025-012 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 COA2025-025, which shall be attached to and form part of the Committee's Decision;

- 2) **That** prior to proceeding with the building permit process, the owner/applicant shall address the non-ownership of the shoreline road allowance by either an encroachment agreement or through the purchase of the shoreline road allowance (Property Identification Number: 632730525) by applying for an application through the City's Realty Services Division;
- 3) **That** prior to proceeding with the building permit process and if the shoreline road allowance requires purchase, the owner shall apply for a deeming by-law to ensure that the shoreline road allowance (Property Identification Number: 632730525) will be consolidated with the subject property (171 Sunset Beach Road), and the by-law be in effect;
- 4) **That** the storage container and shed identified in Appendix C, submitted as part of Report COA2025-025, be removed prior to the issuance of a building permit. This condition will be considered fulfilled upon the owner providing photographic evidence to the Planning Administration (cofa@kawarthalakes.ca) and Secretary-Treasurer;
- 5) **That** photographic evidence be provided to show that the downspouts on Gazebo 'A' and the Sauna (as shown on Appendix C of COA2025-025) are not directed towards any of the neighbouring properties. This condition will be considered fulfilled upon the owner providing photographic evidence to the Planning Administration (cofa@kawarthalakes.ca) and Secretary-Treasurer; and,
- 6) **That** this approval shall be in effect 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 COA2025-025. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal: Recognition of two (2) existing gazebo's and an existing sauna. The existing shed and storage container are to be removed.

Owners: Valery Grydko and Oksana Gratchev

Applicant: Emmett Yeo

Legal Description: Part Lot 10, Concession 6, (being Lot 27 of Plan 182)

Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Limited Service Residential (LSR) Zone (United Townships of Laxton, Digby, and Longford Zoning By-law 32-83)
Site Size:	1,860.5 square metres (0.46 acres)
Site Access:	Private 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 Head Lake with access from Sunset Beach Road (private road). The surrounding area is primarily seasonal residential (according to the Municipal Property Assessment Corporation), with built form consisting of single-detached dwellings and assorted accessory structures with varying proximities and locations in relation to the road and shoreline. The subject property is separated from the shoreline by a shoreline road allowance, to which a condition has been added to ensure the non-ownership of the shoreline road allowance is resolved through a purchase or encroachment agreement, as it appears the existing Sauna and Gazebo 'B' are wholly encroaching the lands.

The subject property is heavily vegetated at the front of the property with tall trees, and has a fluctuating topography as it slopes down towards the shoreline. The property currently contains a single detached dwelling, detached garage, storage container, shed, two gazebos, and a sauna. The application seeks to facilitate the recognition of the two gazebo's (Gazebo 'A' and 'B', as per Appendix C) and a sauna. The existing storage container and shed will be removed (Condition #4).

The applicant has indicated that the current property owners purchased the property with these existing structures. The subject structures are typical of a seasonal residential waterfront property and do not conflict with the subject property or neighbouring land uses.

Given the above analysis, the variance is considered desirable and appropriate for the use of land.

¹ See Schedule 1

² See Schedule 1

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, 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 application is not seeking an expansion of any of the existing structures within the water setback. Moreover, the application does not change the existing land use, maintains a low profile and preserves the existing shoreline.

Policy 20.3.11. states that preservation of social values including landscapes, aesthetics, and recreational opportunities to the waterfront will be supported. The Waterfront designation states that shoreline character shall be retained by encouraging non-intrusive use of the waterfront. With respect to density and massing, Section 20.5 states all building and structures within the Waterfront designation shall maintain a low profile and blend with the natural surroundings without exceeding the height of the tree canopy. Furthermore, the Waterfront designation establishes policies regarding shoreline activity areas. As per Policy 20.5.2., the shoreline activity areas are meant to serve as an appropriate balance of natural and built form along the shoreline, and include but are not limited to docks, boathouses, and other structures.

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 United Townships of Laxton, Digby and Longford Zoning By-Law 32-83. The LSR Zone permits multiple uses, including a vacation dwelling or a single detached dwelling and, as well as accessory structures. In order to recognize the existing structures, relief is required from the interior side yard setback and water setback.

Section 18.1.b. of the Zoning By-law requires a minimum 1.3 metre side yard setback for accessory structures; the existing deficient side yard setbacks are 0.31 metres (Gazebo 'A') and 0.58 metres (Sauna). The intention of a side yard setback is to ensure there is sufficient space between neighbouring properties, avoiding overcrowding, maintaining privacy, and a space for maintenance and access. Gazebo 'A' is unenclosed and is used as a shelter for a sitting area. As a result of being unenclosed, this reduces the visual impact on the neighbouring property owners. Furthermore, there is some vegetation between Gazebo 'A' and the neighbouring property, mitigating privacy concerns. With regards to the Sauna, the structure is located on a slope where passageway between the structure and side lot line isn't easily accessible due to the topography. The Sauna is not directly

located beside any neighbouring structure and is buffered by vegetation. A condition has been added to ensure any of the downspouts on the Sauna and Gazebo 'A' are directed away from the neighbouring property.

Section 5.2.g. of the Zoning By-law requires a minimum 15 metre water setback; the existing structures have a water setback of 12.1 metres (Gazebo 'B') and 10.3 metres (Sauna) from the shoreline. 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 subject accessory structures within the water setback do not contain habitable space nor is habitable space being introduced within these structures, as such, there is no concern with water hazards and dangers to habitable space. Although the structures are within the water setback, they are situated at a higher elevation due to the sloped topography, reducing the concern from natural hazards. No changes to the shoreline are anticipated.

For comparative purposes, the Rural Zoning By-law (RZBL) that was adopted by Council although not currently in effect, takes a different view of the existing subject accessory structures. The RZBL, in support of the City of Kawartha Lakes Official Plan, has introduced a "Shoreline Activity Area" which dedicates a portion of the land along the shorelines to serve as a "Shoreline Naturalization Buffer". The RZBL states that the "Shoreline Activity Area" may contain shoreline structures, pathways, and native vegetation. Shoreline structures, as defined by the RZBL, include any building or structure such as a dock, hot tub, outdoor sauna, storage shed, and gazebos, within any yard abutting a waterbody. The RZBL excludes shoreline structures from being subject to the minimum water setback requirement. As a result, the subject accessory structures may be considered shoreline structures under the RZBL and not subject to the minimum water setback. However, as the RZBL is under appeal, its policies are not in effect.

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:

DS – Building and Septic (Building): “Accessory structures located less than 0.6m from the property line, the exposing building face shall have a fire resistance rating of not less than 45 minutes. No other comments.”

DS – Building and Septic (Septic): “A sewage system installation report was located for the property. The sewage system report indicates the system is constructed on the roadside of the property, adjacent to the property south-east property line. The gazebo’s and sauna have been located to ensure the minimum required clearance distances have been provided to the sewage system components. Additionally, the structures will not cause an increase to the capacity requirements of the system. As such, the Building and Septic Division have 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

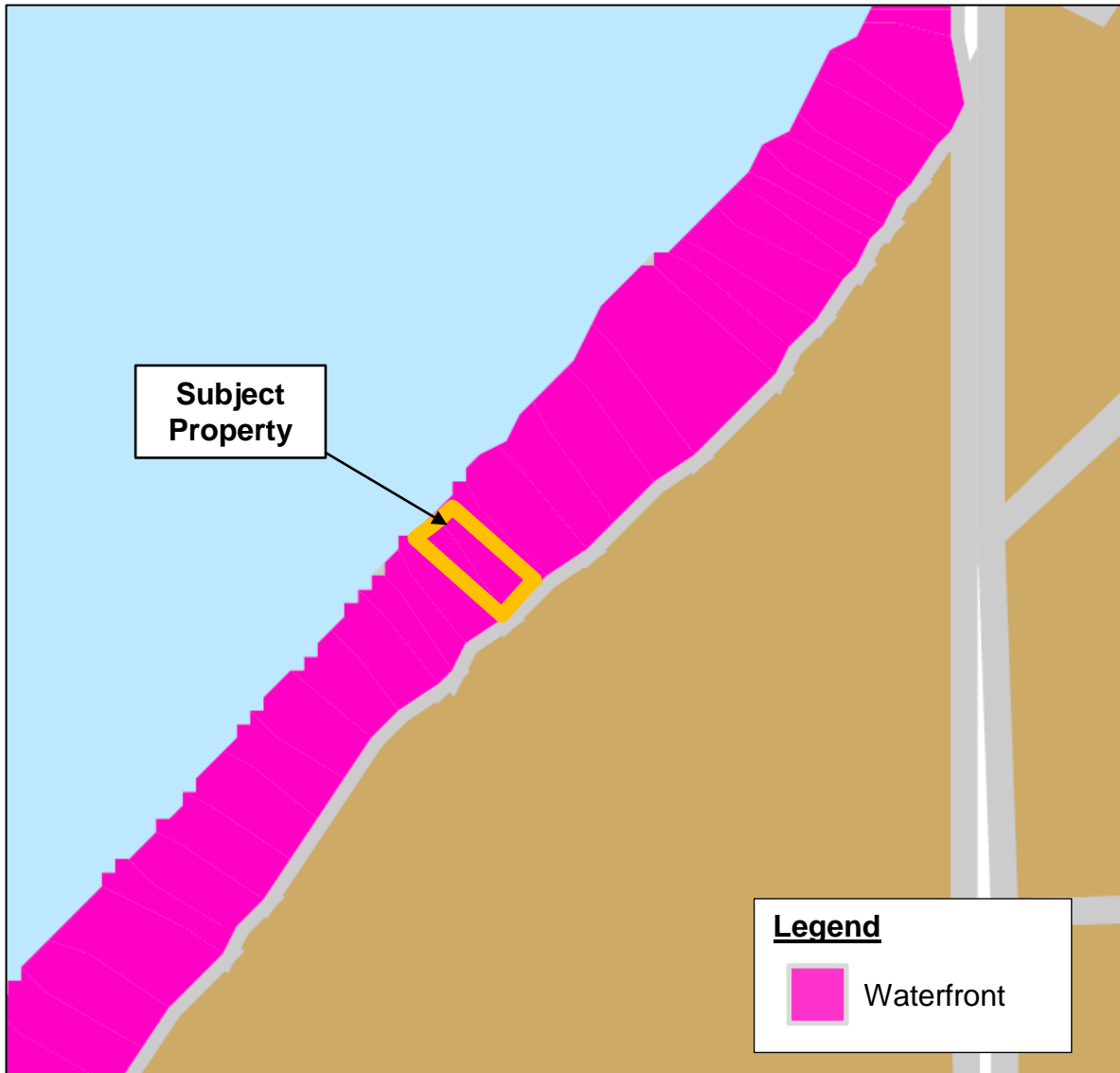
Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant’s Sketch

Phone:	705-324-9411 extension 1367
E-Mail:	ashahid@kawarthalakes.ca
Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-012

Schedule 1

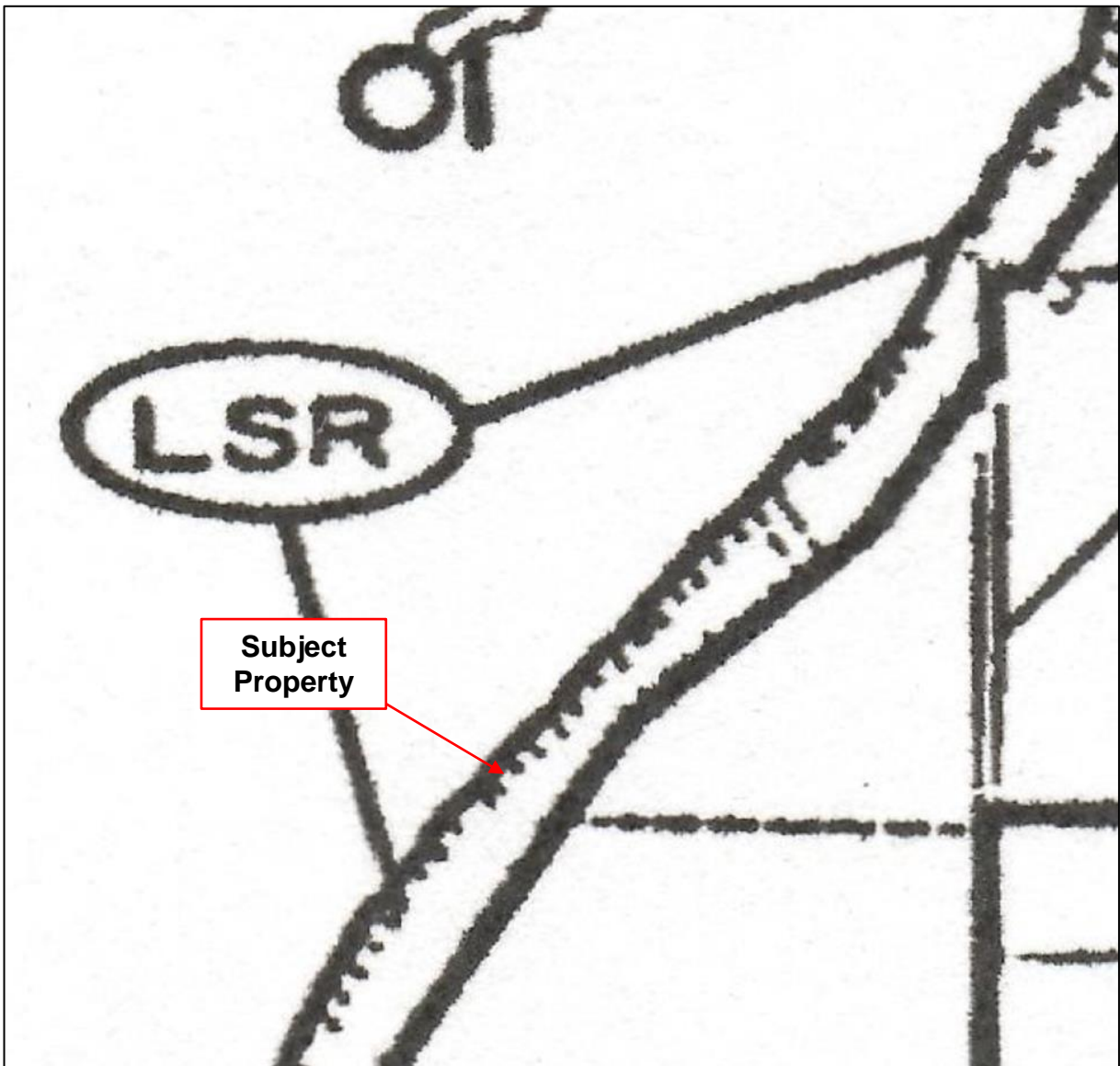
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



Section 20. Waterfront Designation

United Townships of Laxton, Digby, and Longford Zoning By-law 32-83



Section 5. Limited Service Residential (LSR) Zone

Section 18. General Provisions

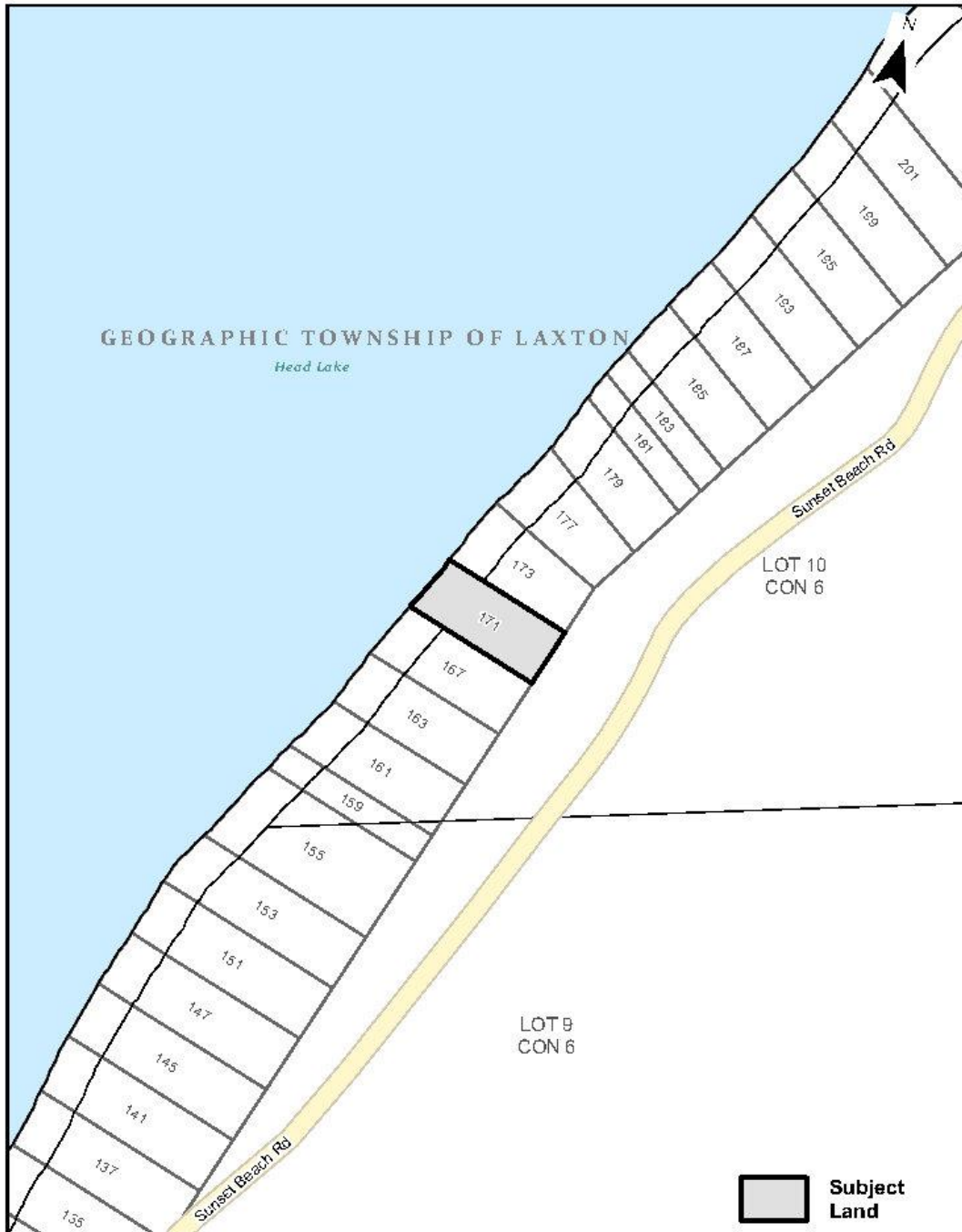
to

REPORT COA2025-025

FILE NO: D20-2025-012

LOCATION MAP

D20-2025-012



to

REPORT COA2025-025

FILE NO: D20-2025-012

AERIAL PHOTO (2023)

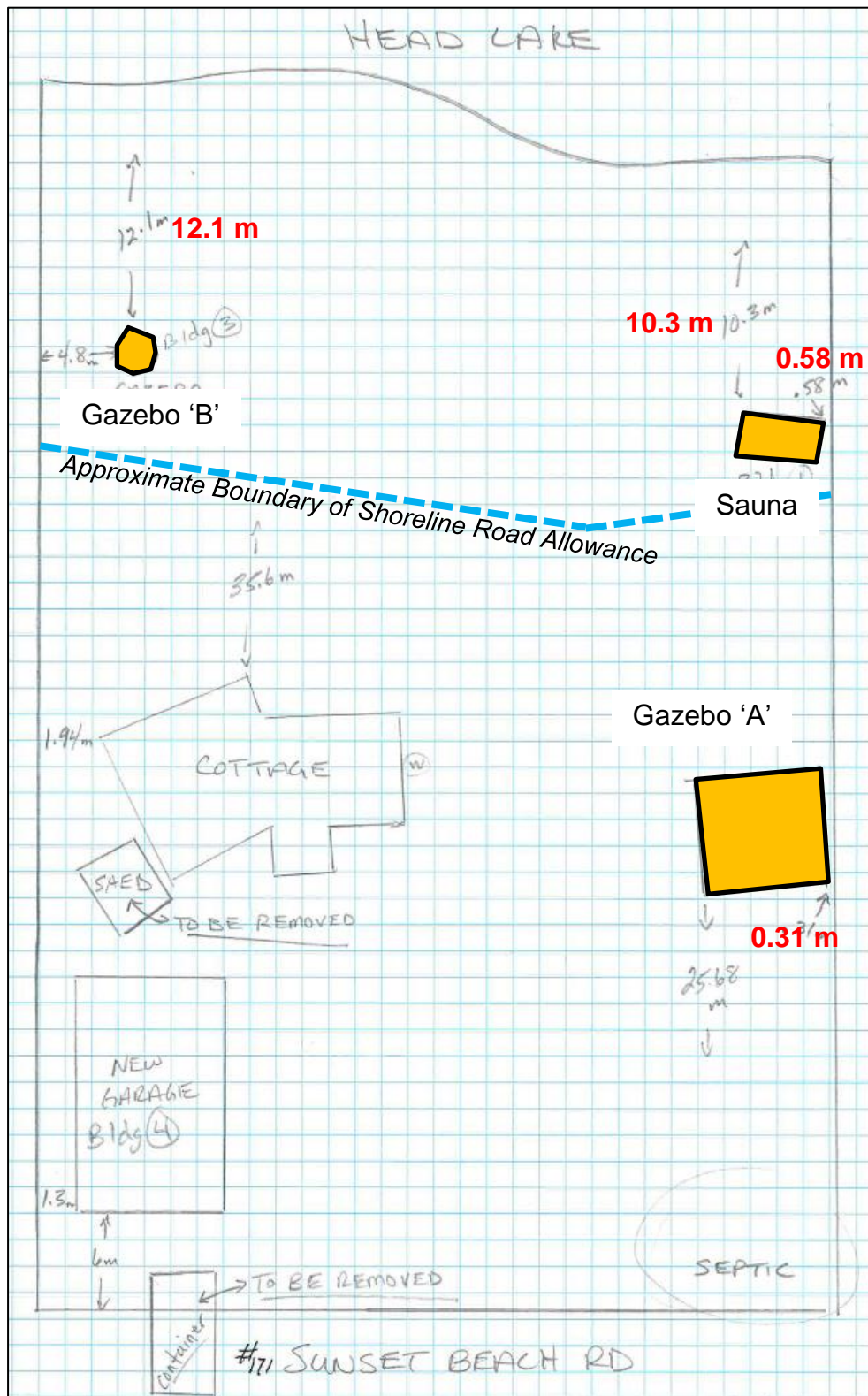


to

REPORT COA2025-025

FILE NO: D20-2025-012

APPLICANT'S SKETCH



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Koh
Report Number COA2025-026

Public Meeting

Meeting Date: **March 27, 2025**

Time: 1:00 pm

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

Ward 7 – Geographic Township of Manvers

Subject: The purpose and effect is to recognize an addition that was constructed onto an existing accessory storage structure for the purpose of obtaining a building permit

Relief sought:

1. Section 20.1 c) of the Zoning By-law permits a maximum height for accessory structures of 5 metres; the existing height is 6.5 metres.

The variance is requested at **165 McGill Drive** (File D20-2025-013).

Author: **Katherine Evans, Acting Development Supervisor**

Signature: 

Recommendations

That Report COA2025-026 – **Koh**, be received;

That minor variance application D20-2025-013 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 and the drawings in Appendix D submitted as part of Report COA2025-026, 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 twelve (12) 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 COA2025-026. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Recognition of an addition that was constructed onto an existing accessory storage structure for the purpose of obtaining a building permit
Owners:	Insook Koh
Applicant:	Mohsen Kazemi
Legal Description:	Part Lots 2 and 3, Concession 14 (being Lot 55 on Plan 149)
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Rural Residential Type Three (RR3) Zone (Township of Manvers Zoning By-law 87-06)
Site Size:	2,687 sq. m. (28,923 sq. ft.)
Site Access:	Year round municipal road
Site Servicing:	Private individual well and septic system
Existing Uses:	Residential
Adjacent Uses:	Residential, agricultural, and commercial

Rationale

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

The subject property is within an established neighbourhood that contains residential, agricultural, and commercial uses. It is irregular in shape and is a waterfront lot. The property currently contains a single detached dwelling constructed in 1975 (according to Municipal Property Assessment Corporation), a shed, and an accessory storage structure.

¹ See Schedule 1

² See Schedule 1

The purpose of the application is to recognize an addition that was constructed onto an existing accessory storage structure for the purpose of obtaining a building permit. The addition provides additional storage space on the second storey of the building, providing more space for storing the property owner's belongings and allowing more of the first storey to be used as workshop space for the personal use of the owner.

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 under the City of Kawartha Lakes Official Plan (2012). Low density residential uses and buildings and structures accessory to residential uses are permitted within this designation. 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 Manvers Zoning By-law 87-06. 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 maximum height for accessory structures.

Section 20.1 c) of the Zoning By-law permits a maximum height for accessory structures of 5 metres. The existing height is 6.5 metres. The purpose of establishing a maximum height for accessory structures in a residential zone is to ensure the accessory use is visually subordinate to the primary (residential) use and to maintain the residential character of an area.

The subject accessory structure is located in the rear yard and is not visible from the street, so its height does not alter the character of the property when viewed from the street. The addition did not increase the overall height of the structure, but because of the pitch of the roof of the addition and the resulting location of the eaves, it changes the point from where height is measured (being the mean level between eaves and ridge of the roof).

The neighbouring property closest to the subject structure does not contain any buildings and appears to be used for outdoor recreation purposes. Additionally, the subject accessory structure is not to be used for human habitation given the undersized lot area. Massing issues and impacts to privacy are not anticipated.

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 was located for this property. The sewage system report indicates the system is constructed beside the existing dwelling towards the road. The existing accessory structure is located in the waterside yard of the dwelling. The addition on the accessory structure will not change the footprint. The placement of the accessory structure will ensure the required clearance distances to the sewage system. Additionally, the accessory structure will not contain any habitable space or plumbing fixtures. 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
Appendix D – Construction Drawings

Phone:	705-324-9411 extension 1883
E-Mail:	kevans@kawarthalakes.ca
Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-013

Schedule 1

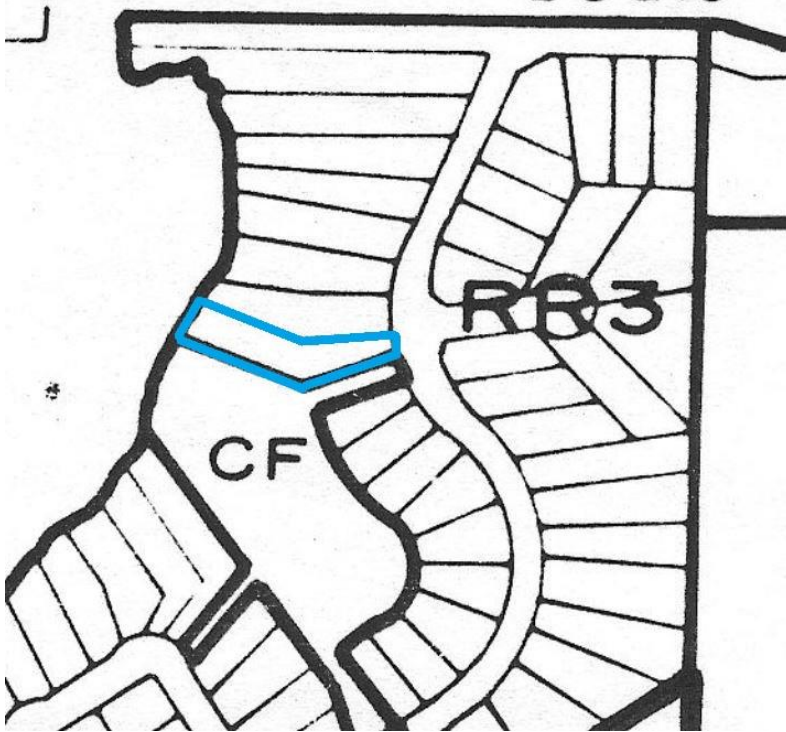
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



20. Waterfront Designation

Township of Manvers Zoning By-law 87-06



Section 5 Rural Residential Type Three (RR3) Zone

5.1 RR3 Uses Permitted

5.2 RR3 Zone Requirements

Section 20 General Provisions

20.1 Accessory Buildings, Structures, and Uses

c) Lot Coverage and Height

The height of an accessory building or structure, in a residential zone or to a residential use, shall not exceed 5 metres (16.4 ft.). Further, the height of such accessory building or structure shall be measured as the mean level between eaves and ridge of a gabled, hip, gambrel or mansard roof, or other type of pitched roof.

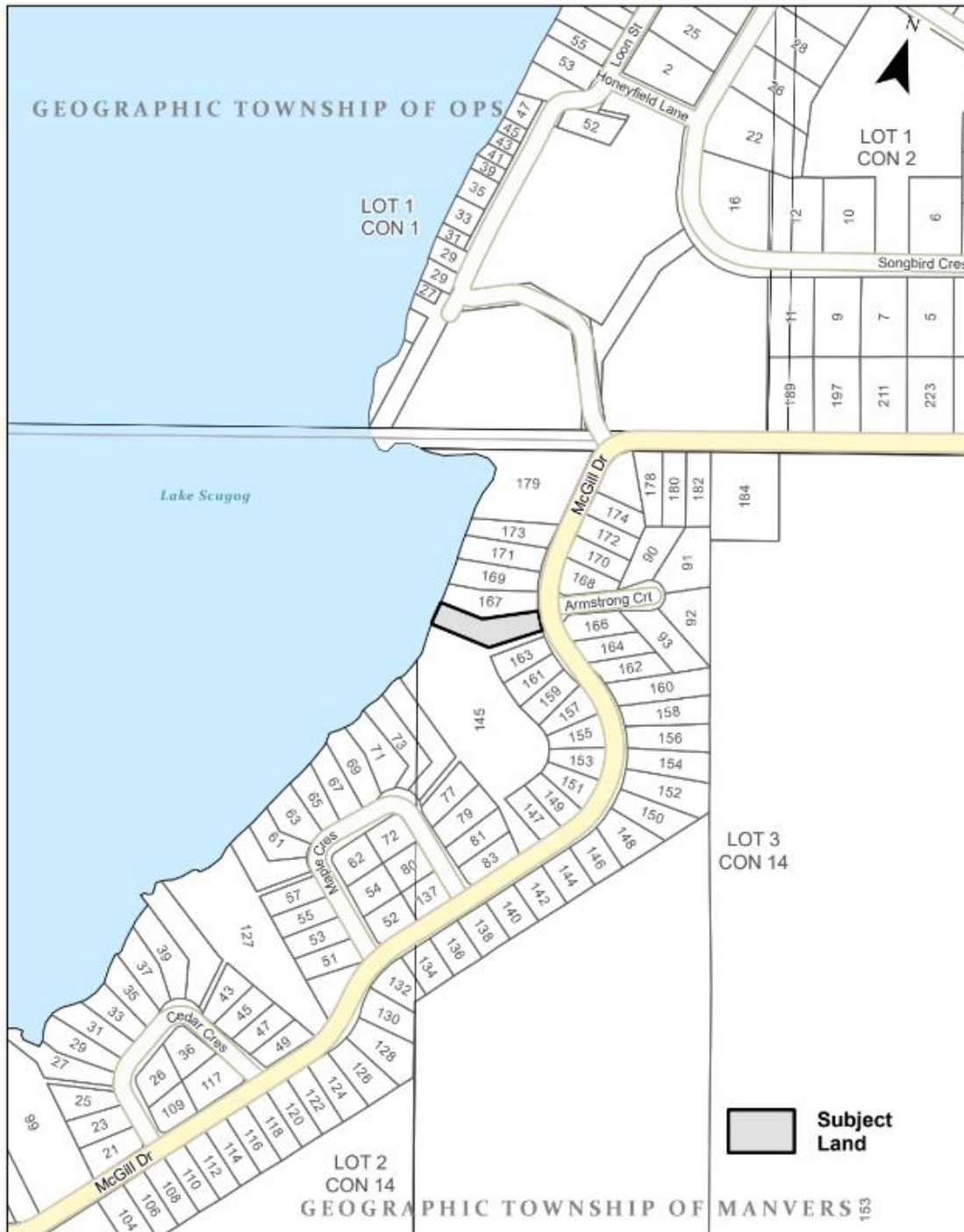
to

REPORT COA2025-026

FILE NO: D20-2025-013

LOCATION MAP

D20-2025-013



to

REPORT COA2025-026

FILE NO: D20-2025-013

AERIAL PHOTO

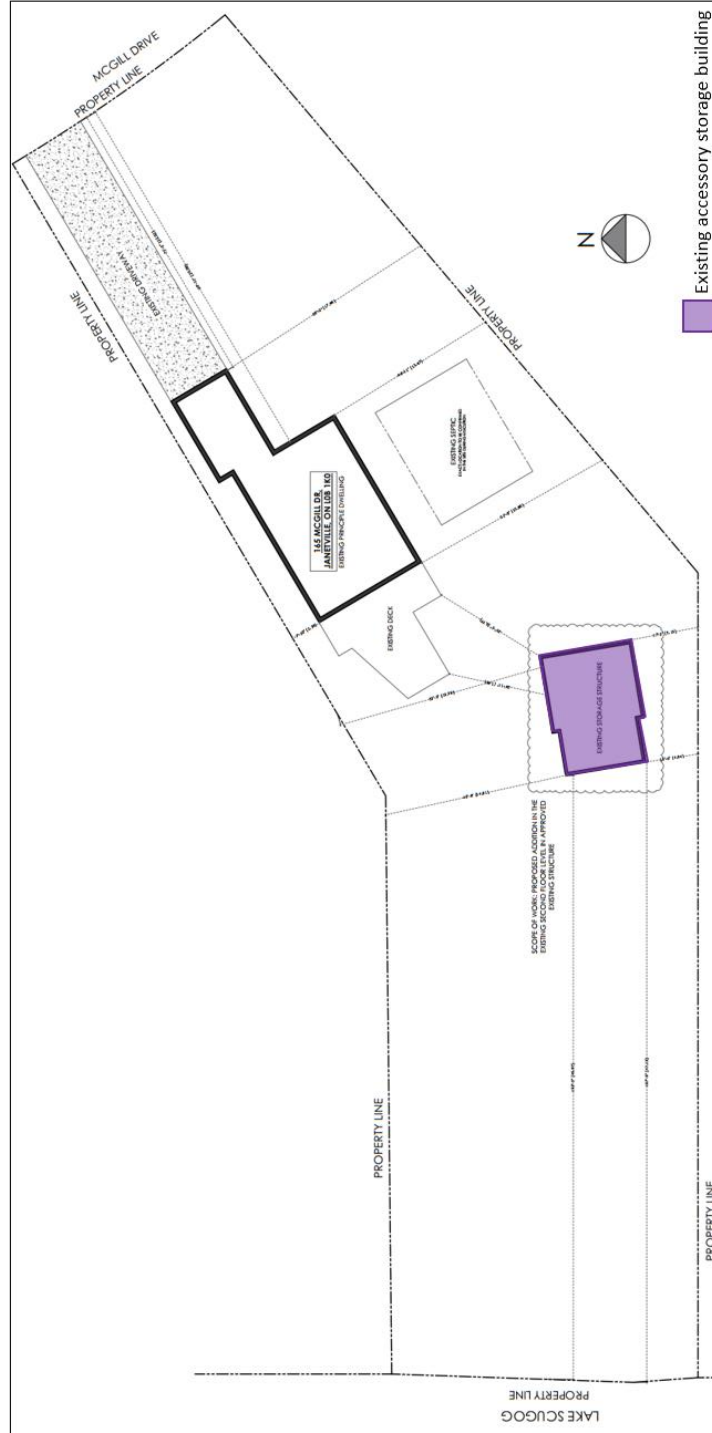


to

REPORT COA2025-026

FILE NO: D20-2025-013

APPLICANT’S SKETCH

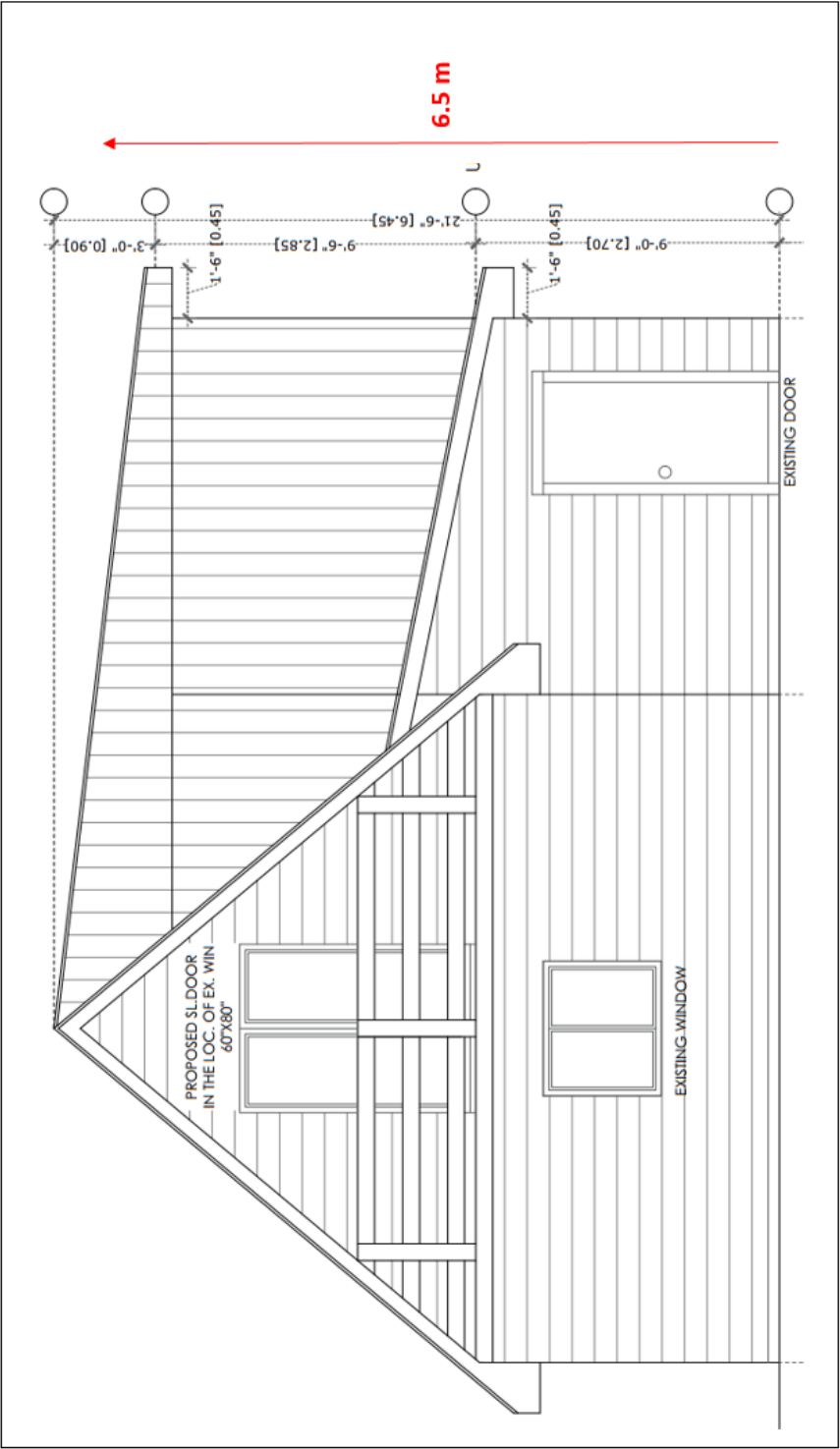


to

CONSTRUCTION DRAWINGS

REPORT COA2025-026

FILE NO: D20-2025-013



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Pinder
Report Number COA2025-027

Public Meeting

Meeting Date: March 27, 2025

Time: 1:00 pm

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

Ward 3 – Geographic Township of Sturgeon Point

Subject: The purpose and effect is to facilitate the raising of the existing one-storey single detached dwelling, to allow for a basement.

Relief sought:

1. Section 5.2.c. of the Zoning By-law which requires a 9 metre front yard setback; the existing front yard setback is 2.8 metres (front enclosed porch) and 1.7 metres (steps).

The variance is requested at **94 Irene Avenue** (File D20-2025-014).

Author: Ahmad Shahid, Planner II

Signature:



Recommendations

That Report COA2025-027 – **Pinder**, be received;

That minor variance application D20-2025-014 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 COA2025-027, 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 COA2025-027. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Raising of the existing one-storey single detached dwelling, to allow for a basement
Owners:	Tyler Pinder
Applicant:	TD Consulting Inc.
Legal Description:	Part Lots 4 and 5, Plan 73 (being Part 1 on Reference Plan 57R7804)
Official Plan ¹ :	Development Plan Area Nine Policy Three 'DP-9(3)' and Significant Woodlands (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Single Residential Type One (R1) Zone (Village of Sturgeon Point Zoning By-Law 339)
Site Size:	849.84 square metres (9,147.6 square feet)
Site Access:	Year-round maintained public road
Site Servicing:	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 located in the former village of Sturgeon Point with access from Irene Avenue. The neighbourhood is primarily characterized by low-density residential uses in the form of single-detached dwellings. According to the Municipal Property Assessment Corporation (MPAC), there is no clear timeframe for the construction of built form. Much of the built form constructed in the early 1900s has gone through various extents of renovations and/or additions. The lots making up the neighborhood are generally rectangular in shape, with built form

¹ See Schedule 1

² See Schedule 1

setback at various distances from the street. The subject property has scattered vegetation, including tall trees and low hedges.

The subject property currently contains a one-storey detached dwelling that was constructed in 1914 (according to MPAC), as well as a shed. The proposal seeks to raise the existing dwelling in order to allow for a basement.

The proposal 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 age of the dwelling, it can be expected for an owner to upgrade their properties seeking its most optimal use.

As per 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 Development Plan Area Nine Policy Three 'DP-9(3)' and Significant Woodlands under the City of Kawartha Lakes Official Plan (2012). Development Plans cover site-specific areas with detailed policies for the development of that area.

Policy 31.17.15 states that lands under DP-9(3) prohibit new residential development until a secondary plan has been prepared and incorporated into the Official Plan by amendment, but do not preclude further development of lots with existing development rights. The DP-9 designation states that single family detached dwellings shall be the predominant use of land.

With regards to the Significant Woodlands designation, the Official Plan states that the City shall encourage development to be located such that it will have minimum impact on woodlands. The proposed development is not anticipated to have a negative impact on the existing vegetation.

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 Single Residential Type One (R1) Zone under the Village of Sturgeon Point Zoning By-Law 339. The R1 Zone permits single detached dwellings, vacation dwellings, and/or home occupations. Relief is sought from the minimum required front yard setback.

Section 5.2.c. of the Zoning By-law requires a 9 metre front yard setback. The intent of the minimum front yard setback is to ensure adequate spatial separation between built form and the travelled portion of the street 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 is 2.8 metres (front enclosed porch) and 1.7 metres (steps); the setbacks are being maintained thus not being further reduced as part of this proposal. The applicant has indicated that the existing height of the dwelling is 4.5 metres and is not

anticipated to change with the construction of a basement, reducing concern regarding impacts of views from the street.

An established building line is not present along Irene Avenue, with some dwellings setback deep into their lots far from the road and others very close to the front lot line. The neighbouring dwelling to the west is an example of a lot with an existing front yard setback very similar to that of the subject property. Moreover, when on-site it can be seen that the road allowance is setback a distance from the front lot lines of the respective residential properties. The proposal will not interrupt or impact the travelled portion of the street.

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 (Septic): “A sewage system review has been conducted for the proposed construction. The changes that are proposed will require the sewage system to be upgraded. An evaluation of the property demonstrates adequate area and site features to meet the requirements of the Ontario Building Code for the replacement system. A sewage system permit will be required for the proposed sewage system. As such, the Building and Septic Division has no issue with the minor variance proposal as it relates to private on-site sewage system.”

Public Comments:

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

Attachments

Appendix A – Location Map

Appendix B – Aerial Photo

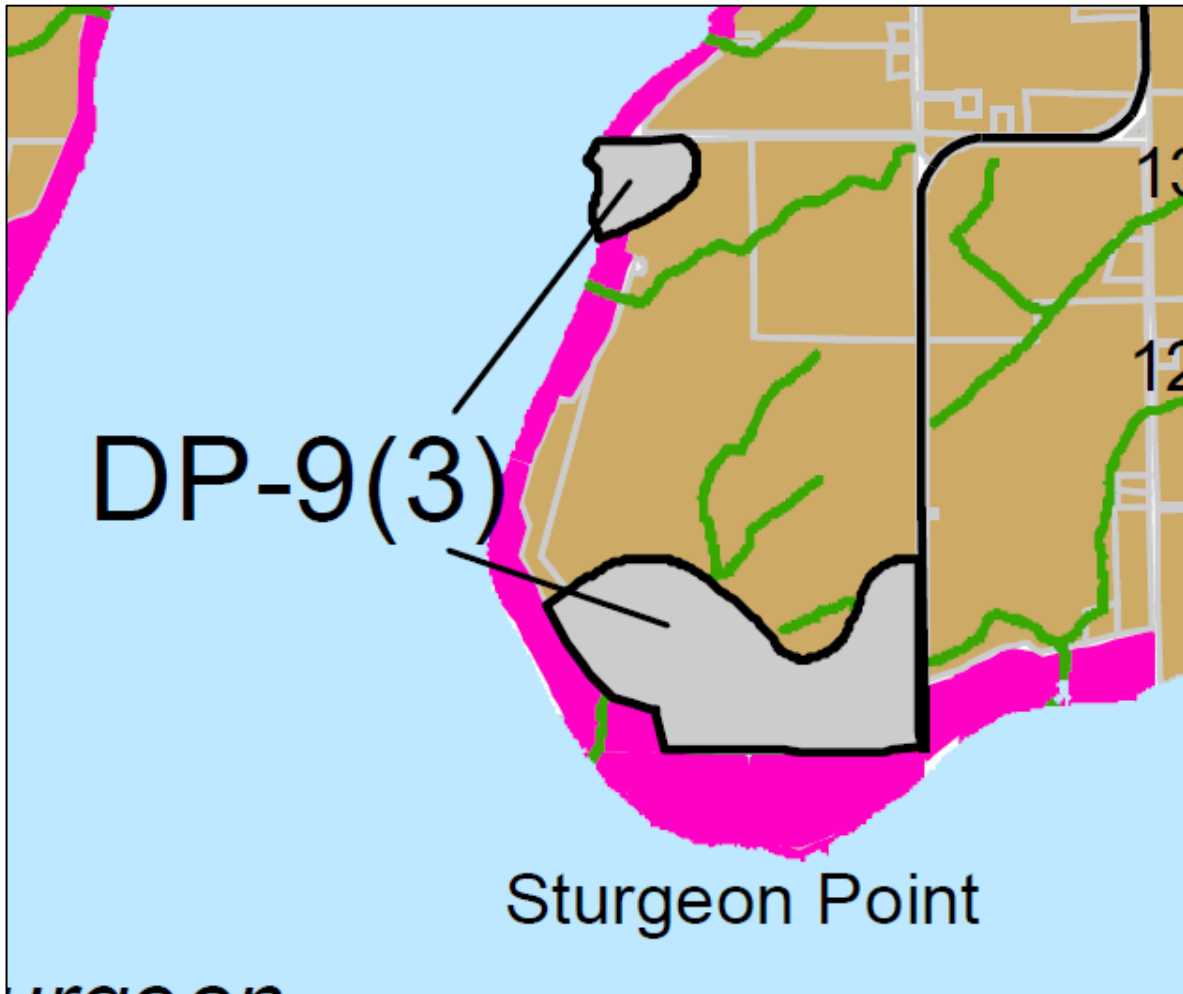
Appendix C – Applicant’s Sketch

Phone: 705-324-9411 extension 1367
E-Mail: ashahid@kawarthalakes.ca
Department Head: Leah Barrie, Director of Development Services
Division File: D20-2025-014

Schedule 1

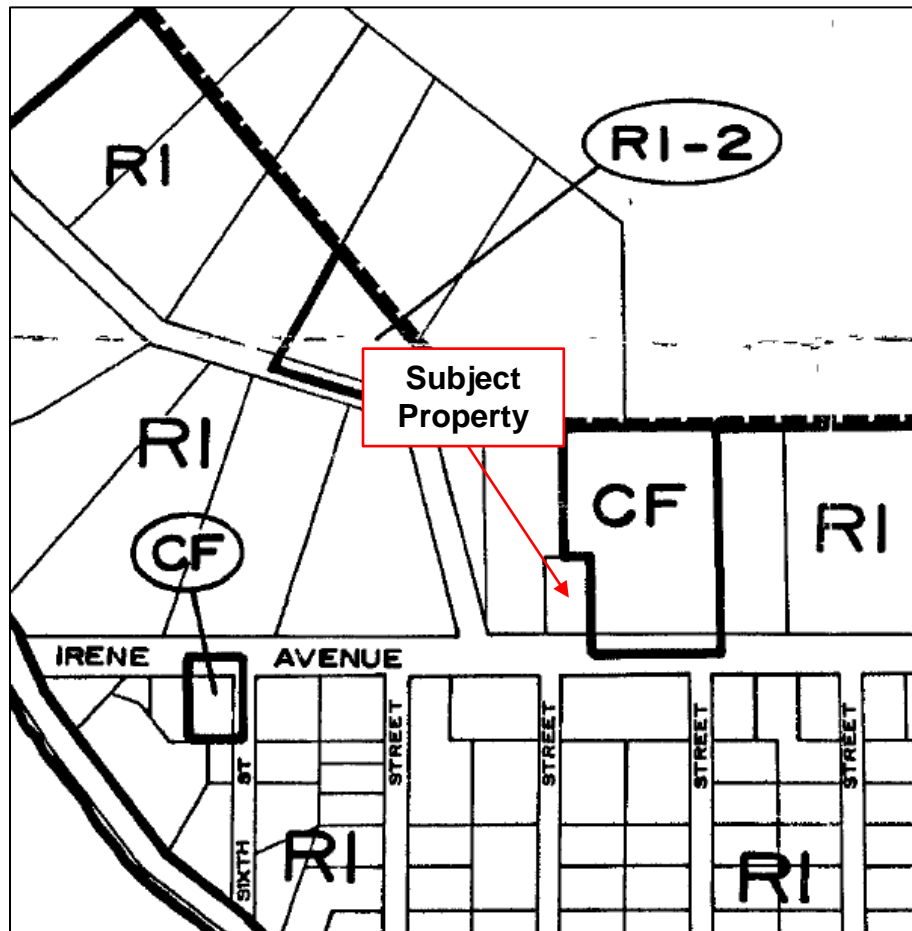
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



Section 31.17. Area Nine (DP-9) Historic Rural Residential Designation

Village of Sturgeon Point Zoning By-Law 339



Section 5. Single Residential Type One (R1) Zone

to

REPORT COA2025-027

FILE NO: D20-2025-014

LOCATION MAP

D20-2025-014



to

REPORT COA2025-027

FILE NO: D20-2025-014

AERIAL PHOTO (2023)



REPORT COA2025-027
FILE NO: D20-2025-014



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Koh and Tan
Report Number COA2025-028

Public Meeting

Meeting Date: **March 27, 2025**

Time: 1:00 pm

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

Ward 2 – Geographic Township of Somerville

Subject: The subject property currently contains two single detached dwellings. The purpose and effect is to facilitate the demolition of one of the dwellings and the construction of a new larger dwelling. The dwelling (circa 1953) to be demolished and replaced holds a legal non-conforming status on the property whereby the existence of two single detached dwellings on the property predate the Zoning By-law adopted in 1978, that zones the property Limited Service Residential (LSR) Zone and Section 5.2 k) of the Zoning By-law permits a maximum of one dwelling unit per lot.

The permission is requested at **39 Burnett Shore Road** (File D20-2025-015).

Author: **Katherine Evans, Acting Development Supervisor**

Signature: 

Recommendations

That Report COA2025-028 – **Koh and Tan**, be received;

That permission application D20-2025-015 be GRANTED, as the application satisfies Section 45(2) 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 COA2025-028, which shall be attached to and form part of the Committee's Decision;
- 2) **That** building construction related to the permission granted 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; and,

- 3) **That** approval under the Ontario Building Code (OBC) pertaining to private sanitary waste disposal be obtained 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 a review of the sewage system requirements.

This approval pertains to the application as described in report COA2025-028. Fulfillment of all conditions is required for the permission granted to be considered final and binding.

Application Summary

Proposal:	The demolition of one of the dwellings and the construction of a new larger dwelling. The dwelling (circa 1953) to be demolished and replaced holds a legal non-conforming status on the property whereby the existence of two single detached dwellings on the property predate the Zoning By-law adopted in 1978, that zones the property Limited Service Residential (LSR) Zone and Section 5.2 k) of the Zoning By-law permits a maximum of one dwelling unit per lot.
Owners:	Carolyn Hui-Yen Koh and Andrew Tan
Applicant:	Andrew Tan
Legal Description:	Part Lot 16 Front Range
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Limited Service Residential (LSR) Zone (Township of Somerville Zoning By-law 78-45)
Site Size:	1,805 sq. m. (19,429 sq. ft.)
Site Access:	Unassumed and unmaintained road
Site Servicing:	Private individual septic system and lake draw water
Existing Uses:	Residential
Adjacent Uses:	Residential, commercial, and agriculture

¹ See Schedule 1

² See Schedule 1

Rationale

The application satisfies the provisions of the Planning Act³

In accordance with Section 45(2)(a)(i), the Committee may approve the enlargement or extension of a building or structure if it was lawfully used for a purpose prohibited by the by-law continuously, before the day the by-law was passed. The subject property is zoned Limited Service Residential (LSR) Zone under the Township of Somerville Zoning By-law 78-45. The LSR Zone permits a maximum of one dwelling unit per lot. The subject property contains two single detached dwellings.

The first dwelling on the property was constructed in 1947, and the second in 1953 (according to Municipal Property Assessment Corporation). The two dwellings have existed on the property since before the Zoning By-law was passed on December 19, 1978. Therefore, the applicant is proposing a building enlargement and extension of use to the existing legal non-conforming building, being one of the single detached dwellings. The dwelling is to be demolished and a new larger dwelling is to be constructed. The second existing dwelling will remain as it is.

Evaluation of impact

Two dwellings have existed on the property since 1947 and 1953 respectively. Both dwellings are relatively small in size, and the proposed new dwelling will provide more space for the property owners. The existing dwelling that is to be demolished is one storey and approximately 95 square metres in size. The proposed new dwelling is to be two storeys with a ground floor area of approximately 106.4 square metres and a gross floor area of approximately 155.8 square metres. The second dwelling is to remain as it is, and will continue to be used by the property owners as extra space for visiting family and friends.

As per policy 34.1., nothing in the Official Plan or the implementing Zoning By-law prevent the use of any land, building or structure for a purpose prohibited by this Plan, if the land, building or structure was lawfully used for that purpose on the date this Plan was adopted by Council. The City may recognize the existing use of land in an implementing zoning by law. The property is zoned to permit residential uses and accessory structures, and this residential zoning has been in place since at least 1978.

The proposed dwelling complies with all provisions of the Limited Service Residential (LSR) Zone apart from the maximum number of dwellings per lot. The surrounding area consists of residential uses and a mixture of one and two storey dwellings. The continuation of the residential use is in keeping with surrounding uses and the continued existence of two dwellings on the property and the enlargement of one of the dwellings is not anticipated to impact neighbouring properties, environmental features, or the function of the right of way.

³ See Schedule 1

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 application for a permit has been submitted for the proposed new single detached dwelling. At this time, the final proposal and evaluation for the sewage system to service the property and structures remains outstanding. As such, the Building and Septic Division would request a condition be placed on any minor variance endorsement to satisfy the Supervisor – Part 8 Sewage Systems 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

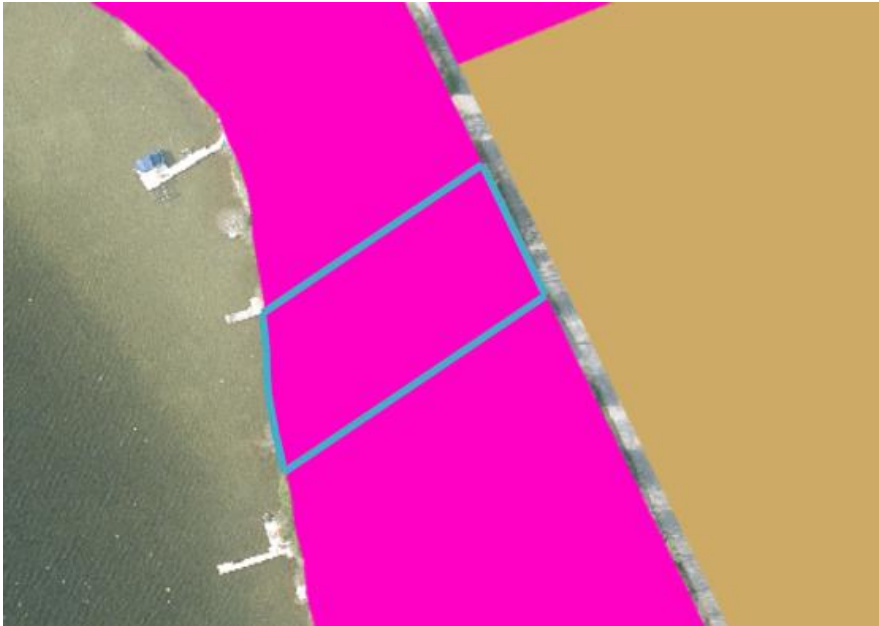
Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant’s Sketch – Proposed
Appendix D – Applicant’s Sketch – Existing

Phone:	705-324-9411 extension 1883
E-Mail:	kevans@kawarthalakes.ca
Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-015

Schedule 1

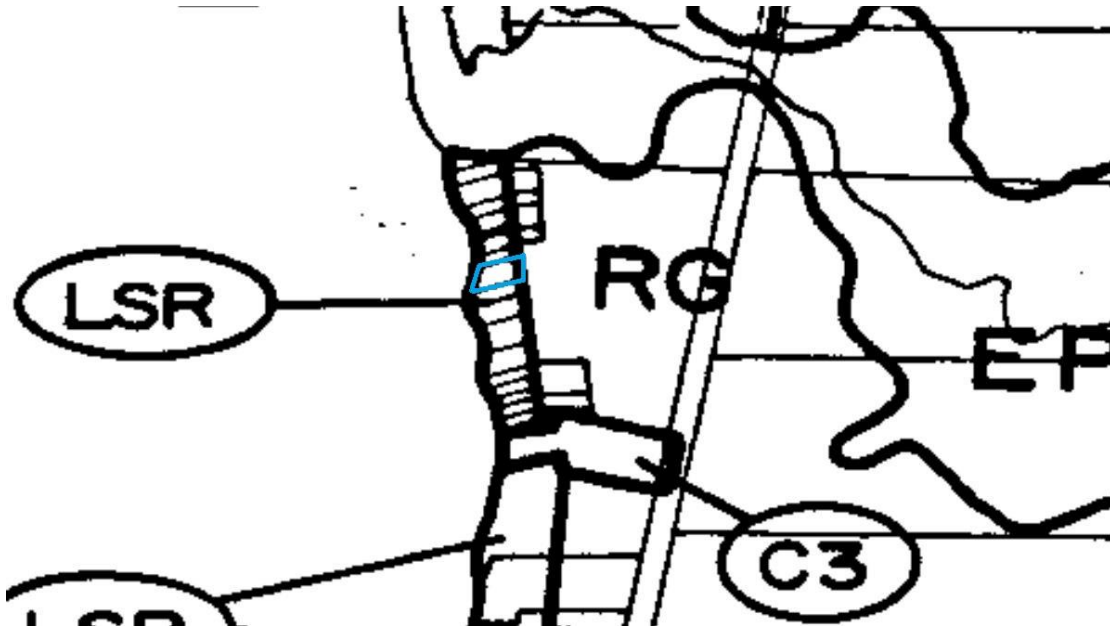
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



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 Provisions

k. Maximum number of dwelling units per lot 1

The Planning Act, R.S.O. 1990

Powers of committee

45(1)

Other powers

(2) In addition to its powers under subsection (1), the committee, upon any such application,

(a) where any land, building or structure, on the day the by-law was passed, was lawfully used for a purpose prohibited by the by-law, may permit,

(i) the enlargement or extension of the building or structure, if the use that was made of the building or structure on the day the by-law was passed, or a use permitted under subclause (ii) continued until the date of the application to the committee, but no permission may be given to enlarge or extend the building or structure beyond the limits of the land owned and used in connection therewith on the day the by-law was passed, or

(ii) the use of such land, building or structure for a purpose that, in the opinion of the committee, is similar to the purpose for which it was used on the day the by-law was passed or is more compatible with the uses permitted by the by-law than the purpose for which it was used on the day the by-law was passed, if the use for a purpose prohibited by the by-law or another use for a purpose previously permitted by the committee continued until the date of the application to the committee; or

(b) where the uses of land, buildings or structures permitted in the by-law are defined in general terms, may permit the use of any land, building or structure for any purpose that, in the opinion of the committee, conforms with the uses permitted in the by-law. R.S.O. 1990, c.P.13, s.45(2).

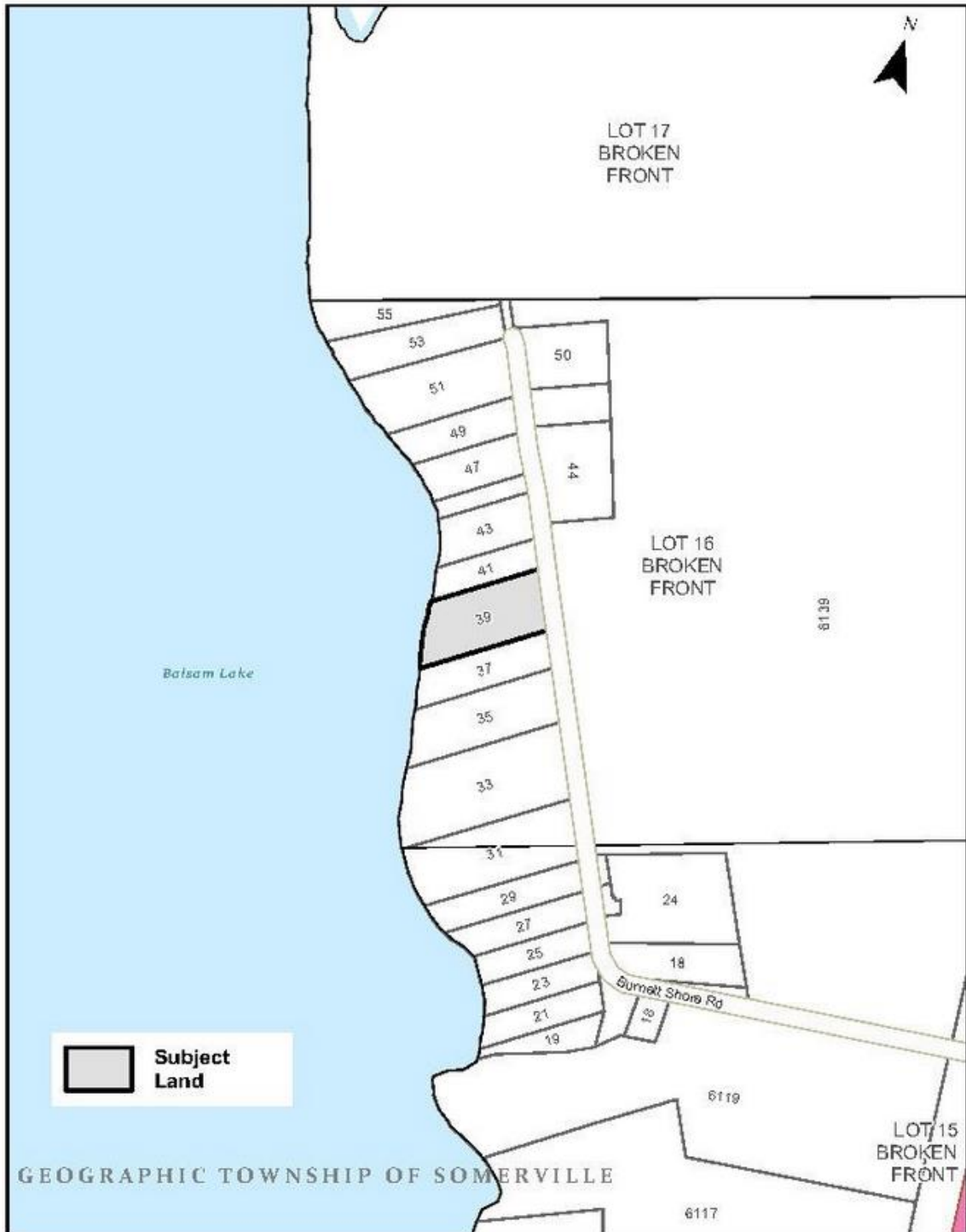
to

REPORT COA2025-028

FILE NO: D20-2025-015

LOCATION MAP

D20-2025-015



to

REPORT COA2025-028

FILE NO: D20-2025-015

AERIAL PHOTO

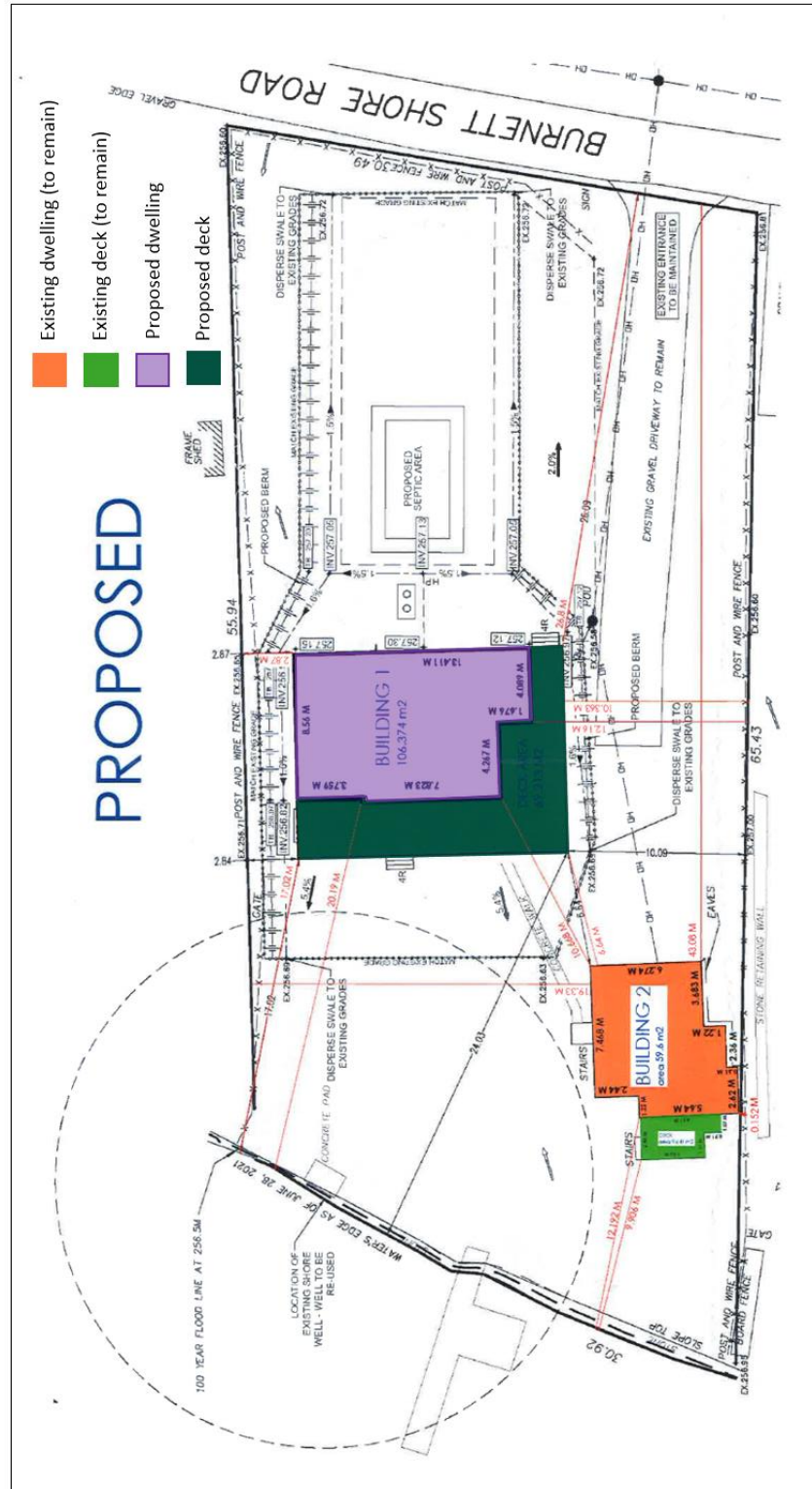


to

APPLICANT'S SKETCH – PROPOSED

REPORT COA2025-028

FILE NO: D20-2025-015

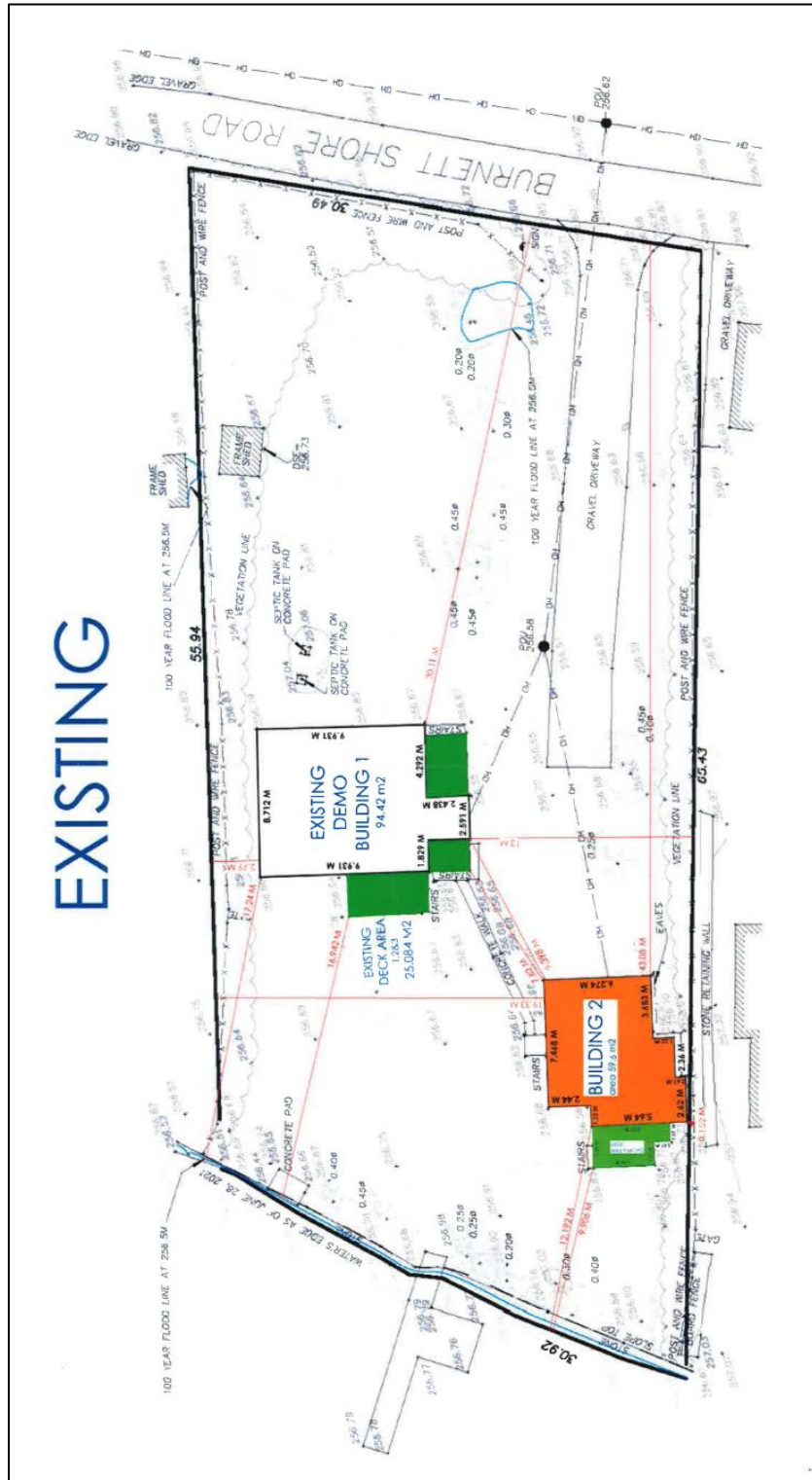


to

APPLICANT'S SKETCH – EXISTING

REPORT COA2025-028

FILE NO: D20-2025-015



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

Phone:	705-324-9411 extension 1883
E-Mail:	kevans@kawarthalakes.ca
Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-016

Schedule 1

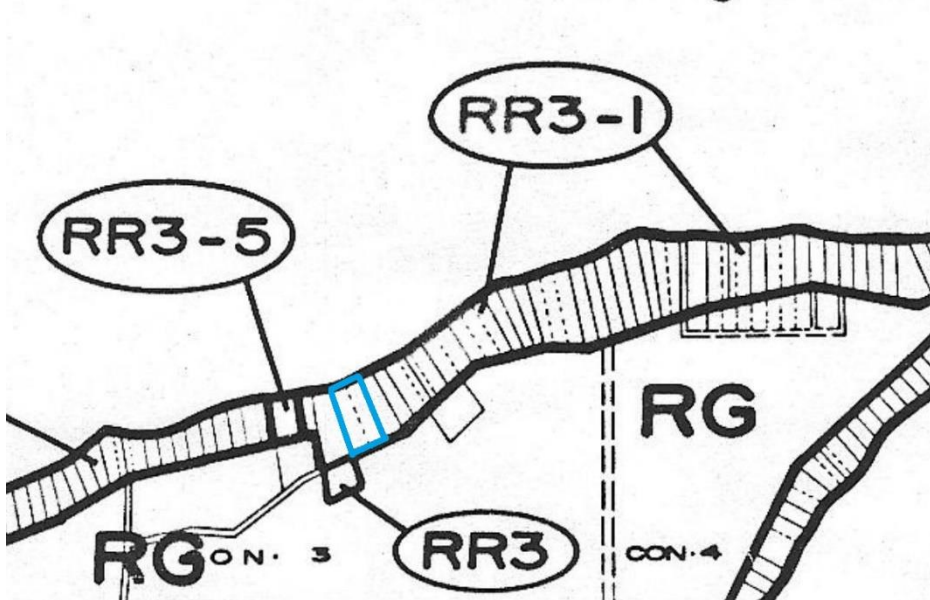
Relevant Planning Policies and Provisions

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.

D20-2025-016



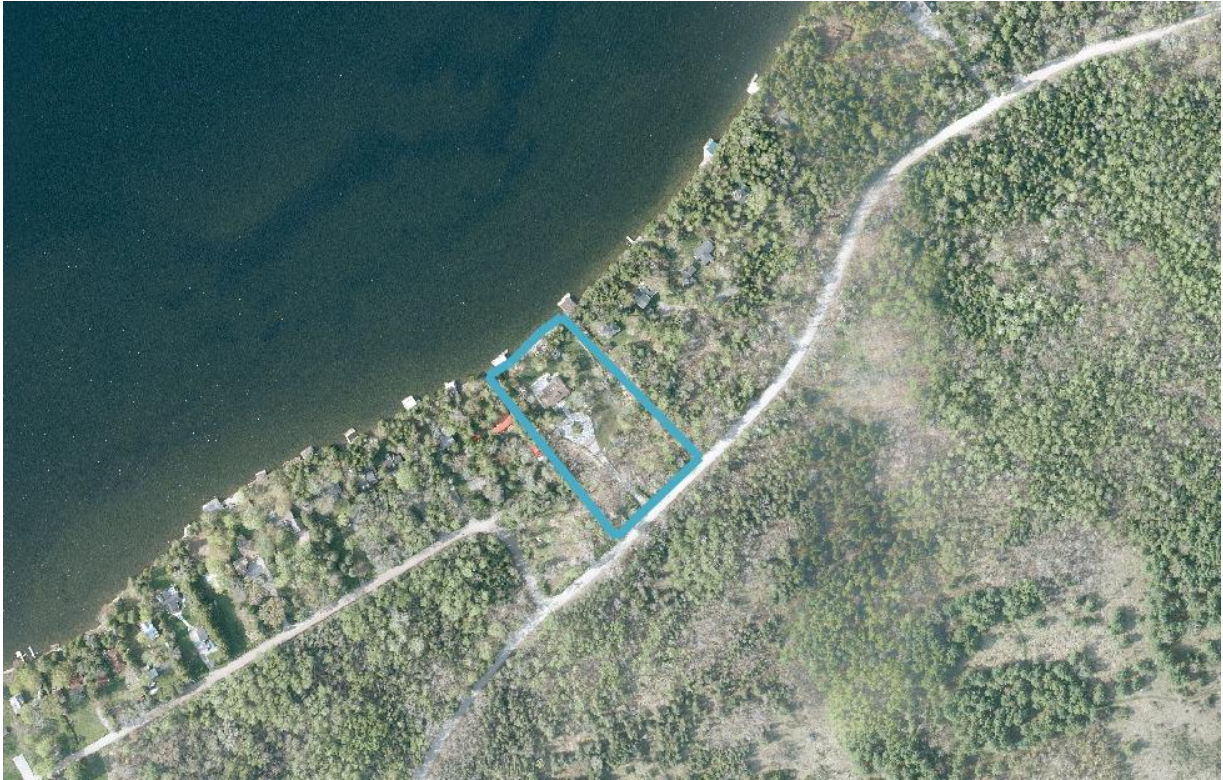
APPENDIX " B "

to

REPORT COA2025-029

FILE NO: D20-2025-016

AERIAL PHOTO

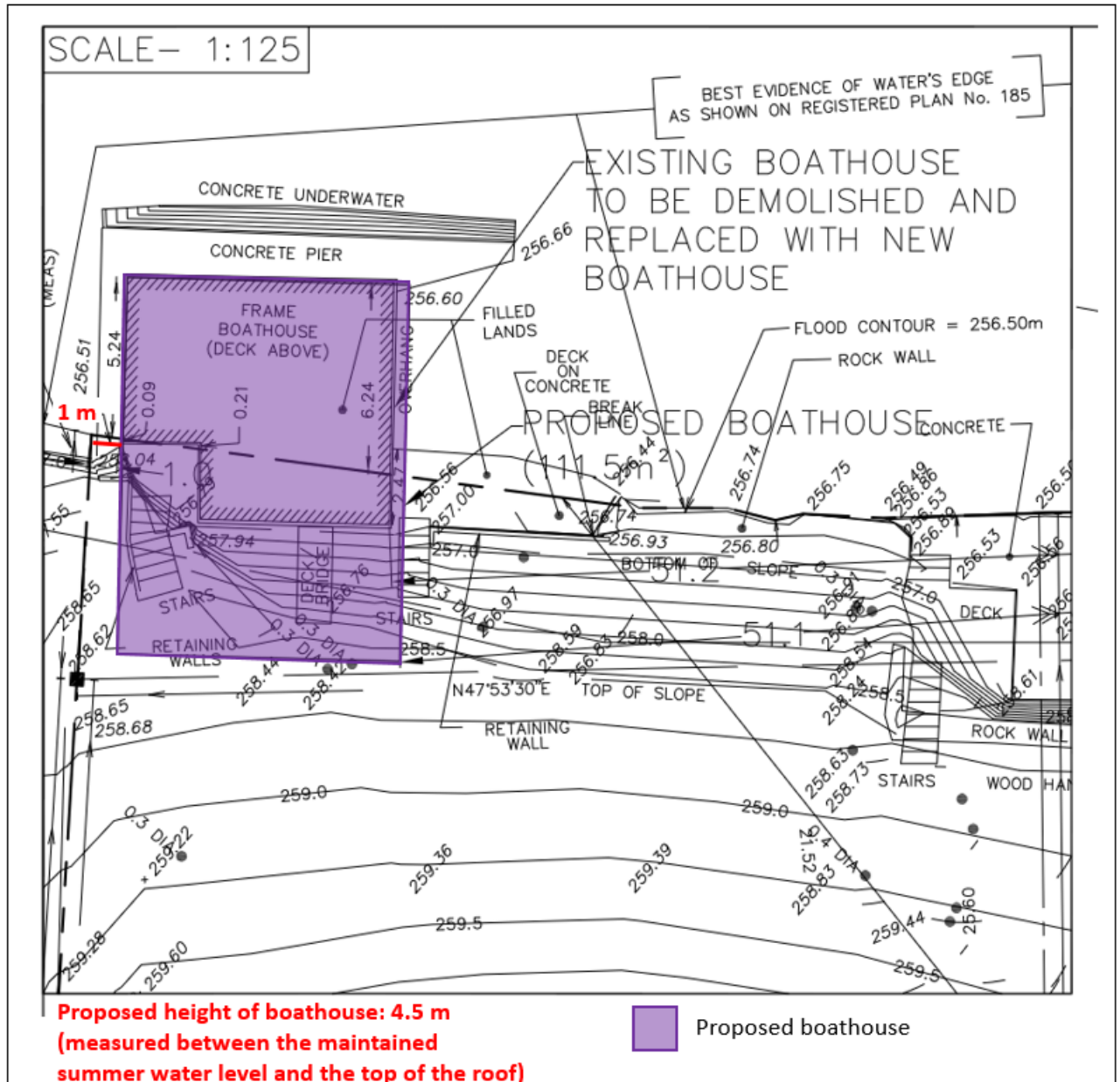


to

REPORT COA2025-029

FILE NO: D20-2025-016

APPLICANT'S SKETCH



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Beaudrow
Report Number COA2025-030

Public Meeting

Meeting Date: **March 27, 2025**

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 a detached garage with a second-storey additional residential unit (ARU) as well construction of a lean-to addition onto an existing storage structure. The existing barn is to be demolished, and storage container will be removed.

Relief sought:

1. Section 3.1.3.1. of the Zoning By-law which permits 10% of the lot area to a maximum of 150 square metres for accessory structure lot coverage; the proposed accessory structure lot coverage is 329.9 square metres (7.69%).

The variance is requested at **4 Linden Valley Road** (File D20-2025-017).

Author: **Ahmad Shahid, Planner II** **Signature:**



Recommendations

That Report COA2025-030 – Beaudrow, be received;

That minor variance application D20-2025-017 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 COA2025-030, which shall be attached to and form part of the Committee's Decision;
- 2) **That** the storage container and barn identified in Appendix C, submitted as part of COA2025-030, be removed prior to the issuance of a building permit; and,

- 3) **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 COA2025-030. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Construction of a detached garage with a second-storey additional residential unit (ARU) as well construction of a lean-to addition onto an existing storage structure. The existing barn is to be demolished and storage container to be removed.
Owners:	Jeremiah Beaudrow
Applicant:	Owner
Legal Description:	Part Lot 1, Concession 14 (being Part 1 on Reference Plan 57R3261)
Official Plan ¹ :	Prime Agricultural (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Agricultural (A1) Zone (Township of Mariposa Zoning By-law 94-07)
Site Size:	4,289.67 square metres (1.06 acres)
Site Access:	Year-round maintained road
Site Servicing:	Private individual well and septic system
Existing Uses:	Residential
Adjacent Uses:	Residential, Agricultural

Rationale

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

The subject property is situated at the intersection of Simcoe Street and Linden Valley Road, a residential-agricultural area. Access to the property can be obtained

¹ See Schedule 1

² See Schedule 1

from both lot lines abutting the road. The property is well buffered by vegetation on its rear (eastern) lot line and southern side lot line, from the neighbouring properties. The subject property currently contains a single detached dwelling, one-and-a-half storey barn, storage structure, and a storage container.

The proposal seeks to facilitate the construction of a detached garage with a second-storey additional residential unit (ARU) as well construction of a lean-to addition onto an existing storage structure. The applicant has indicated that the first floor of the garage will be predominantly dedicated to a garage use, with a portion to be used for stairs to access the second-storey ARU internally. The existing barn is to be demolished, and storage container will be removed.

The proposal is compatible with surrounding land uses and existing built form, the area being predominantly residential-agricultural. Furthermore, the proposed Garage/ARU creates an additional residential opportunity on an existing appropriately sized lot, negating the need for the creation of a new lot, and maximizing the usability of the lot.

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 Prime Agricultural under the City of Kawartha Lakes Official Plan (2012). Low-density residential uses and buildings or structures accessory to residential uses are permitted within the designation. Performance and siting criteria is implemented through the Zoning By-law.

In 2020, the Official Plan (2012) was amended to address the requirements of the Planning Act, and conform with Provincial Policies and establish new land use policies for Additional Residential Units (ARU). An ARU is permitted as-of-right, in addition to the primary residential unit, in single detached, semi-detached or townhouse dwellings as well as in accessory buildings or structures on lots associated with these dwelling types, provided they are in accordance with this policy and the applicable zoning by-law provisions. The proposed Garage/ARU and lean-to addition uphold the character of the area and the variance maintains the general intent and purpose of the Official Plan.

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 Agricultural (A1) Zone under the Township of Mariposa Zoning By-law 94-07. However, as the subject property is less than 1 hectare the permitted uses and provisions of the Rural Residential Type One (RR1) Zone apply. The RR1 Zone permits a single detached dwelling, home occupation, and public park, as well as related accessory uses. An ARU is a permitted use on the subject property. Relief is sought from the maximum accessory structure lot coverage.

Section 3.1.3.1. of the Zoning By-law permits 10% of the lot area to a maximum of 150 square metres for accessory structure lot coverage. The intention of this provision is to ensure any accessory use or structure remains subordinate to the principal use or main building, as well as maintaining a balance between built form and open space. The existing accessory structure lot coverage is approximately 353 square metres (8.22%), while the proposed accessory structure lot coverage is 329.9 square metres (7.69%). Accordingly, the proposed development results in a reduction in accessory structure lot coverage and brings the property closer to conformity with the requirements of the Zoning By-law. Moreover, although the lot coverage is exceeded in terms of maximum allowable square metres for accessory built form, the percentage of the lot dedicated to accessory structures (7.69%) falls under the maximum permitted rate (10%) of the Zoning By-law. The location of the existing storage structure and proposed addition is in the corner of the property, the furthest location from the public view, and is buffered by light vegetation between the neighbouring properties. Lastly, the dwelling remains the visually dominant structure as it is located in the front yard and the closest structure to the public view when seen from the intersection.

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

The circulated public notice did not illustrate on the site plan the existence of a storage container in the northern side yard. This notwithstanding, the structure is being removed as per Condition #2 and Appendix 'C' of Report COA2025-030 and does not change the fact that notice of this application was provided in accordance with the requirements of the Planning Act.

Agency Comments:

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

Public Comments:

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

Attachments

Appendix A – Location Map

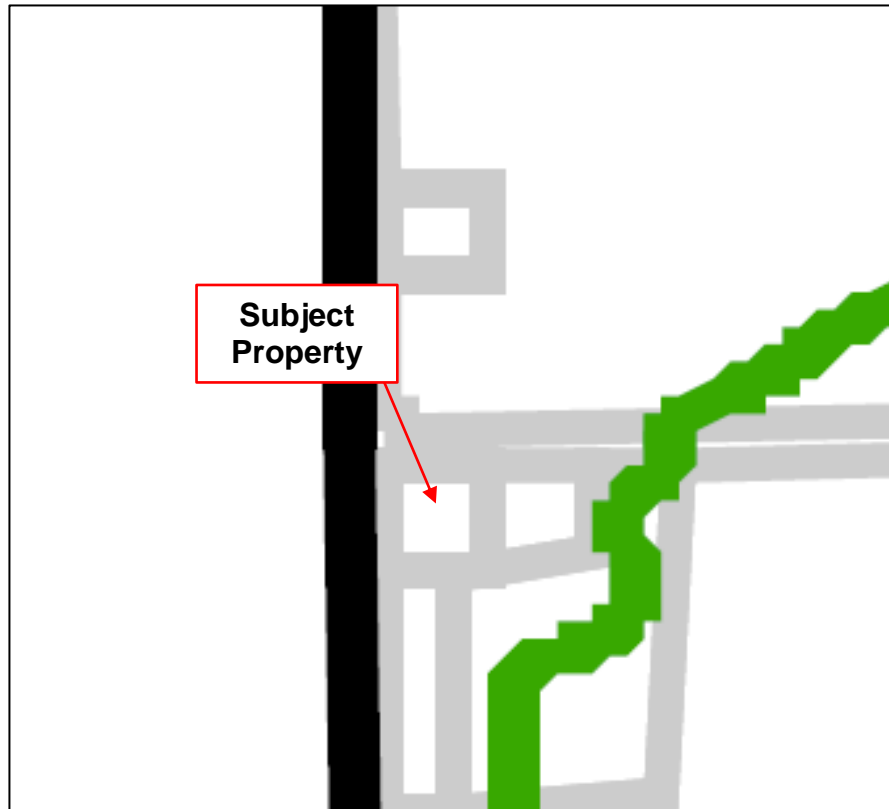
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch

Phone: 705-324-9411 extension 1367
E-Mail: ashahid@kawarthalakes.ca
Department Head: Leah Barrie, Director of Development Services
Division File: D20-2025-017

Schedule 1

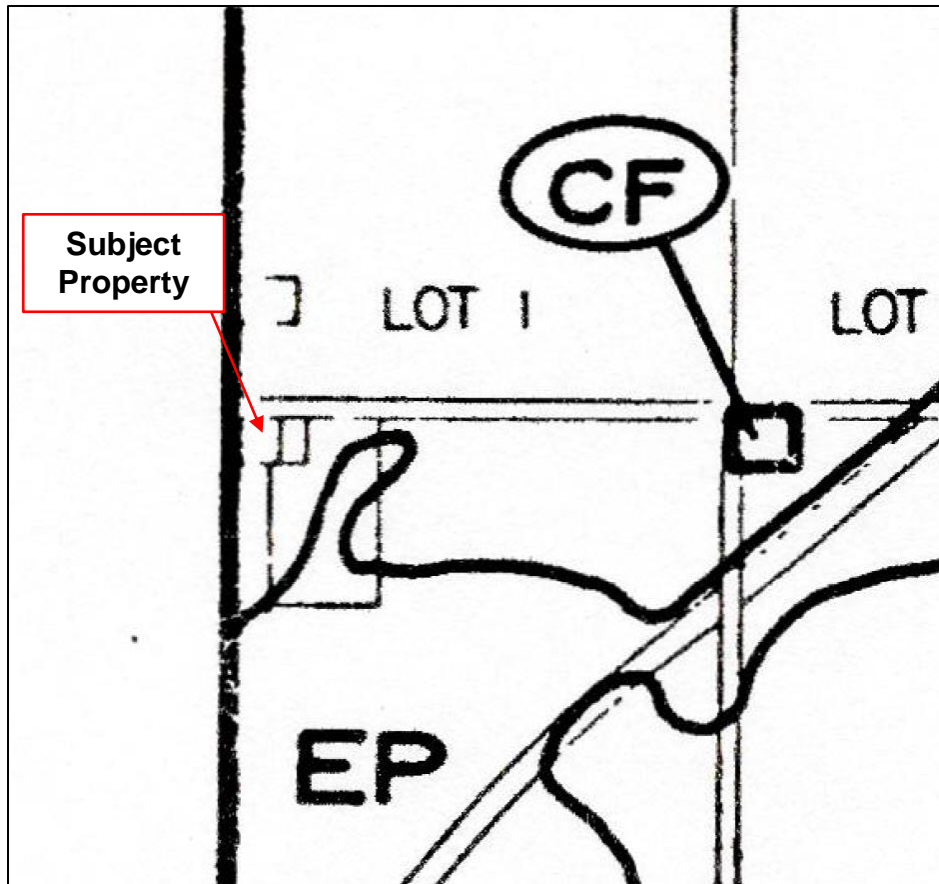
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



Section 15. Prime Agricultural Designation

Township of Mariposa Zoning By-law 94-07



Section 3. General Provisions

Section 8. Agricultural (A1) Zone

Section 8.2 Zone Provisions

Section 8.2.1.7

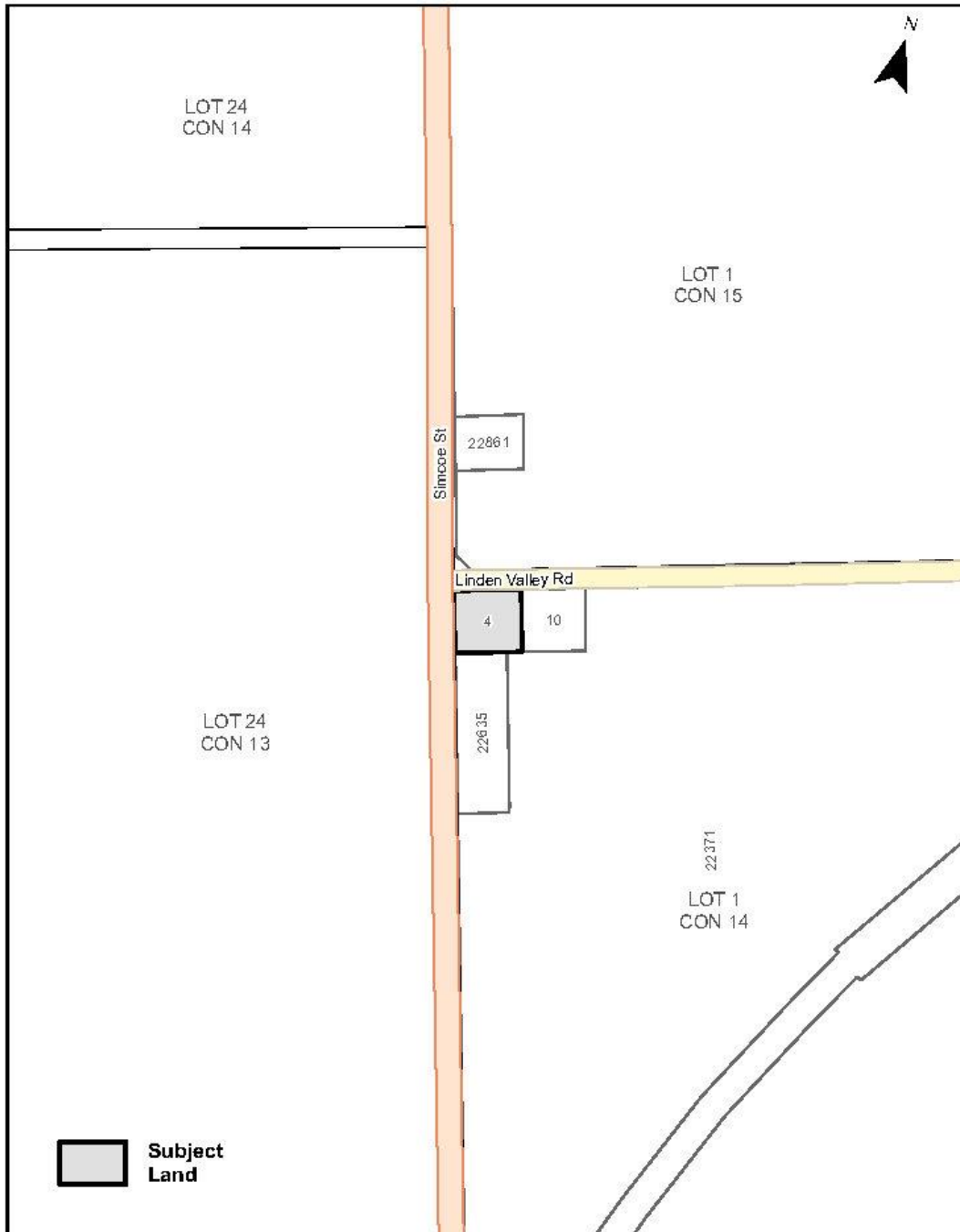
to

REPORT COA2025-030

FILE NO: D20-2025-017

LOCATION MAP

D20-2025-017

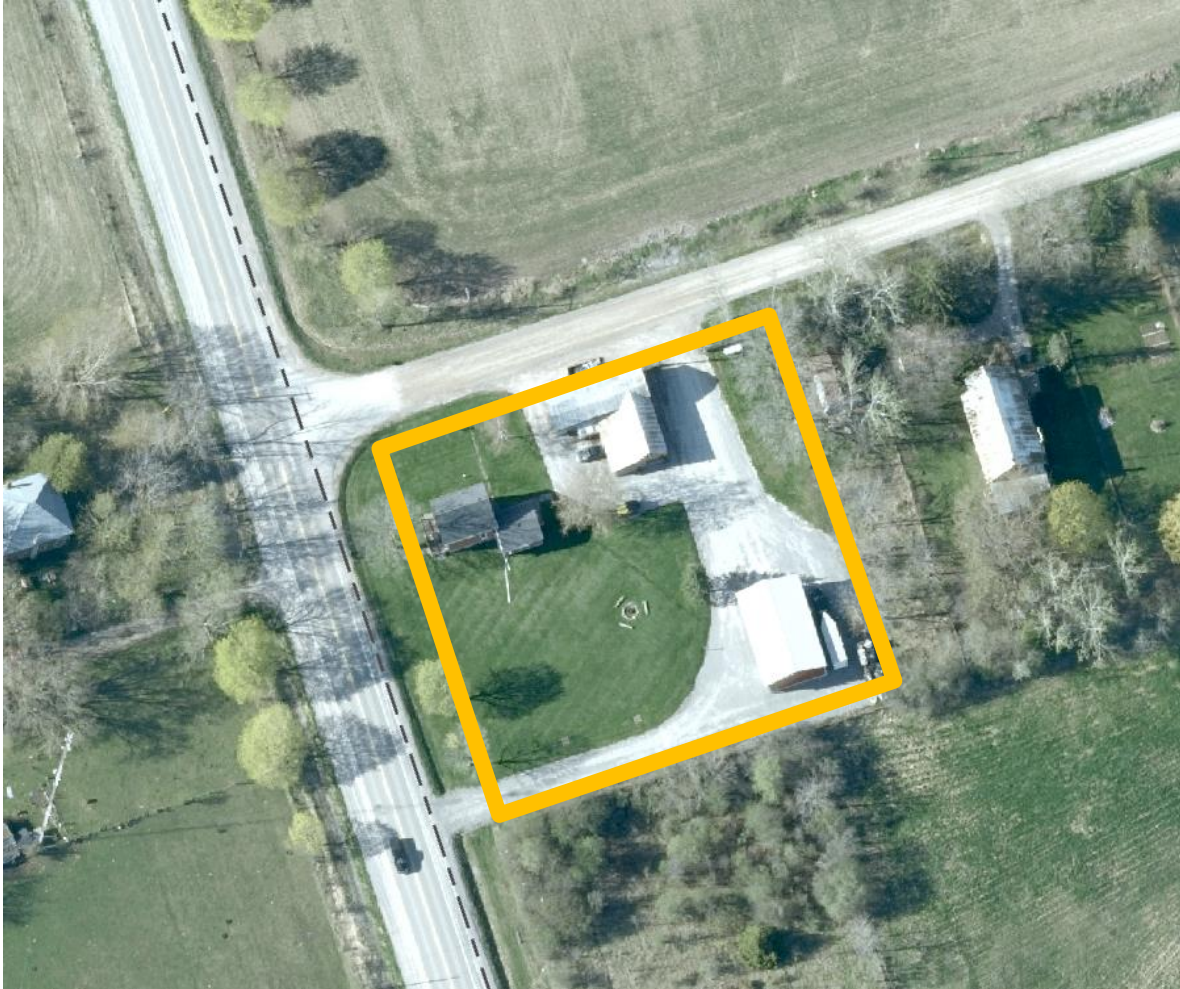


to

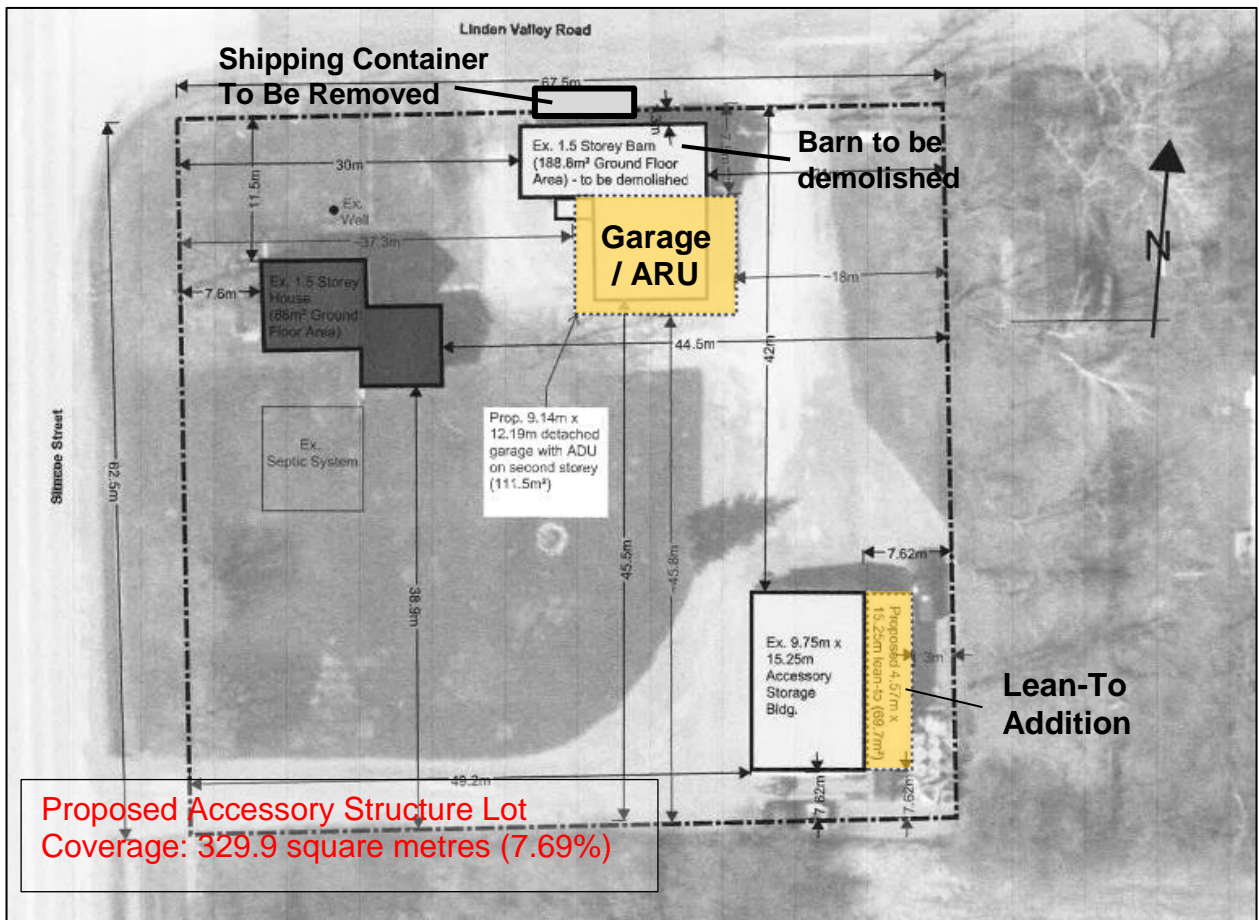
REPORT COA2025-030

FILE NO: D20-2025-017

AERIAL PHOTO (2023)



APPLICANT'S SKETCH



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Cooper
Report Number COA2025-031

Public Meeting

Meeting Date: March 27, 2025

Time: 1:00 pm

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

Ward 3 – Geographic Township of Fenelon

Subject: The purpose and effect is to facilitate the construction of a detached garage.

Relief sought:

1. Section 3.1.3.2. of the Zoning By-law permits a maximum height of 5 metres for accessory structures; the proposed height of the detached garage is 5.89 metres.

The variance is requested at **Vacant Lot Rutherford Road** (File D20-2025-018).

Author: Ahmad Shahid, Planner II

Signature:



Recommendations

That Report COA2025-031 – Cooper, be received;

That minor variance application D20-2025-018 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 and Appendix D submitted as part of Report COA2025-031, 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 COA2025-031. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Construction of a detached garage
Owners:	Michael and Vikki Cooper
Applicant:	Owners
Legal Description:	Part Lot 14, Concession 10 (being Part 1 of Reference Plan 57R-7790)
Official Plan ¹ :	Rural (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Agricultural (A1) Zone (Township of Fenelon Zoning By-law 12-95)
Site Size:	4,006.39 square metres (0.99 acres)
Site Access:	Year-round maintained road
Site Servicing:	Individual well and private septic system
Existing Uses:	Vacant
Adjacent Uses:	Residential, Agricultural

Rationale

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

The subject property is located in a residential-agricultural area, with access from Rutherford Road (year-round maintained public road). The subject property is currently vacant, buffered by vegetation on its rear and side lot lines. A single detached dwelling with attached garage is currently proposed on the property as well.

The minor variance application seeks to facilitate the construction of a detached garage. The garage will be used to store yard equipment and for personal vehicle maintenance. The owners have indicated that relief is requested in order to accommodate for a specific type of door for the proposed garage.

¹ See Schedule 1

² See Schedule 1

A detached garage is a common structure seen on various properties, and typically compliments a single detached dwelling on low-density residential properties.

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 Rural under the City of Kawartha Lakes Official Plan (2012). The Rural designation permits the use of low-density single detached dwellings and associated accessory structures. 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 Agricultural (A1) Zone under the Township of Fenelon Zoning By-law 12-95. As per Section 8.2.1.7 of the Zoning By-law, the subject property is less than 1 hectare (2.47 acres) in size and as a result, the permitted uses and provisions of the 'Rural Residential Type One (RR1) Zone' apply. The RR1 Zone permits a single detached dwelling and related accessory uses. Relief is sought for the maximum permitted height of an accessory structure.

Section 3.1.3.2. of the Zoning By-law permits a maximum height of 5 metres for accessory structures; the proposed height of the detached garage is 5.89 metres. The intent of this provision is to regulate the vertical dimension of accessory structures while preserving the visual character of an area and preventing accessory structures from overshadowing neighbouring properties. The provision is also used to ensure an accessory use remains visually subordinate.

With the area being predominantly residential-agricultural, the proposed building aligns with built form massing one would typically see in an agricultural area. As such, the built form character of the neighbourhood is not anticipated to be negatively impacted. The proposed garage is to be located in the rear yard, in a more discrete location on the property as it is guarded by vegetation on the southern side lot line and western rear lot line, reducing visual impacts on the abutting neighbours. Moreover, the proposed dwelling is 7.24 metres in height and therefore, will be the visually predominant use on the property.

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 permit to install has been issued for the construction of a primary dwelling on the property. The sewage system is proposed to be located in an opposite yard to the detached garage. The placement of the garage on the property will not encroach within the required clearance distances of the proposed sewage system. Additionally, there will be no plumbing or habitable space in the garage. 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

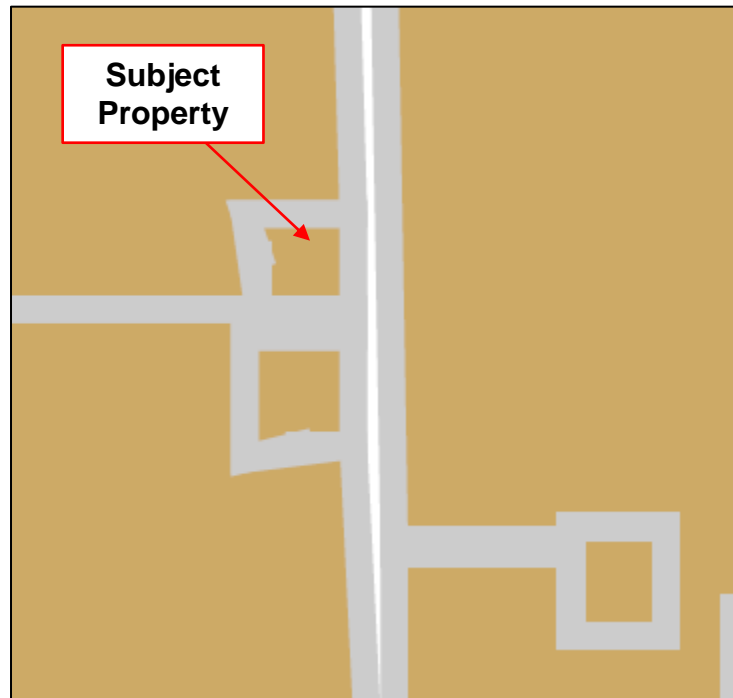
Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant’s Sketch
Appendix D – Elevation Drawings

Phone:	705-324-9411 extension 1367
E-Mail:	ashahid@kawarthalakes.ca
Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-018

Schedule 1

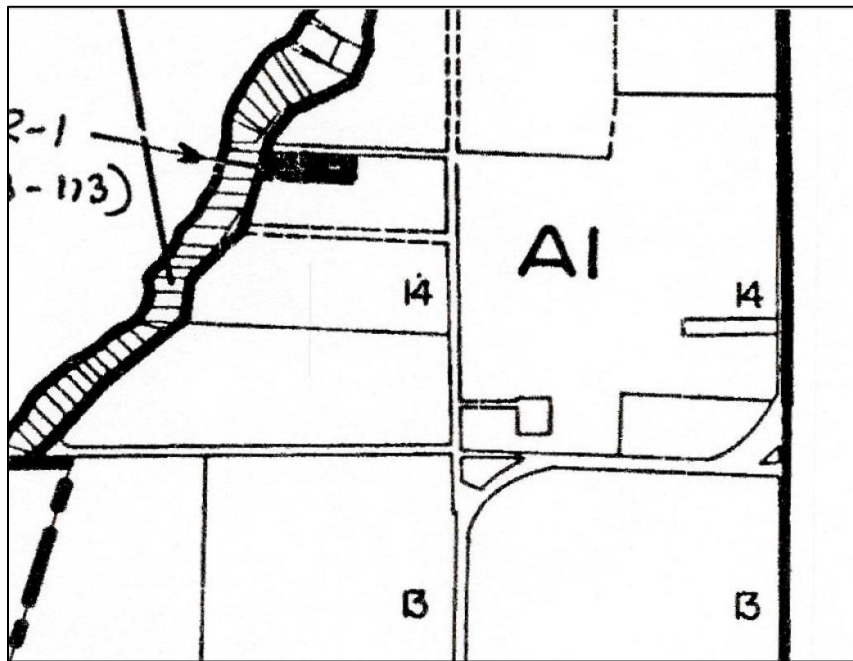
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



Section 16. Rural Designation

Township of Fenelon Zoning By-law 12-95



Section 3. General Provisions

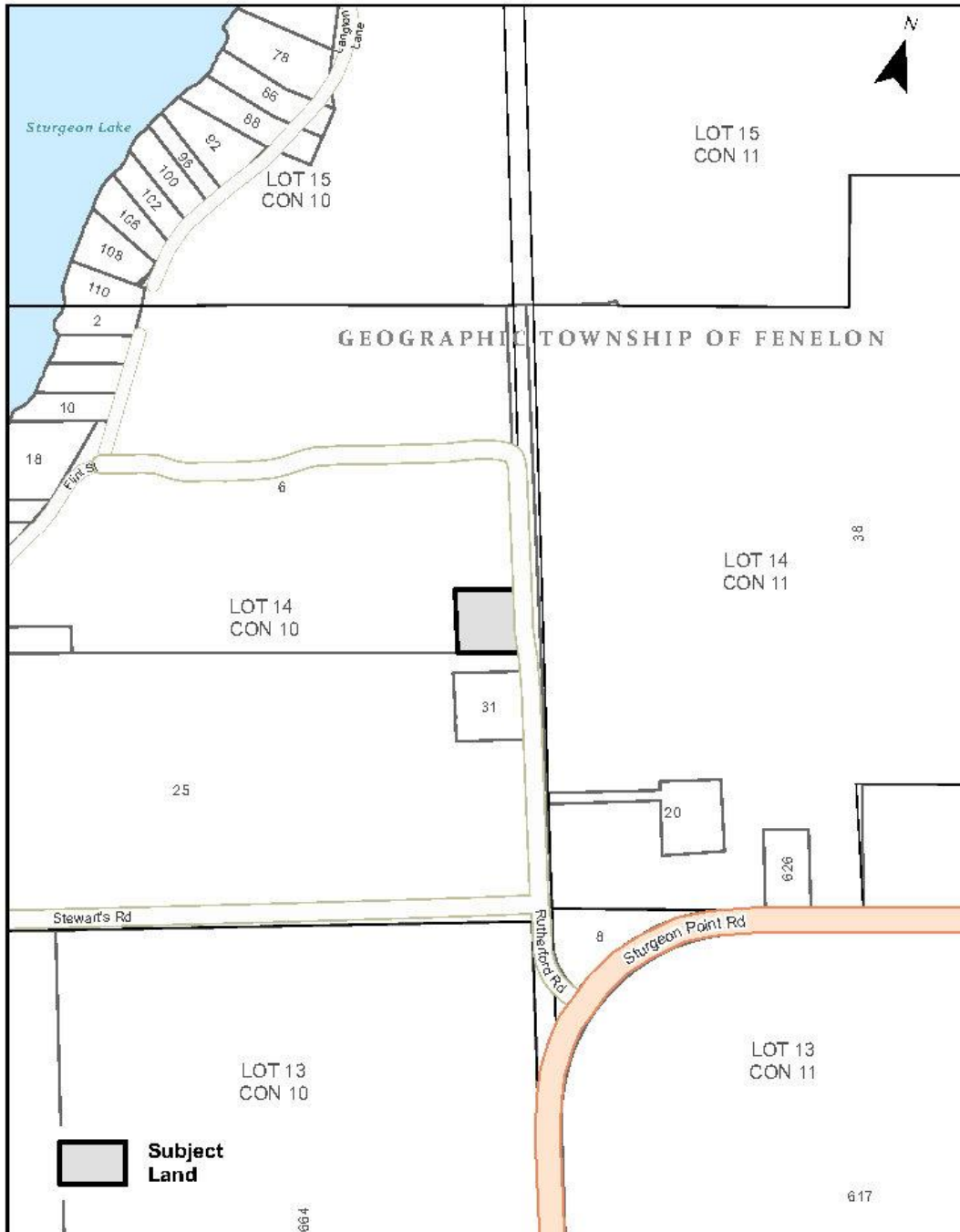
to

REPORT COA2025-031

FILE NO: D20-2025-018

LOCATION MAP (2023)

D20-2025-018

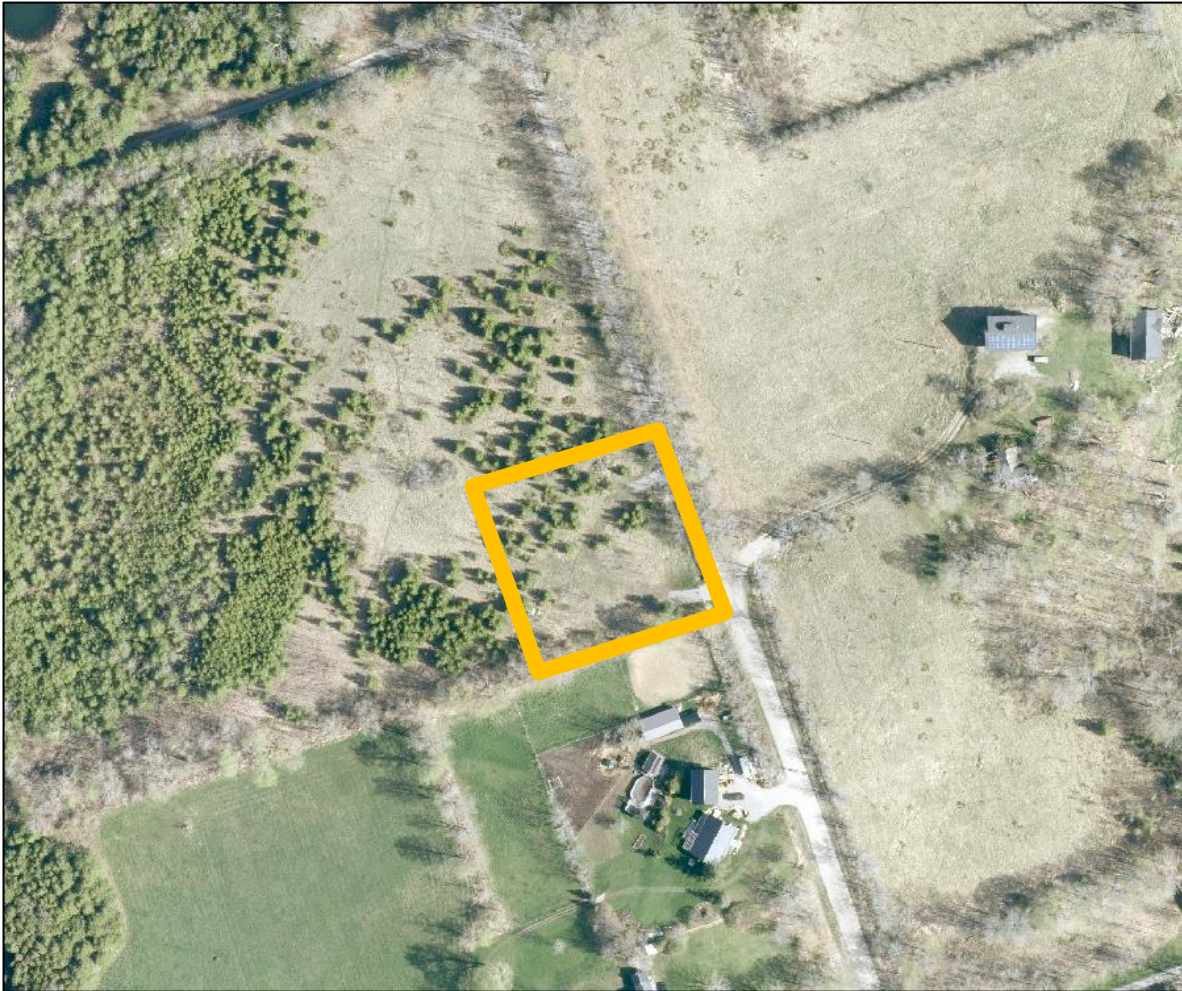


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REPORT COA2025-031

FILE NO: D20-2025-018

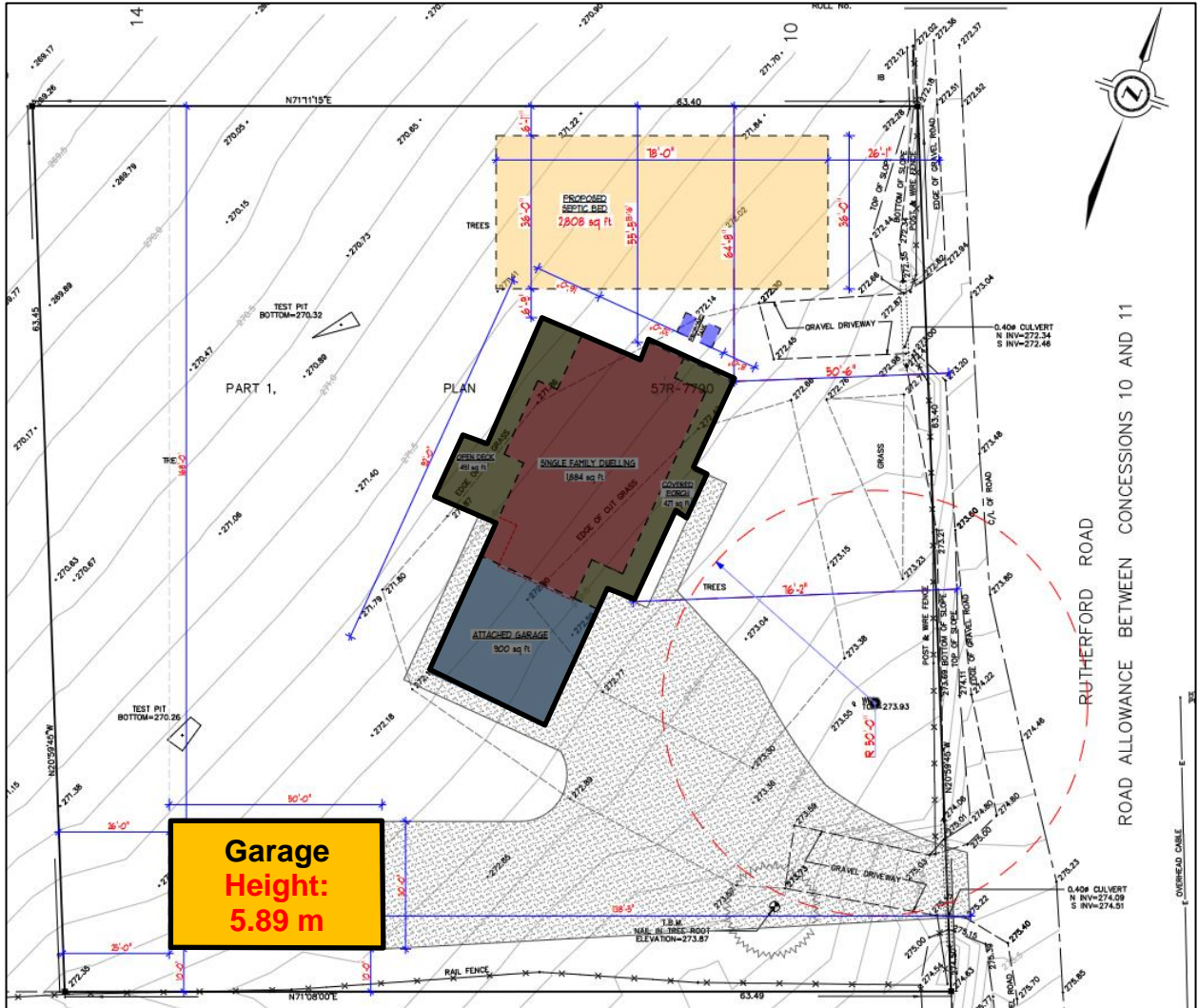
AERIAL PHOTO (2023)



to

REPORT COA2025-031FILE NO: D20-2025-018

APPLICANT'S SKETCH

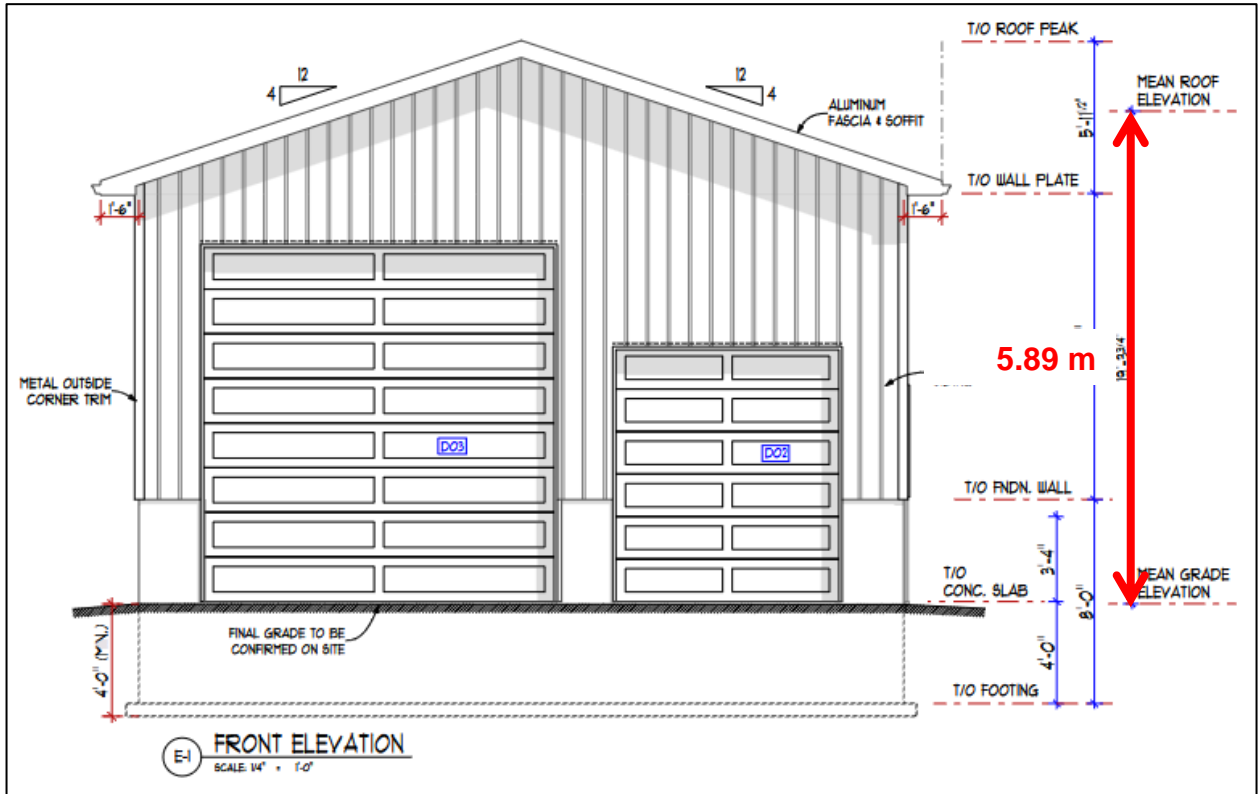


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ELEVATION DRAWINGS

REPORT COA2025-031

FILE NO: D20-2025-018



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Cardozo
Report Number COA2025-032

Public Meeting

Meeting Date: **March 27, 2025**

Time: 1:00 pm

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

Ward 3 – Geographic Township of Fenelon

Subject: The purpose and effect is to recognize an existing boathouse and pump house for the purpose of obtaining building permits.

Relief sought:

1. Section 3.1.5.1 of the Zoning By-law provides that a boathouse and a pump house are 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 existing setbacks of both the boathouse and pump house are 0.6 metres.

The variance is requested at **6 Sunrise Crescent** (File D20-2025-019).

Author: **Katherine Evans, Acting Development Supervisor**

Signature: *Katherine Evans*

Recommendations

That Report COA2025-032 – **Cardozo**, be received;

That minor variance application D20-2025-019 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 COA2025-032, which shall be attached to and form part of the Committee's Decision;
- 2) **That** building construction related to the minor variance shall be completed within a period of twelve (12) 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; and,

- 3) **That** approval under the Ontario Building Code (OBC) pertaining to private sanitary waste disposal be obtained within a period of twelve (12) 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 a review of the sewage system requirements.

This approval pertains to the application as described in report COA2025-032. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	To recognize an existing boathouse and pump house for the purpose of obtaining building permits.
Owners:	Jordan and Michelle Cardozo
Applicant:	Jordan Cardozo
Legal Description:	Part Lot 1, Concession 5 (being Lot 26 on Plan 474)
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Rural Residential Type Three (RR3) Zone (Township of Fenelon Zoning By-law 12-95)
Site Size:	1,700 sq. m. (18,299 sq. ft.)
Site Access:	Year round municipal 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 within an established residential neighbourhood located on the western shore of Sturgeon Lake. The property is rectangular in shape and is a

¹ See Schedule 1

² See Schedule 1

waterfront lot. It currently contains a single detached dwelling constructed in 1964 (according to Municipal Property Assessment Corporation), an above ground pool, a boathouse, and a pump house.

The proposal is to recognize the boathouse and pump house currently under construction for the purposes of obtaining building permits. The previously existing boathouse and pump house were damaged during a storm in 2023 and were demolished. Construction has begun on a new larger boathouse and pump house. The previously existing boathouse was approximately 30 square metres in size, and the new boathouse is approximately 54 square metres. The previously existing pump house was approximately 8 square metres in size, and the new pump house is approximately 20 square metres.

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 Section 20.5.2., a pump house is considered a shoreline activity which is permitted within the water setback.

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 Fenelon Zoning By-law 12-95. 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 interior side yard setback.

Section 3.4.7.1 of the Zoning By-law permits rebuilding or repair of any building or structure that is damaged or destroyed by causes beyond the control of the owner subsequent to the date of passing of this By-law, provided that the dimensions of the original building or structure are not increased. As the new boathouse and pump house are to be larger than the structures that were damaged, this provision does not apply and a minor variance is required.

Section 3.1.5.1 of the Zoning By-law provides that a boathouse and a pump house are 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 existing setbacks of both the boathouse and pump house are 0.6 metres. 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 previously existing boathouse and pump house had setbacks of 0.6 metres, so the new structures do not encroach further into the interior side yards than what existed previously. Additionally, the structures are on opposite sides of the property, so they do not both encroach into the same side yard. Neither structure is to contain habitable space and will not abut the neighbouring dwellings, so privacy issues are not anticipated. Each structure is approximately 3 metres in height, so building maintenance on the side of the structures would not require a large ladder, and it is anticipated that building maintenance could occur unimpeded within the 0.6 metre 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:

Building and Septic Division (Building): “Spatial separation could be a potential issue. No other comments.”

Building and Septic Division (Septic): “A sewage system review application has been submitted for the proposed modifications to the properties. At this time, the evaluation of the sewage system for the noted structures remains outstanding. As such, the Building and Septic Division would request a condition be placed on any minor variance endorsement to satisfy the Supervisor – Part 8 Sewage Systems 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 existing situation leading to the 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

Phone:	705-324-9411 extension 1883
E-Mail:	kevans@kawarthalakes.ca
Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-019

Schedule 1

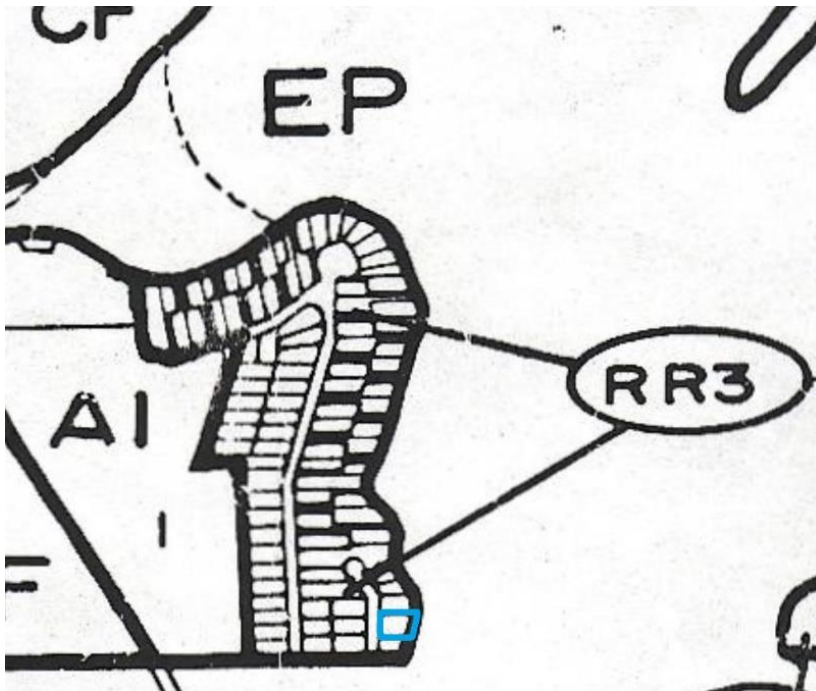
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



20. Waterfront Designation

Township of Fenelon Zoning By-law 12-95



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 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 13 Rural Residential Type Three (RR3) Zone

13.1 Uses Permitted

13.2 Zone Provisions

to

REPORT COA2025-032

FILE NO: D20-2025-019

LOCATION MAP

D20-2025-019



APPENDIX " B "

to

REPORT COA2025-032

FILE NO: D20-2025-019

AERIAL PHOTO

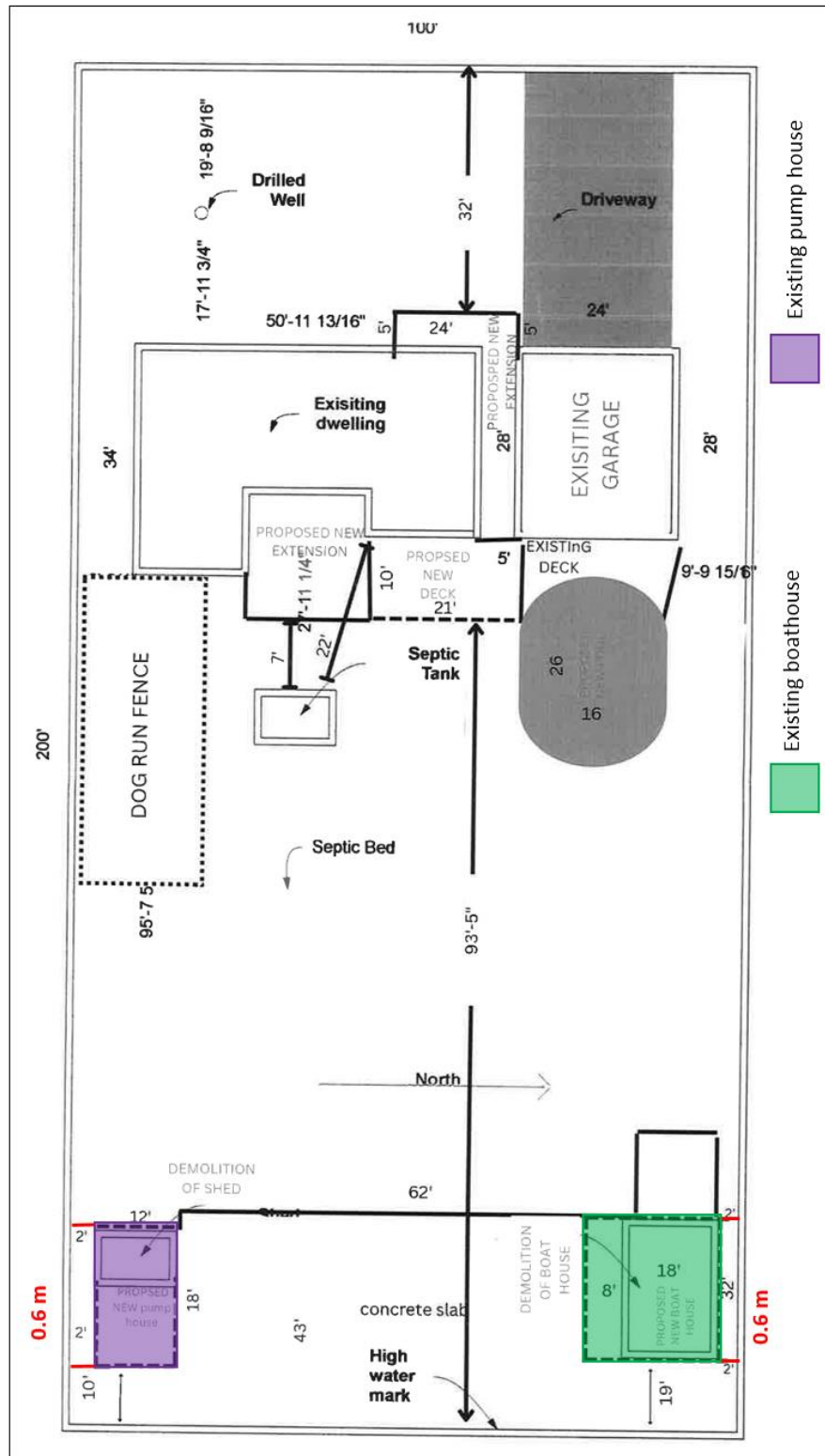


to

REPORT COA2025-032

FILE NO: D20-2025-019

APPLICANT'S SKETCH



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

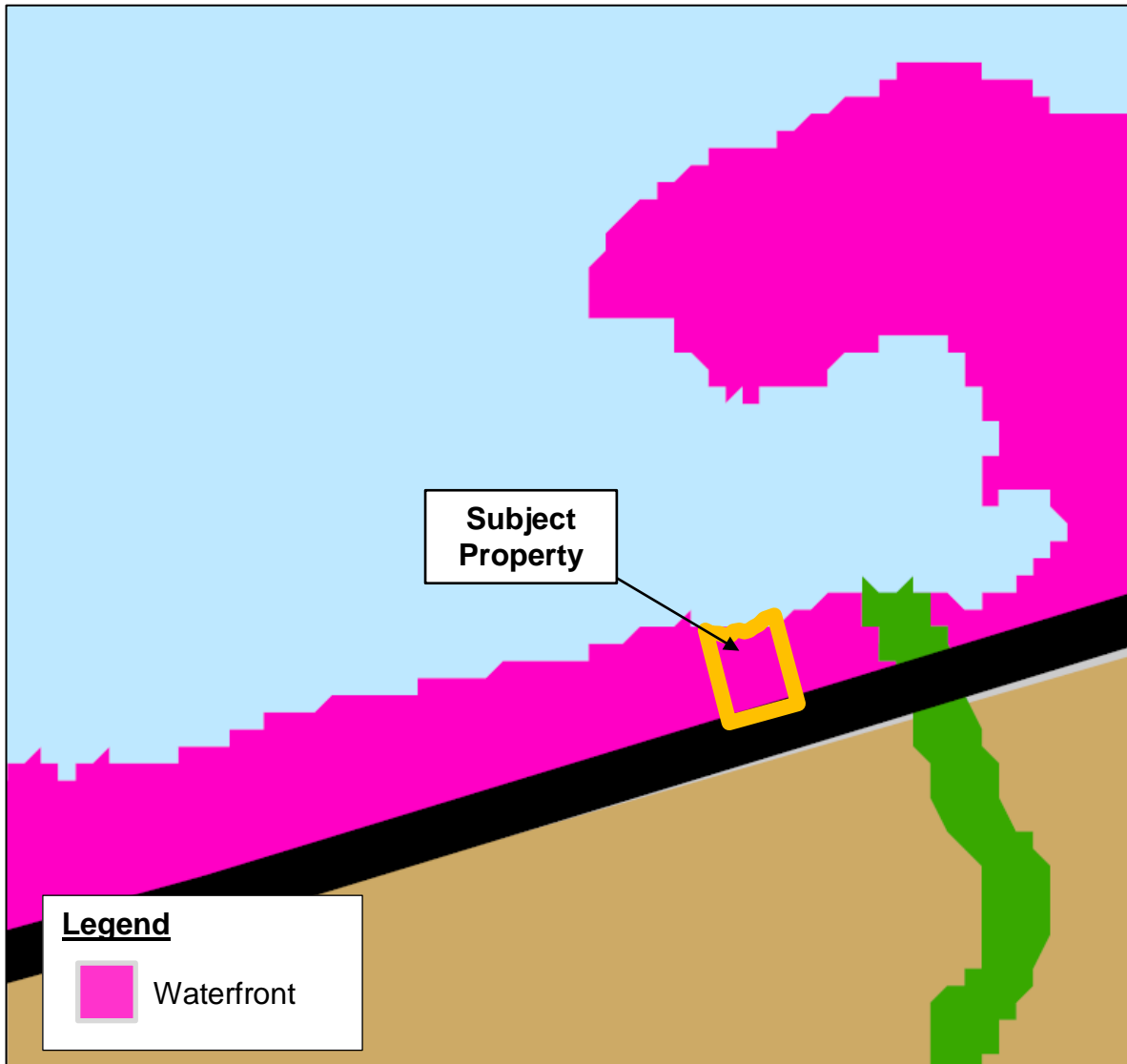
Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant’s Sketch

Phone: 705-324-9411 extension 1367
E-Mail: ashahid@kawarthalakes.ca
Department Head: Leah Barrie, Director of Development Services
Division File: D20-2025-020

Schedule 1

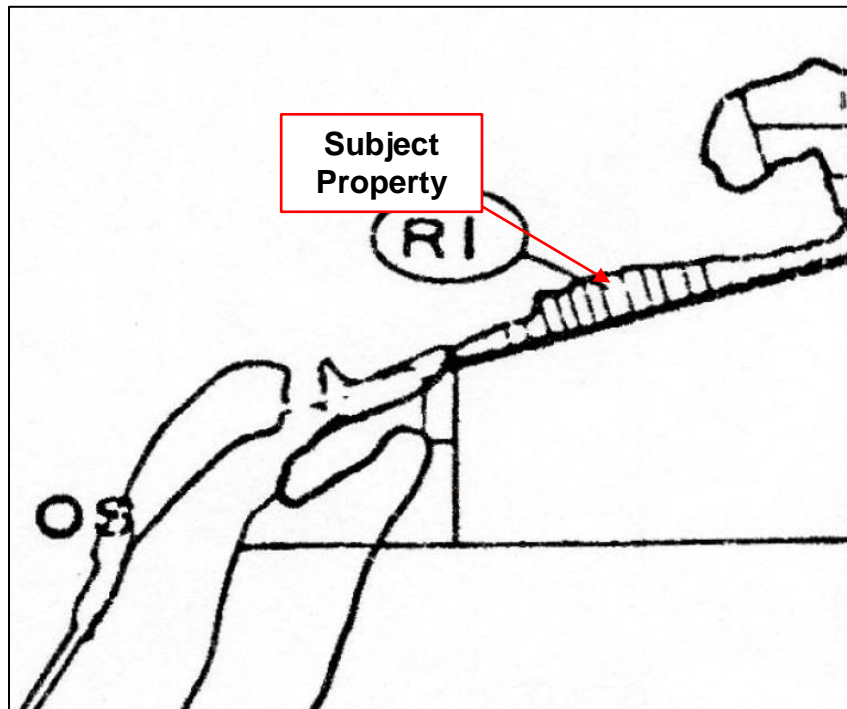
Relevant Planning Policies and Provisions

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

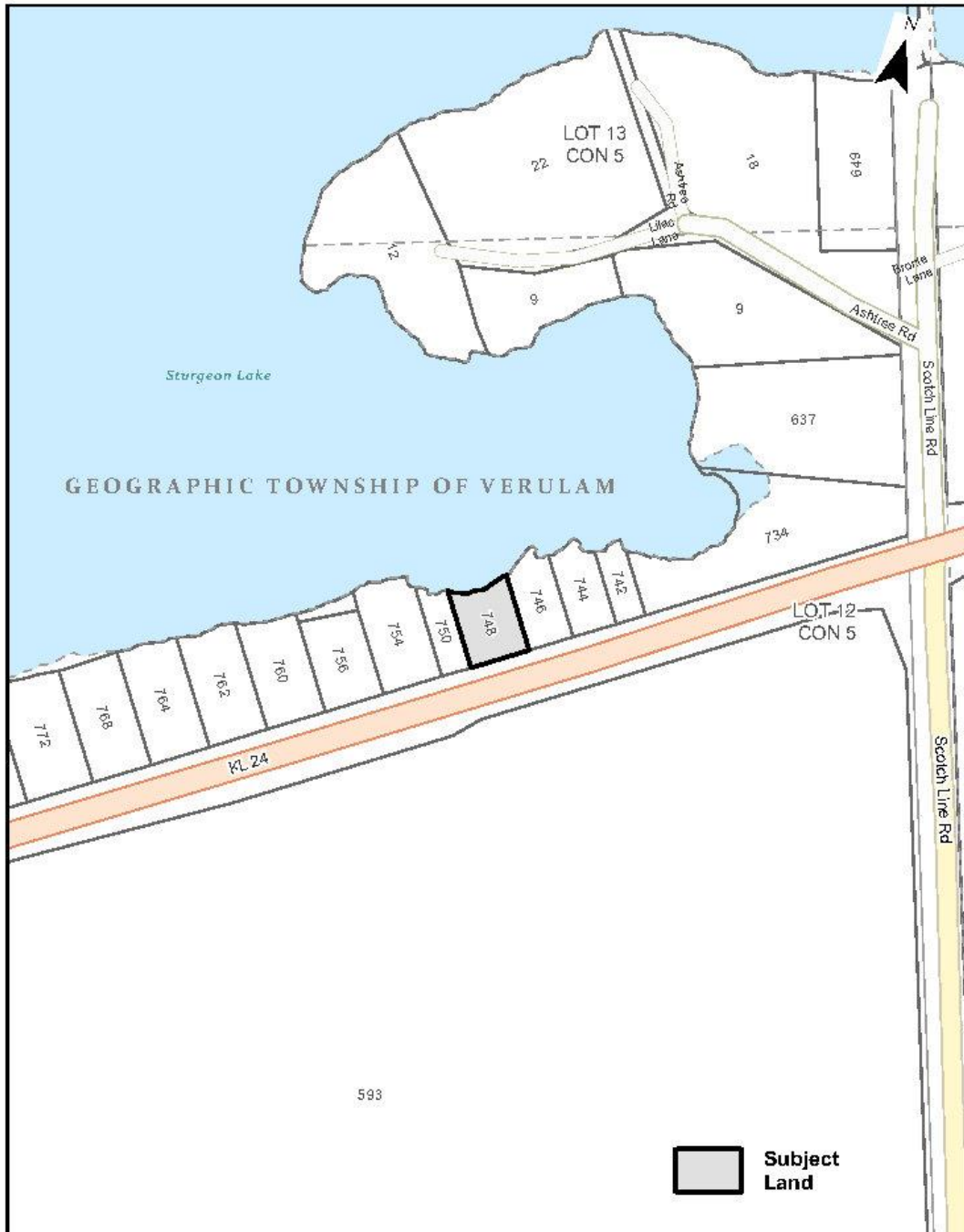
to

REPORT COA2025-033

FILE NO: D20-2025-020

LOCATION MAP

D20-2025-020



to

REPORT COA2025-033

FILE NO: D20-2025-020

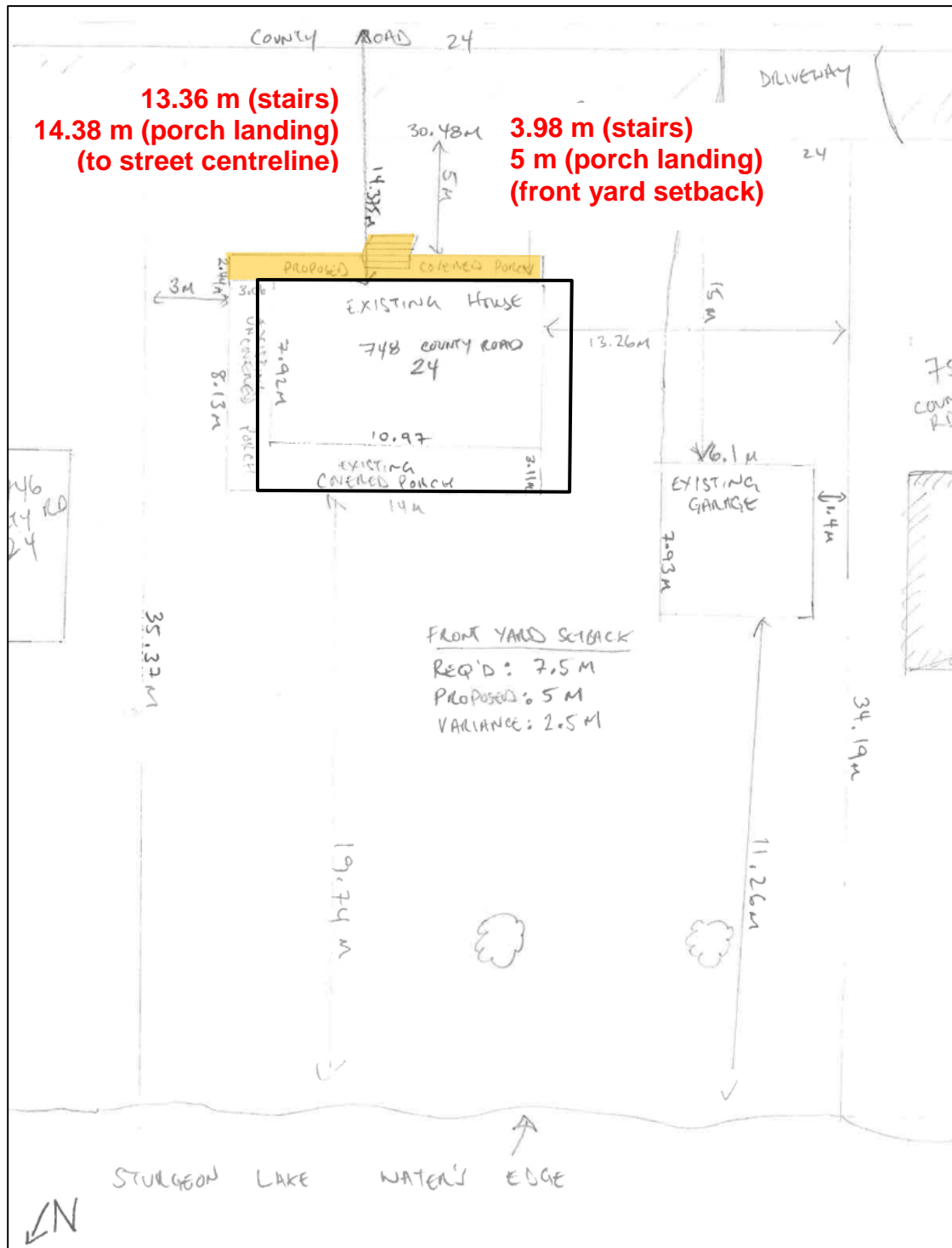
AERIAL PHOTO (2023)



to

REPORT COA2025-033FILE NO: D20-2025-020

APPLICANT'S SKETCH



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Nguyen
Report Number COA2025-034

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 Carden

Subject: The purpose and effect is to facilitate the construction of a detached garage.

Relief sought:

1. Section 14.1 b) of the Zoning By-law permits accessory structures to be located within the interior side or rear yard; the proposed garage is to be located in the front yard.

The variance is requested at **43 Campbell Beach Road** (File D20-2025-021).

Author: **Katherine Evans, Acting Development Supervisor**

Signature: *Katherine Evans*

Recommendations

That Report COA2025-034 – **Nguyen**, be received;

That minor variance application D20-2025-021 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 COA2025-034, 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 COA2025-034. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Construction of a detached garage
Owners:	Thuan Nguyen
Applicant:	Same as owner
Legal Description:	Part Lot 11, Concession 1 (being Lot 11 on Plan 235)
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Rural Residential Type Two (RR2) Zone (Township of Carden Zoning By-law 79-2)
Site Size:	1,521 sq. m. (16,372 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 located on the eastern shore of Lake Dalrymple in an area that contains residential and agricultural uses. The property currently contains a single detached dwelling constructed in 1954 (according to Municipal Property Assessment Corporation), two sheds, and a boathouse. The proposal is to construct a detached garage. The garage will provide covered vehicle parking as well as storage space for the property owner's belongings.

Given the above analysis, the variance is considered desirable and appropriate for the use of land.

¹ See Schedule 1

² See Schedule 1

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.

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 Two (RR2) Zone under the Township of Carden Zoning By-law 79-2. 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 location for accessory structures.

Section 14.1 b) of the Zoning By-law permits accessory structures to be located within the interior side or rear yard. The proposed garage is to be located in the front yard. The intent of limiting the location of accessory structures to the side or rear yard is to ensure accessory uses remain subordinate to the primary use by being located in less visible areas on the property. Locating accessory structures in the interior side or rear yard also ensures there is adequate amenity space in the front yard, and the property is in keeping with the character of the rest of the neighbourhood. For comparative purposes, most of the City's existing rural Zoning By-laws permit garages in the front yard when a property fronts on a navigable waterway. Additionally, the New Rural Zoning By-law (while not currently in effect) permits a garage in the front yard when a property has frontage on a navigable waterway.

The dwelling is setback approximately 44 metres from the front lot line, and approximately 27 metres from the shoreline, resulting in a larger front yard and smaller rear yard. There is limited space in the interior side yards to locate the garage. Locating the garage in the front yard ensures the structure will not encroach into the water setback or the interior side yard setbacks. The front yard is also a logical location for the garage to allow for vehicle access from the existing driveway.

Between the front lot line and the travelled portion of a road, there is a mature hedge which provides a visual buffer between the proposed location of the garage and the road. The proposed detached garage complies with the maximum height for accessory structures and the minimum front yard setback and will not result in impacts to traffic, road maintenance, or sightlines. There are several properties along Campbell Beach Road that have garages in the front yard, including the neighbouring property to the northeast, so the proposal is in keeping with the existing built form.

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 installation report has been located for the property. The report indicates that the sewage system is located in roadside yard of the property which will be the same yard as the garage. The site plan indicates that the placement of the garage will not encroach onto the sewage system and the clearance distances to the components can be maintained. This was confirmed with the sewage system report. Additionally, the garage will not contain any 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

Phone: 705-324-9411 extension 1883
E-Mail: kevans@kawarthalakes.ca

Department Head: Leah Barrie, Director of Development Services
Division File: D20-2025-021

Schedule 1

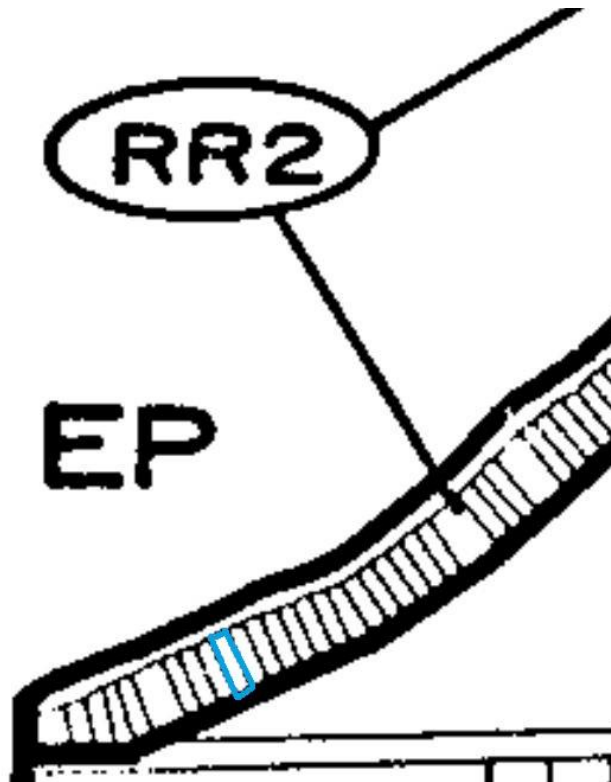
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



20. Waterfront Designation

Township of Carden Zoning By-law 79-2



Section 4 Rural Residential Type Two (RR2) Zone

4.1 RR2 Uses Permitted

4.2 RR2 Zone Provisions

Section 14 General Provisions

14.1 Accessory Buildings, Structures and Uses

b) Location

An accessory building shall only be erected in a side or rear yard and shall comply with the following requirements:

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 flanking 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. Where the rear lot line is a shore lot line, article 14.21 a. shall apply.

14.21 Water Setback Requirement

a. Unless otherwise provided herein the minimum water setback which shall apply to all zones shall be 20 metres from the normal high water mark.

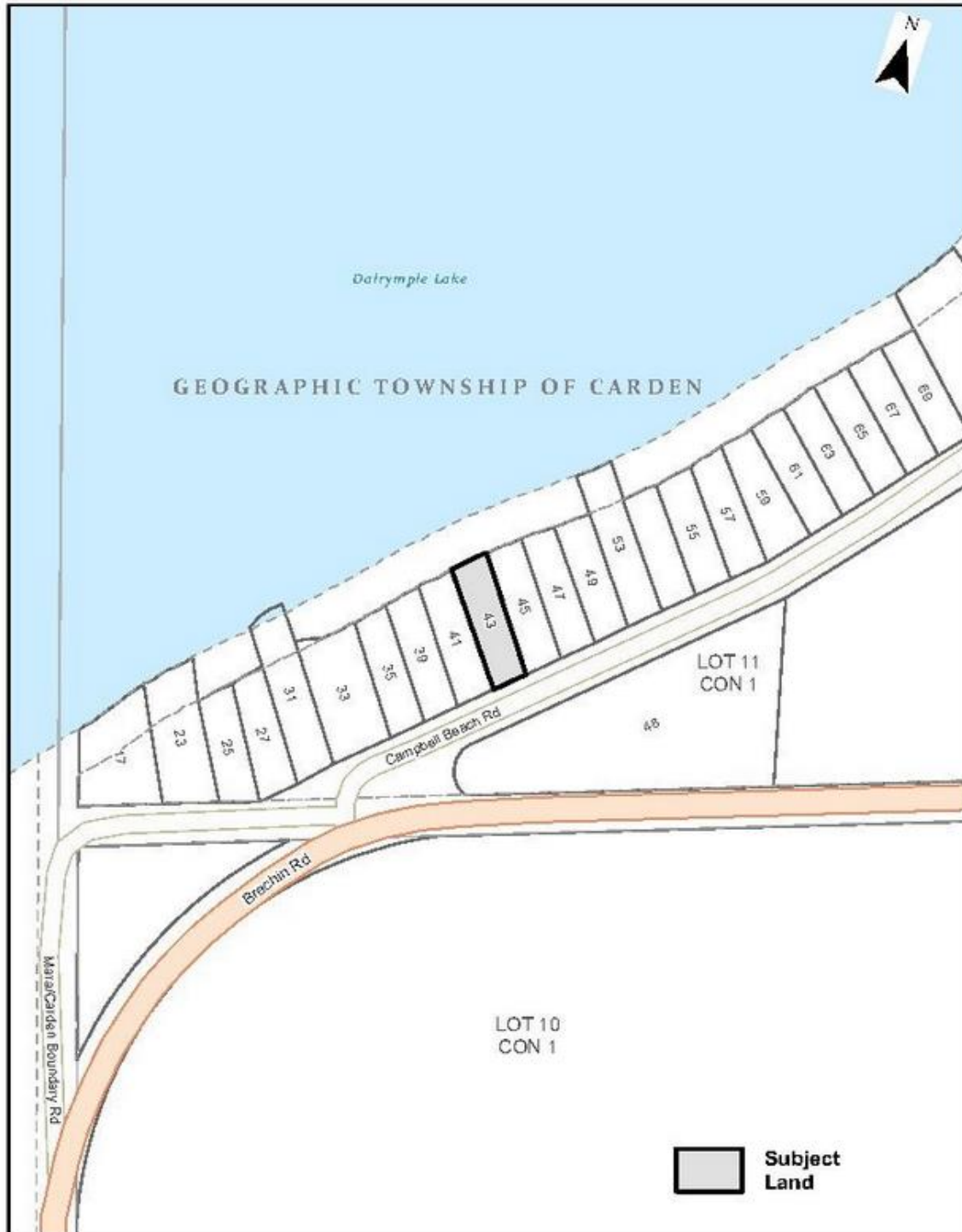
to

REPORT COA2025-034

FILE NO: D20-2025-021

LOCATION MAP

D20-2025-021



to

REPORT COA2025-034

FILE NO: D20-2025-021

AERIAL PHOTO

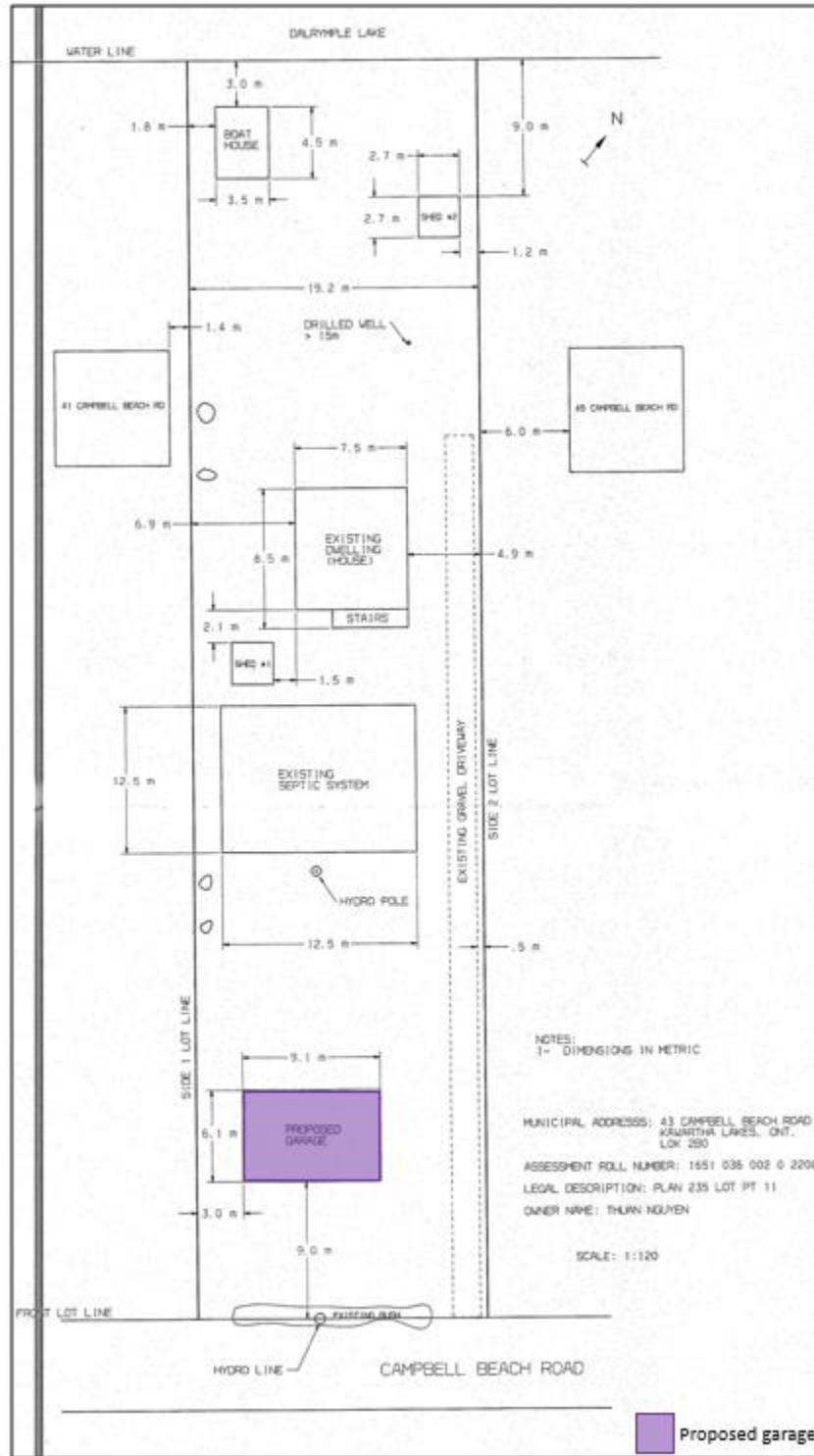


to

APPLICANT'S SKETCH

REPORT COA2025-034

FILE NO: D20-2025-021



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Eagleson-Madden
Report Number COA2025-035

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 Eldon

Subject: The purpose and effect is to facilitate construction of a detached garage and recognize three (3) existing sheds in the front yard.

Relief sought:

1. Section 3.1.2.1. of the Zoning By-law requires accessory structures to be located in a side or rear yard, the proposed garage is to be located in the front yard and the existing sheds are in the front yard; and,
2. Section 3.1.3.3. of the Zoning By-law permits a maximum two (2) accessory structures, with the proposed garage there will be four (4) accessory structures.

The variance is requested at **23 Duncan Drive** (File D20-2025-022).

Author: Ahmad Shahid, Planner II **Signature:**



Recommendations

That Report COA2025-035 – Eagleson-Madden, be received;

That minor variance application D20-2025-022 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 COA2025-035, 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 COA2025-035. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Construction of a detached garage and recognition of three (3) existing sheds.
Owners:	Lisa Eagleson-Madden
Applicant:	Joseph Madden
Legal Description:	Part Lot 27, Concession 1 (being Lot 9 and 9A, Plan 305; Part C, 1918C); as well as, Part Lot 27, Concession 1 (being Lot 8 and 8A, Plan 305; Part C, 1918C)
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Limited Service Residential (LSR) Zone (Township of Eldon Zoning By-Law 94-14)
Site Size:	3,844.51 square metres (0.95 acres)
Site Access:	Unassumed 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 the Talbot River, with access from Duncan Drive (unassumed road). The property is located in the low-density residential neighbourhood, comprised of single-detached dwellings and assorted accessory structures. The subject property currently contains a one-storey single detached dwelling with three (3) sheds.

¹ See Schedule 1

² See Schedule 1

The proposal seeks to facilitate the construction of a detached garage and recognition of the three (3) existing sheds. The use of accessory structures for personal storage is common on many low-density residential lots, the proposed structure and existing structures do not change the use of the property or conflict with neighbouring land uses.

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. The Official Plan establishes a water setback, aiming to provide a buffer between bodies of water and built form, as well as preserving shorelines. The proposed garage 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 Limited Service Residential (LSR) Zone under the Township of Eldon Zoning By-Law 94-14. The LSR Zone permits a single detached dwelling, vacation dwellings, and related accessory uses. Relief is sought from the maximum number of permitted accessory structures and location of accessory structures.

Section 3.1.2.1. of the Zoning By-law requires accessory structures to be located in a side or rear yard, the proposed garage is to be located in the front yard and the existing sheds are in the front yard. The intent of limiting the location of accessory structures to the side or rear yard is to ensure accessory uses remain subordinate to the primary use by being located in less visible areas on the property. Requiring accessory structures to be located within the interior side or rear yard serves to secure ample amenity space in the front yard, as well as, ensures the property is cohesive with surrounding properties and area.

Section 3.1.3.3. of the Zoning By-law permits a maximum of two (2) accessory structures; with the proposed garage there will be four (4) accessory structures. By establishing a maximum limit, the intention is to maintain the low-density residential use of properties while also safeguarding against potential overcrowding.

With respect to the proposed detached garage, on waterfront properties it is common for garages to be located in the front yard opposite from the shoreline to provide direct access from the road via a driveway. The Township of Eldon Zoning By-Law 94-14 allows for detached garages to be situated in the front yard on waterfront properties, however, a garage must be under 56 square metres in floor

area in order to be eligible for this provision. This provision is rare amongst the various Zoning By-law's that are applicable in the City of Kawartha Lakes, and this has been taken into account in the Rural Zoning By-law (RZBL) that was adopted by Council (although under appeal and not currently in effect), which allows for garages on waterfront properties. The proposed detached garage complies with the applicable front yard setback, is located distantly from the street, and upholds a sufficient water setback.

The existing sheds being situated in the front yard avoid incompatibility with the water setback and distance from the septic bed in the rear yard. Moreover, although the maximum number of accessory structures in this Zoning By-law is two (2), typically the other City's Zoning By-laws permit a maximum of three (3) accessory structures in addition to an accessory structure lot coverage. The RZBL also allows for a maximum of three (3) accessory structures.

Although the number of permitted accessory structures is exceeded, even with the construction of a detached garage the property maintains a compliant overall lot coverage (4.4% proposed, 30% permitted) and accessory structure lot coverage (2.6% proposed, 10% to a maximum of 100 square metres permitted). The existing sheds are not scattered around the property, and situated cohesively nearby the north side lot line. As such, the accessory structures remain subordinate to the primary use of the property and overcrowding is avoided.

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:

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

DS – Building and Septic (Septic): “A sewage system use permit has been located for the property. The sewage system report indicates the system is constructed on the water side, directly in front of the dwelling. The garage is being proposed to the side and roadside yard of the property. The placement of the garage will ensure the required minimum clearance distances are maintained to the sewage system. Additionally, the garage will not contain any plumbing fixtures or habitable space.

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

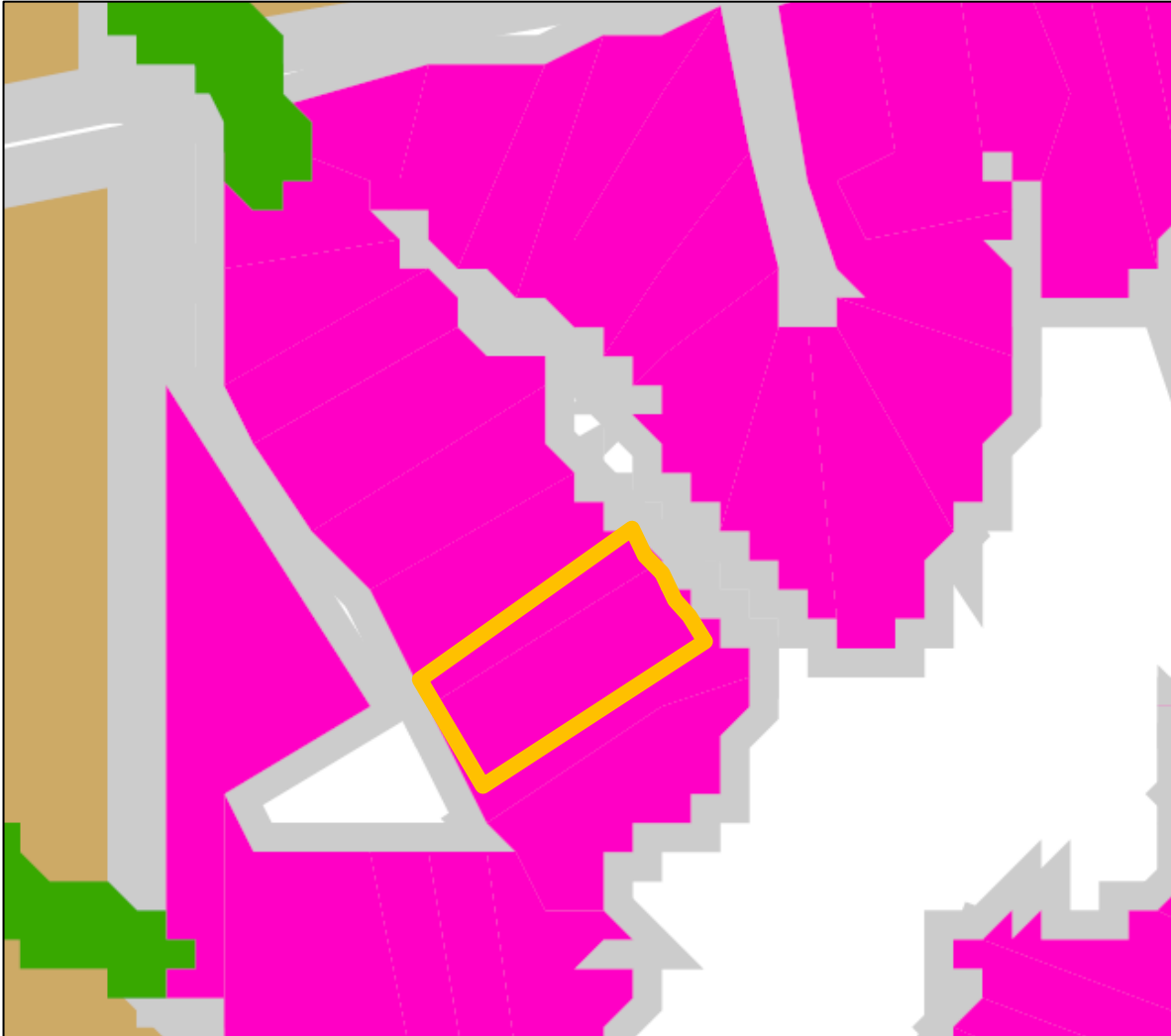
Appendix C – Applicant’s Sketch

Phone:	705-324-9411 extension 1367
E-Mail:	ashahid@kawarthalakes.ca
Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-022

Schedule 1

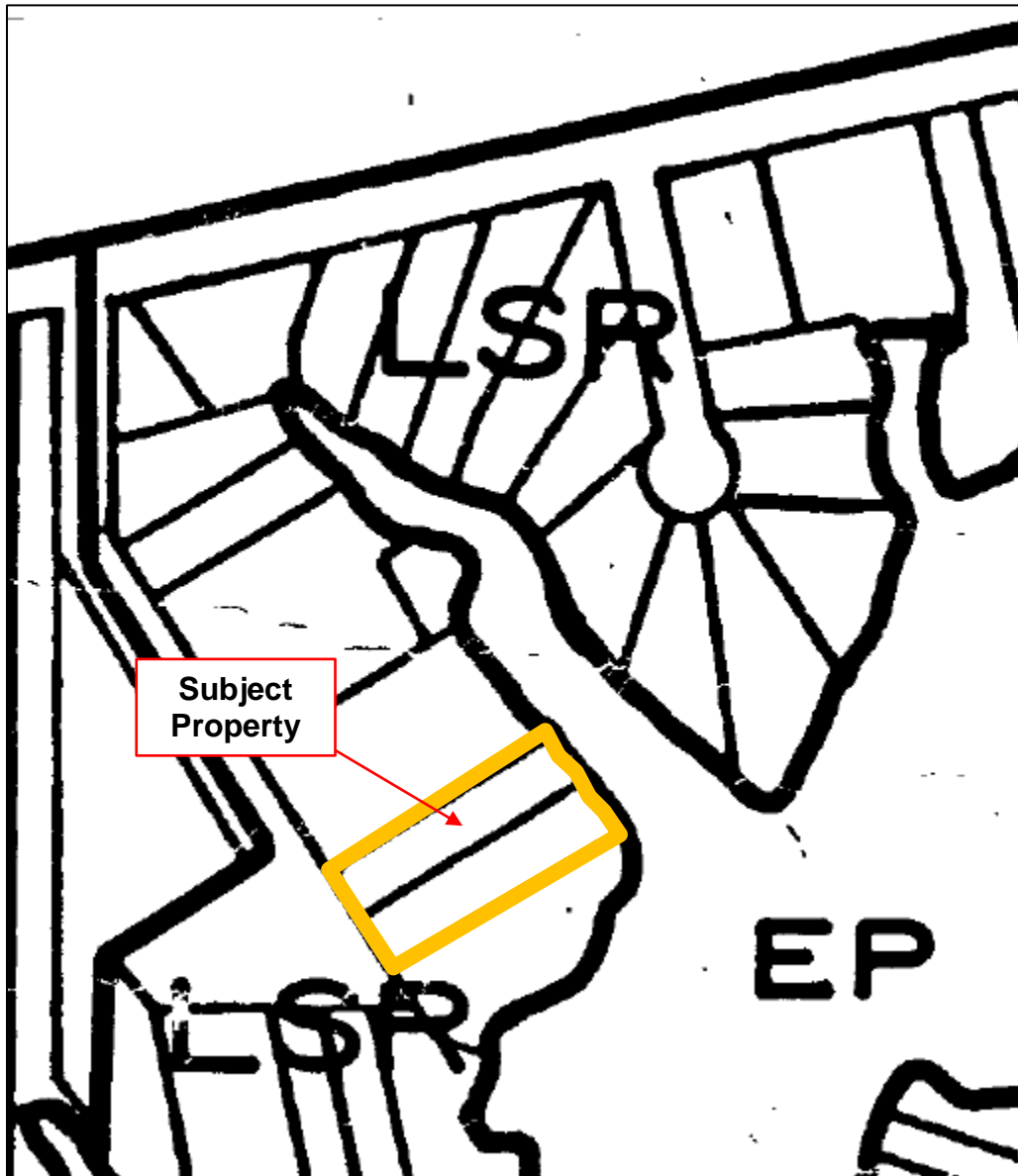
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



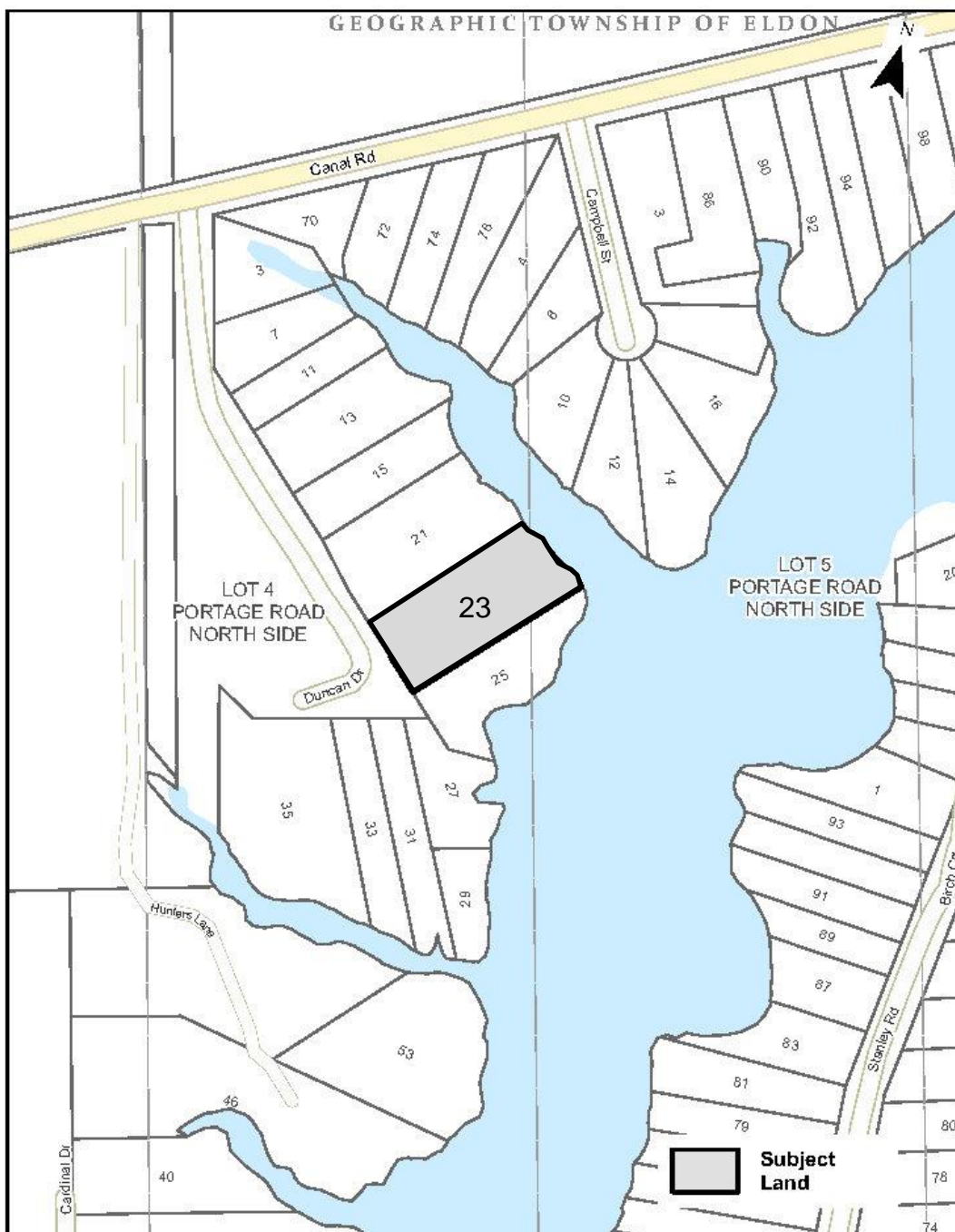
Section 20. Waterfront Designation

Township of Eldon Zoning By-Law 94-14



Section 3. General Provisions

D20-2025-022



to

REPORT COA2025-035

FILE NO: D20-2025-022

AERIAL PHOTO (2023)



to

REPORT COA2025-035

FILE NO: D20-2025-022

APPLICANT'S SKETCH

