

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Coates**  
Report Number COA2024-020

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**Public Meeting**

**Meeting Date:** February 22, 2024  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward 6 – Geographic Township of Emily**

**Subject:** The purpose and effect is to recognize a storage building under construction.

**Relief sought:**

1. Section 3.1.3.1 of the By-law permits a maximum lot coverage for accessory structures of 8% of the lot area to a maximum of 225 square metres; the proposed lot coverage is 250 square metres or 2% of the lot area.

The variance is requested at **506 King's Wharf Road** (File D20-2024-010).

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**Author:** Katherine Evans, Planner II    **Signature:** *Katherine Evans*

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**Recommendations**

**That** Report COA2024-020 – Coates, be received;

**That** minor variance application D20-2024-010 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 COA2024-020, 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 COA2024-020. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

## Application Summary

Proposal:	Recognition of a storage building under construction
Owners:	Troy and Emelda Coates
Applicant:	TD Consulting Inc.
Legal Description:	Part Lot 9, Concession 13
Official Plan <sup>1</sup> :	Prime Agricultural (City of Kawartha Lakes Official Plan, 2012)
Zone <sup>2</sup> :	Agricultural (A1) Zone (Township of Emily Zoning By-law 1996-30)
Site Size:	3.01 ac. (1.22 ha.)
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 in a predominantly agricultural area consisting of large farms and smaller rural residential lots. The property contains a one storey single detached dwelling constructed in 1971 (according to Municipal Property Assessment Corporation), two sheds, a horse shelter, and the subject storage building.

The purpose of the application is to recognize a storage building that is currently under construction. The storage building is to be used to store personal items and equipment. The property owners have a home garden for personal use, and the storage building will store and protect the items and equipment used for gardening

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<sup>1</sup> See Schedule 1

<sup>2</sup> See Schedule 1

and property maintenance. A portion of the storage building will be used for shelter for the two horses that are kept on the property. The property owners are part of the Mennonite community, and the horses are used for transportation purposes. The horses are to be kept in part of the storage building during the winter months so they can be sheltered from the elements.

**The variance maintains the general intent and purpose of the Official Plan.**

The property is designated Prime Agricultural within the City of Kawartha Lakes Official Plan. Low density residential uses and accessory buildings and structures 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 Agricultural (A1) Zone under the Township of Emily Zoning By-law 1996-30. A single detached dwelling and accessory buildings and structures are permitted within this zone. The Zoning By-law defines an accessory use as a use subordinate and naturally, customarily and normally incidental to and exclusively devoted to a main use of land or building and located on the same lot. As an accessory use is devoted to the main use of the land, being residential in this case, the proposed storage building is considered an accessory building that is accessory to the residential use. As such, the General Provisions Section 3.1 Accessory Buildings, Structures and Uses apply. The proposal complies with all provisions of the Zoning By-law with the exception of the maximum lot coverage for accessory buildings and structures.

Section 3.1.3.1 of the By-law permits a maximum lot coverage for accessory buildings and structures of 8% of the lot area to a maximum of 225 square metres; the proposed lot coverage is 250 square metres or 2% of the lot area. The purpose of the maximum lot coverage for accessory structures is to maintain the rural residential character of the property and to ensure that accessory uses remain subordinate to the primary (residential) use.

Though the total lot coverage of the accessory structures exceeds 225 square metres by 25 square metres, the portion of the lot covered by these accessory structures is only 2%. For comparative purposes, other rural Zoning By-laws regulate lot coverage using only a percentage, on average ranging from 8% to 10% of the lot area.

The existing and proposed accessory structures are located in the rear yard. Additionally, the subject storage building complies with the maximum height for accessory structures. It is not anticipated that the accessory structure lot coverage resulting from the storage building will adversely impact the rural residential character of the property, and the accessory uses will remain visually subordinate to the primary dwelling.

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 review of the site plan indicates the placement of the accessory structure under construction in the rear yard of the dwelling. The sewage system has been located in the opposite side yard of the dwelling to the accessory structure. The location of the structure under construction will ensure that the minimum required clearance distances will be maintained to the existing sewage system. Additionally, the workshop is not being proposed to 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
- Appendix D – Construction Drawings

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**Phone:** 705-324-9411 extension 1883

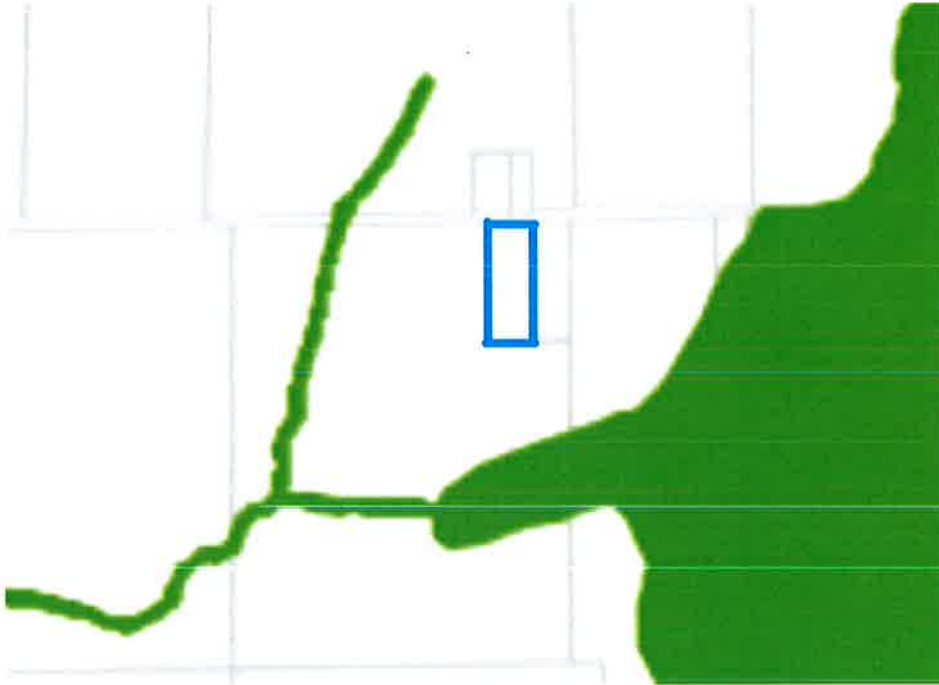
**E-Mail:** [kevans@kawarthalakes.ca](mailto:kevans@kawarthalakes.ca)

**Department Head:** Leah Barrie, Director of Development Services  
**Division File:** D20-2024-010

## Schedule 1 Relevant Planning Policies and Provisions

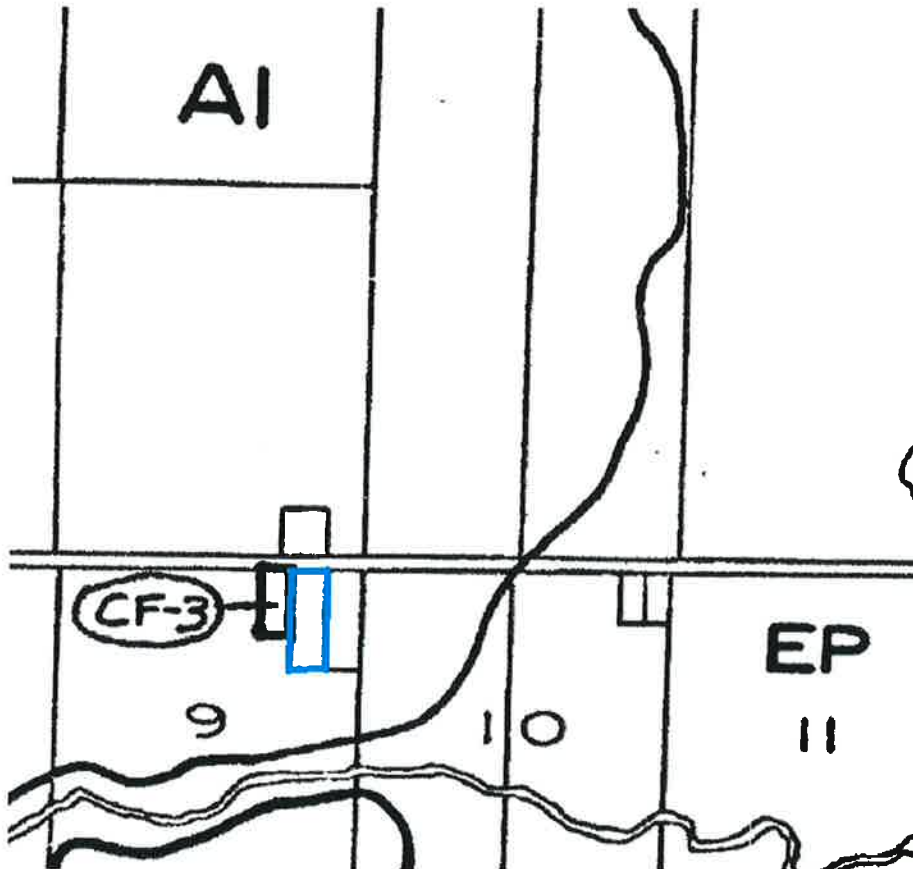
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### City of Kawartha Lakes Official Plan



### 15. Prime Agricultural Designation

## Township of Emily Zoning By-law 1996-30



### Part 3 General Provisions

#### 3.1 Accessory Buildings, Structures and Uses

##### 3.1.3 Lot Coverage and Height

3.1.3.1 The total lot coverage of all accessory buildings and structures, excluding outdoor swimming pools, shall not exceed 8% of the total lot area or 225 sq.m.

### Part 7 Agricultural (A1) Zone

#### 7.1 Uses Permitted

#### 7.2 Zone Provisions

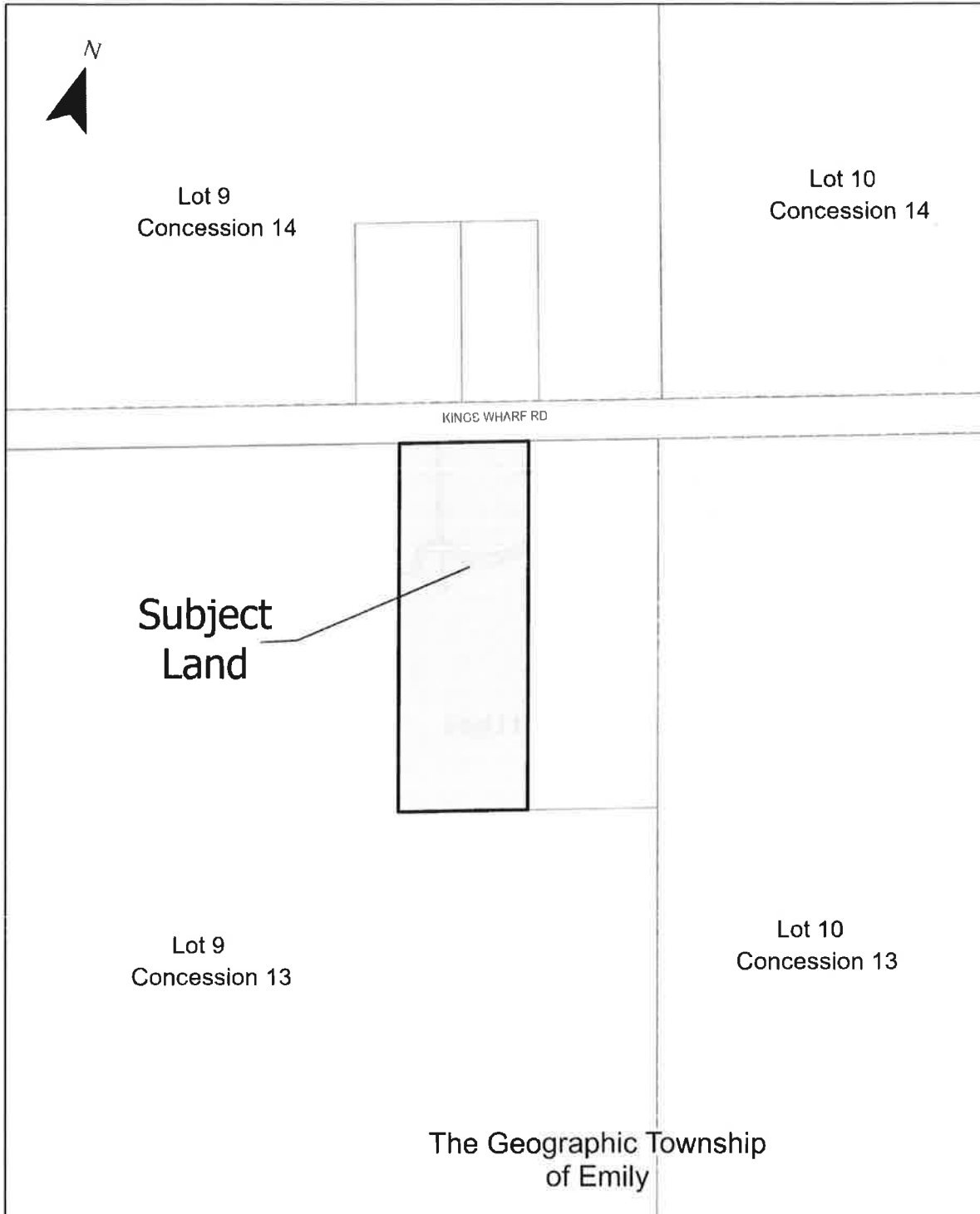
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REPORT COA2024-020

FILE NO: D20-2024-010

**LOCATION MAP**

# D20-2024-010





APPENDIX " B "

to

REPORT COA2024-020

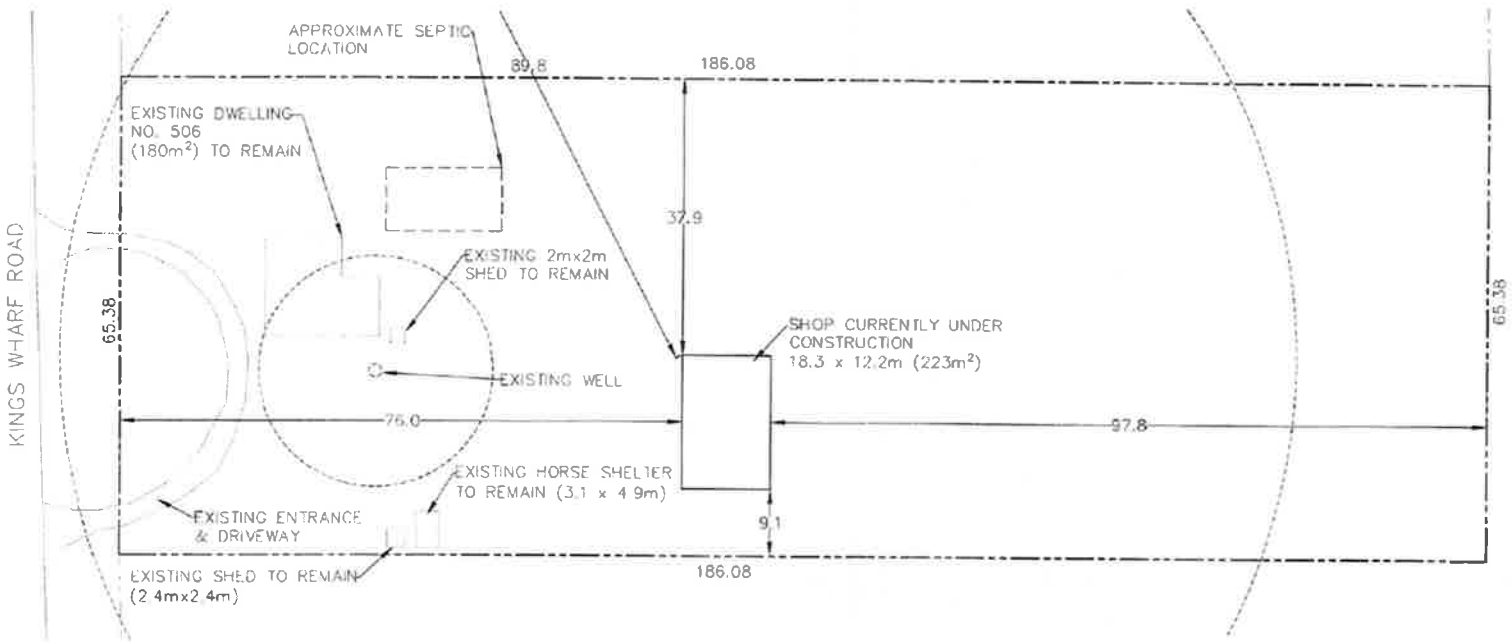
FILE NO: D20-2024-010

**AERIAL PHOTO**



APPLICANT'S SKETCH

REPORT COA2024-020  
FILE NO: D20-2024-010

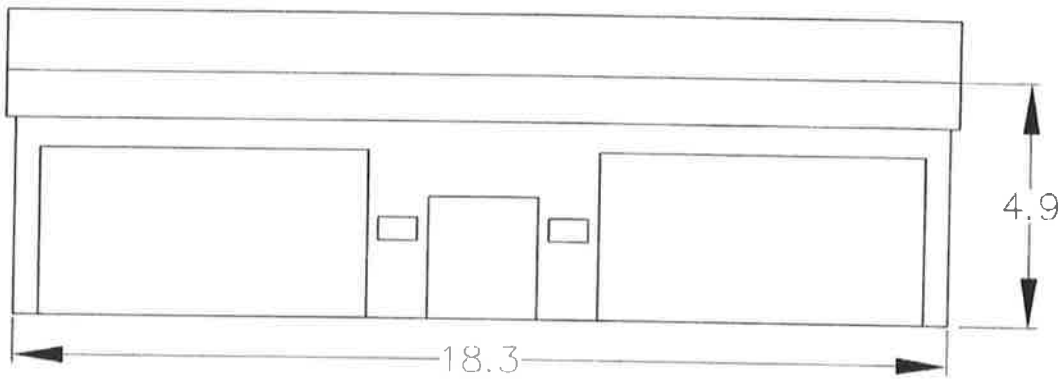


Proposed accessory structure lot coverage: 250 square metres or 2% of the lot area

to

**CONSTRUCTION DRAWINGS**

NORTH  
ELEVATION



EAST  
ELEVATION

