

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Primmer and Swan**  
Report Number COA2024-082

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**Public Meeting**

**Meeting Date:** September 26, 2024  
**Time:** 2:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward 6 – Geographic Township of Verulam**

**Subject:** The purpose and effect is to facilitate the construction of a detached garage with a workshop and Additional Residential Unit (ARU) and the recognition of an existing storage building.

**Relief sought:**

1. 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/ARU is to be located in the front yard and the existing storage building is located in the front yard.

The variance is requested at **7 Bronte Lane** (File D20-2024-074).

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

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**Recommendations**

**That** Report COA2024-082 – Primmer and Swan, be received;

**That** minor variance application D20-2024-074 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions**

- 1) **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2024-082, 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 COA2024-082. 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 with a workshop and Additional Residential Unit (ARU) and the recognition of an existing storage building
Owners:	Kevin Primmer and Beverly Swan
Applicant:	TD Consulting Inc.
Legal Description:	Part Lot 12 and 13, Concession 6
Official Plan <sup>1</sup> :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone <sup>2</sup> :	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

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<sup>1</sup> See Schedule 1

<sup>2</sup> 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 with space for storage, a workshop, and an Additional Residential Unit (ARU). The ARU to be used by the property owners as well as family and friends. The purpose of the application is to seek relief to permit the detached garage/ARU to be located in the front yard as well as to recognize an existing storage building which is currently located in the front yard.

As per the Zoning By-law, the minimum lot size for an Additional Residential Unit located on a lot with private services is 4,000 square metres or 0.4 hectares; the subject property exceeds this minimum lot size. Additionally, the Zoning By-law provides that a property must have frontage on an improved public street that is maintained year round. The property abuts two improved public streets that are maintained year round, being Scotch Line Road and County Road 24.

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.

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.

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 including a detached Additional Residential Unit 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.

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/ARU is to

be located in the front yard and the existing storage building is 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 existing location of the storage building and the proposed location of the detached garage/ARU 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 and existing accessory structures is surrounded by a stand of mature vegetation. As the visibility of the accessory structures is limited when viewing the property from the street, their 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. Both accessory structures have adequate setbacks from the private road (Bronte Lane) so their location will not impede the use of the road to access the subject property or the neighbouring property to the east.

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:**

**Engineering and Corporate Assets Division:** “From a Development engineering perspective, we have no objection to or comment for this Minor Variance application.”

**Building and Septic Division (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

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**E-Mail:** kevans@kawarthalakes.ca  
**Department Head:** Leah Barrie, Director of Development Services  
**Division File:** D20-2024-074

## Schedule 1 Relevant Planning Policies and Provisions

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### City of Kawartha Lakes Official Plan



### 20. Waterfront Designation

#### The Corporation of The City of Kawartha Lakes Amendment No. 39 to The City of Kawartha Lakes Official Plan

##### E. Details of the Amendment

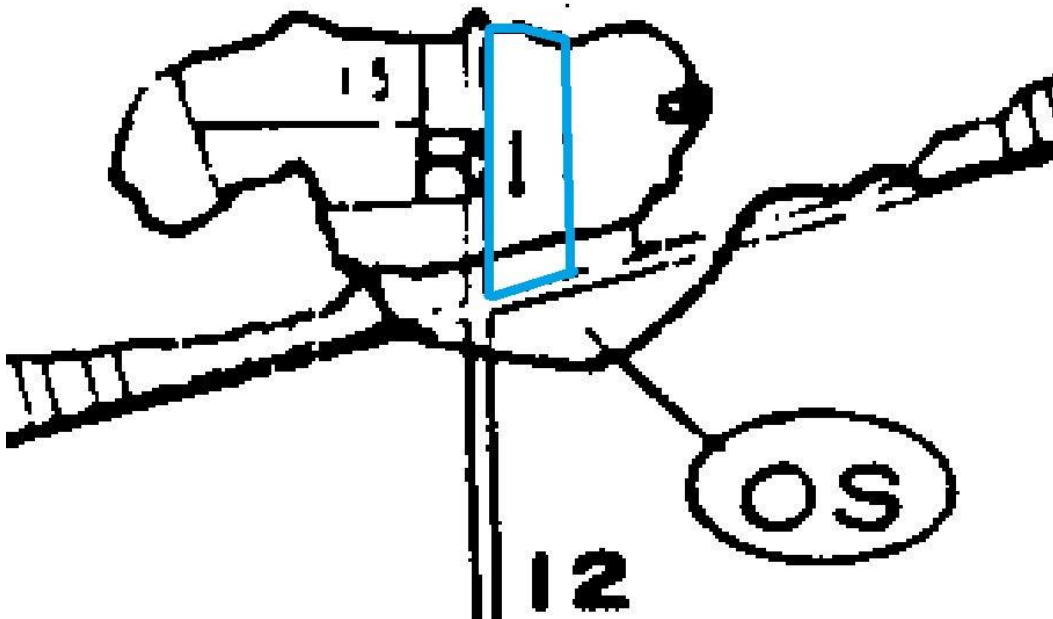
The City of Kawartha Lakes Official Plan, 2012 is hereby amended as follows:

1. **Section 5. Housing Goal is amended by adding subsection 5.7 Additional Residential Units as follows:**

##### **5.7 Additional Residential Units**

- 5.7.1 This Plan will support flexible zoning provisions to permit a broad range of housing forms, including additional residential units.
- 5.7.2 An additional residential unit 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.

## 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 8 Residential Type One (R1) Zone

#### 8.1 R1 Uses Permitted

#### 8.2 R1 Zone Provisions

### Section 18 Open Space (OS) Zone

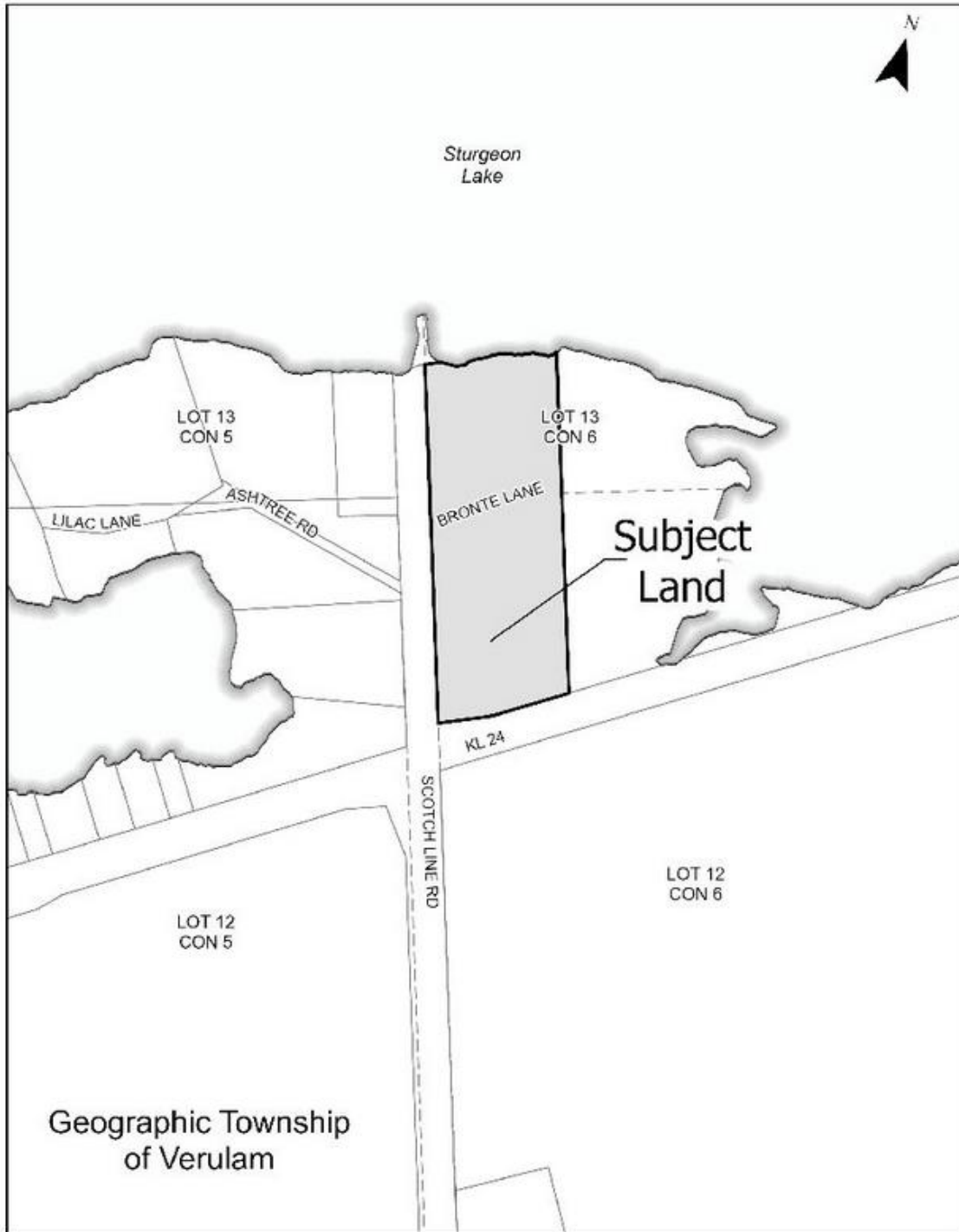
#### 18.1 OS Uses Permitted

#### 18.2 OS Zone Provisions

to

**LOCATION MAP**

# D20-2024-074





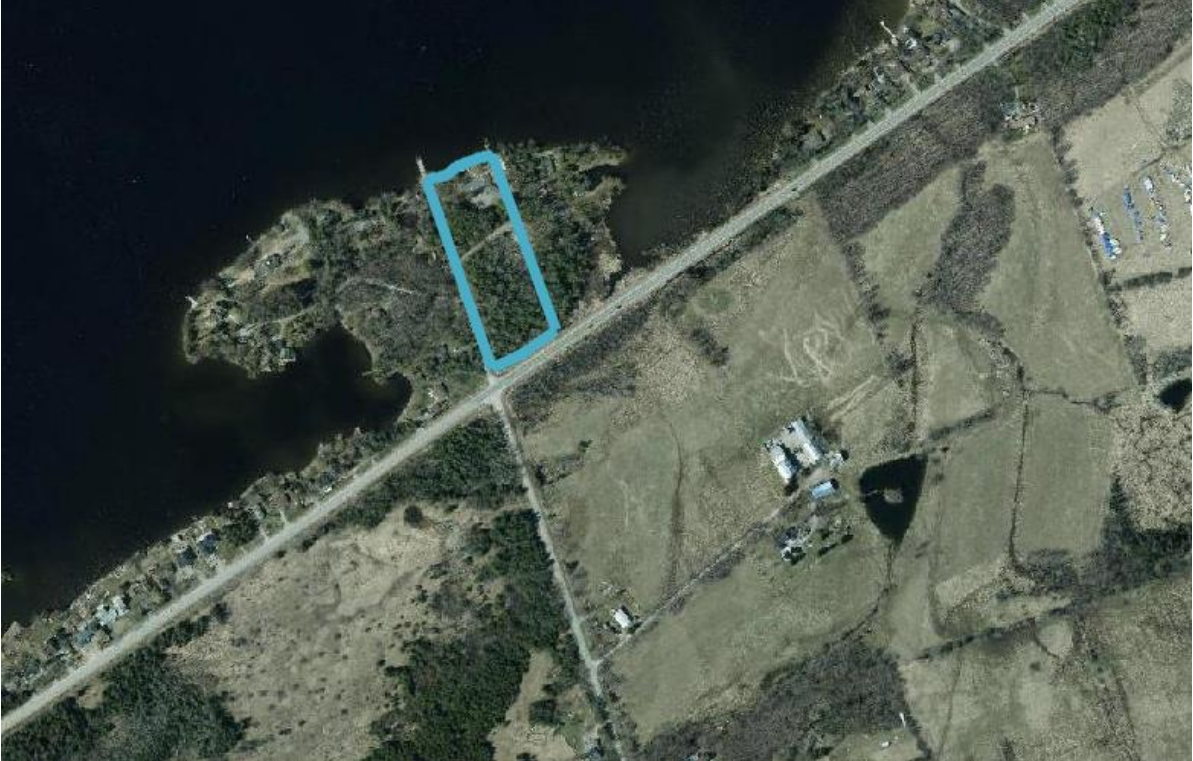
APPENDIX " B "

to

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**AERIAL PHOTO**



to

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**APPLICANT'S SKETCH**

