

# The Corporation of the City of Kawartha Lakes

## Committee of Adjustment Report – Worona

Report Number COA2025-004

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### Public Meeting

**Meeting Date:** January 30, 2025

**Time:** 1:00 pm

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

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### Ward 2 – Geographic Township of Somerville

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

#### Relief sought:

1. Section 18.1.3 b) of the Zoning By-law permits a maximum height for accessory structures of 5 metres; the proposed height is 7.5 metres.

The variance is requested at **115 Lakeside Drive** (File D20-2024-107).

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

**Signature:** 

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### Recommendations

**That** Report COA2025-004 – **Worona**, be received;

**That** minor variance application D20-2024-107 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 COA2025-004, 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; and,

- 3) **That** the shed identified in Appendix C be removed within a period of twenty-four (24) 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 (cofa@kawarthalakes.ca) and including the Secretary-Treasurer that the shed has been removed.

This approval pertains to the application as described in report COA2025-004. 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:	Susanne and Gregory Worona
Applicant:	Keji Planners and Builders c/o Joe McCool
Legal Description:	Part Lot 18 Concession 8 (being Lot 2 on Plan 478)
Official Plan <sup>1</sup> :	Waterfront and Specific Lake Policy Area 1 Four Mile Lake (City of Kawartha Lakes Official Plan, 2012)
Zone <sup>2</sup> :	Limited Service Residential (LSR) Zone (Township of Somerville Zoning By-law 78-45)
Site Size:	2,109 sq. m. (22,701.09 sq. ft.)
Site Access:	Unassumed municipal road
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 located in an area which contains residential and agricultural uses located on the southeastern shore of Four Mile Lake. The property is rectangular in shape and is a waterfront lot. It currently contains a single

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<sup>1</sup> See Schedule 1

<sup>2</sup> See Schedule 1

detached dwelling constructed in 1971 (according to Municipal Property Assessment Corporation) and three sheds, one of which is to be removed to facilitate the proposal. Condition 3 has been included to ensure the shed is removed. The purpose of the application is to construct a detached garage. The garage will provide additional storage space for seasonal items as well as covered vehicle parking. The additional height is needed to accommodate a second level storage loft.

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.

The subject property is also within the Four Mile Lake Specific Lake Policy Area. Single detached dwellings and associated accessory uses and structures are permitted within this policy area.

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 Somerville Zoning By-law 78-45. 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 18.1.3 b) of the Zoning By-law permits a maximum height for accessory structures of 5 metres. The proposed height of the garage is 7.5 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 proposed garage complies with the minimum front and interior side yard setbacks. Between the proposed garage and both the front and interior side lot lines there are stands of mature vegetation which provide visual screening from the road and from the abutting property. Additionally, the tall trees in this location could result in the garage 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 garage is to abut accessory buildings on the neighbouring property to the west, so impacts to neighbouring residential uses are not anticipated.

As per Section 18.1.2 d) of the Zoning By-law, a garage is permitted in the front yard on a property that fronts on a navigable waterway. Several properties in the immediate vicinity have garages in the front yard, so the proposal is in keeping with the existing built form. While the dwelling on the subject property is setback approximately 56.4 metres from the front lot line and is therefore minimally visible when viewing the property from the road, the dwelling is larger than the proposed garage and it is not anticipated the height of the garage will alter the character of 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 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 site visit was conducted to locate the existing sewage system serving the residential dwelling. The sewage system was observed adjacent to the dwelling in the roadside yard. The garage is proposed to be placed in the roadside yard within 7.92 metres of the property line. Measurements were completed for the garage and sewage system. The proposed garage location will ensure that the minimum required clearance distances to the sewage system can be maintained. Additionally, the garage construction will not include 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.

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

**Kawartha Region Conservation Authority:** “Kawartha Conservation has no concerns with the approval of Minor Variance Application D20-2024-107 to allow removal of the existing shed and the construction of a detached garage with a

height of  $\pm 7.5$  metres. A permit pursuant to Ontario Regulation 41/24 will not be required prior to any development on the subject property. Please note if karst formations are discovered on the property during construction, it is strongly recommended that all development activities be halted until a qualified professional has assessed and confirmed the stability of the bedrock, ensuring it is safe for continued development.”

**Public Comments:**

Comments were received from a neighbouring property owner citing concerns regarding the timing of the public notice, the proposed interior side yard setback, the height of the proposed garage, the potential for living space in the garage, distance from an overhead hydro line, and impact to property value.

No other 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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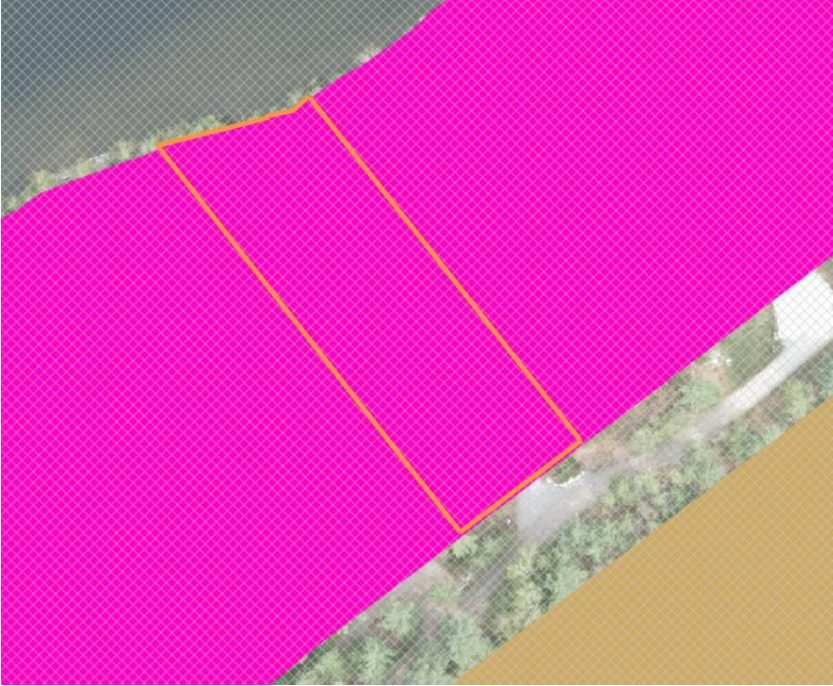
**Phone:** 705-324-9411 extension 1883  
**E-Mail:** kevans@kawarthalakes.ca  
**Department Head:** Leah Barrie, Director of Development Services  
**Division File:** D20-2024-107

## **Schedule 1**

### **Relevant Planning Policies and Provisions**

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#### **City of Kawartha Lakes Official Plan**



#### **20. Waterfront Designation**

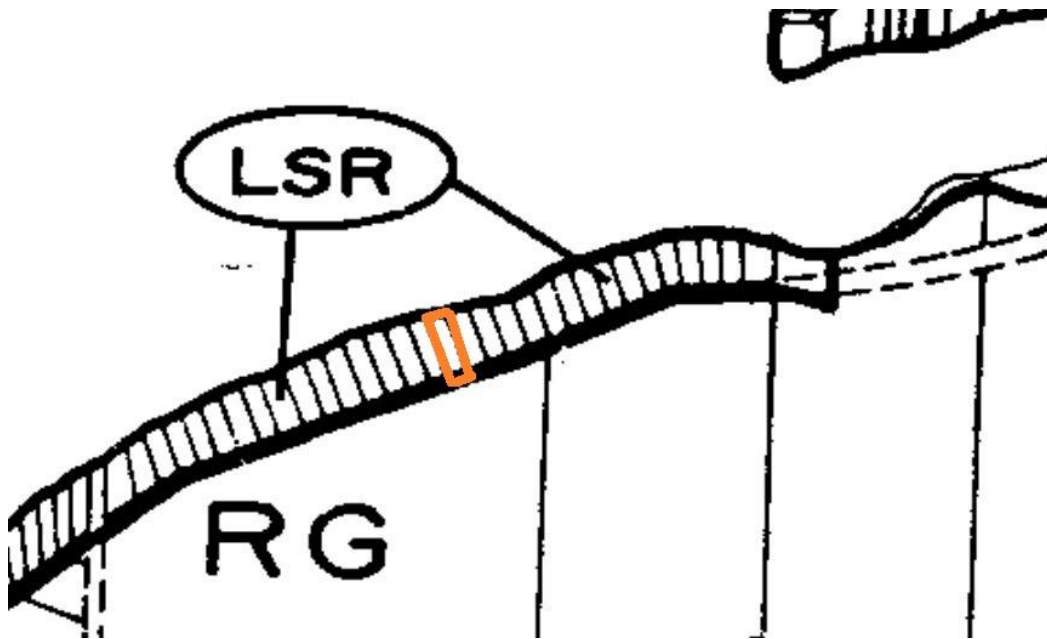
##### **31.3. Four Mile Lake – Specific Lake Policy Area**

##### **31.4. Four Mile Lake Objectives**

##### **31.5. Scope of Four Mile Lake Policies**

##### **31.6. Specific Policies**

## Township of Somerville Zoning By-law 78-45



### Section 5 Limited Service Residential

5.1 LSR Uses Permitted

5.2 LSR Zone Provisions

### Section 18 General Provisions

18.1 Accessory Buildings, Structures and Uses

18.1.3 Lot Coverage and Height

b. 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.

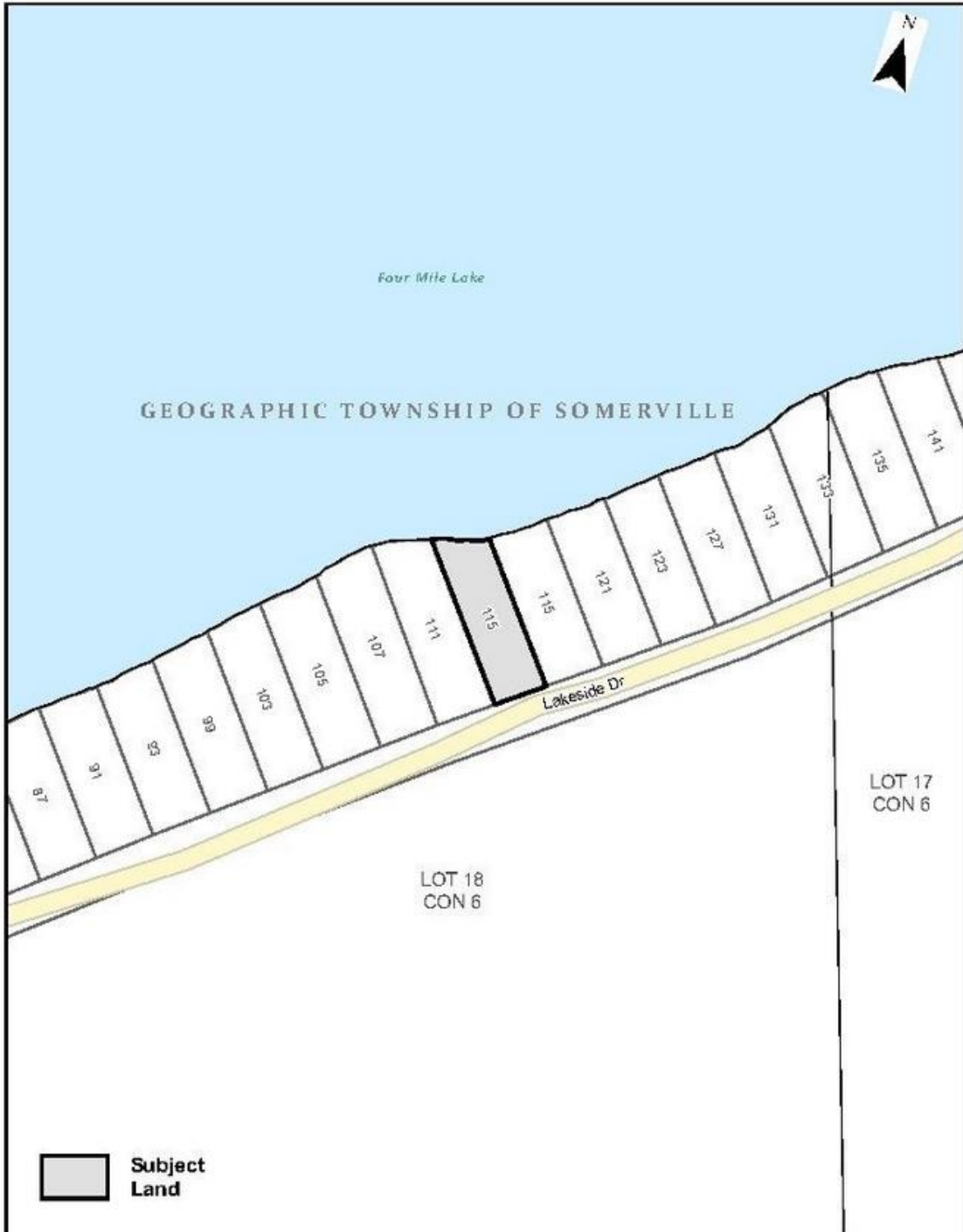
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REPORT COA2025-004

FILE NO: D20-2024-107

**LOCATION MAP**

# D20-2024-107





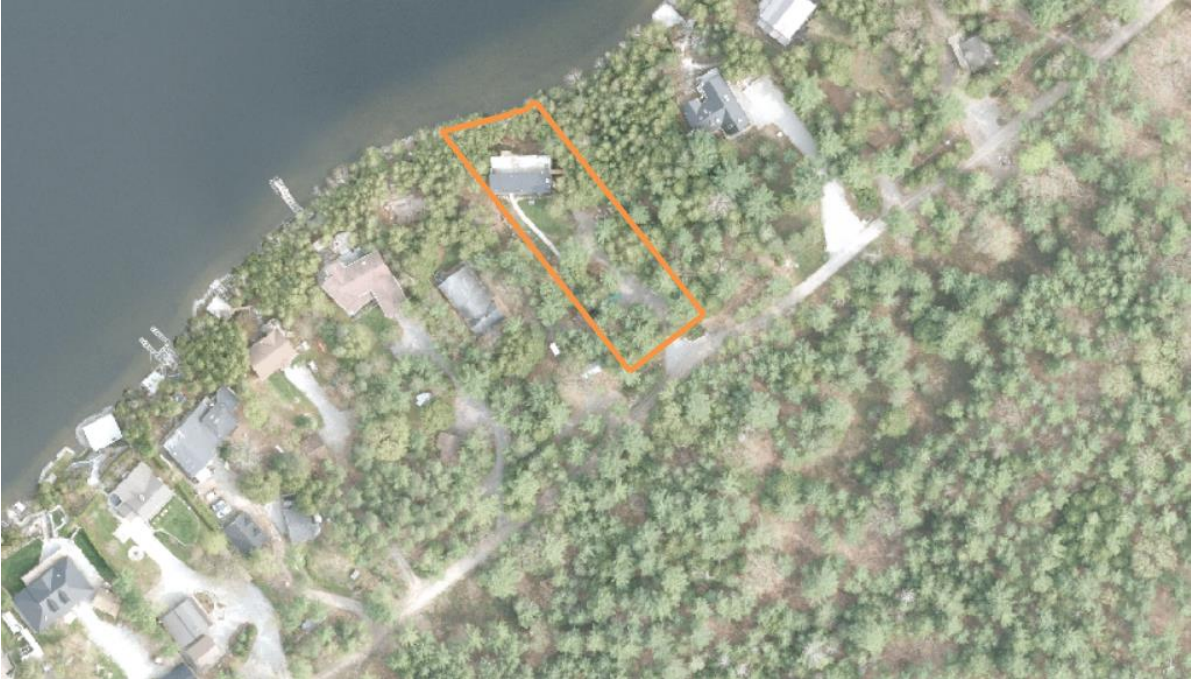
APPENDIX " B "

to

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**AERIAL PHOTO**

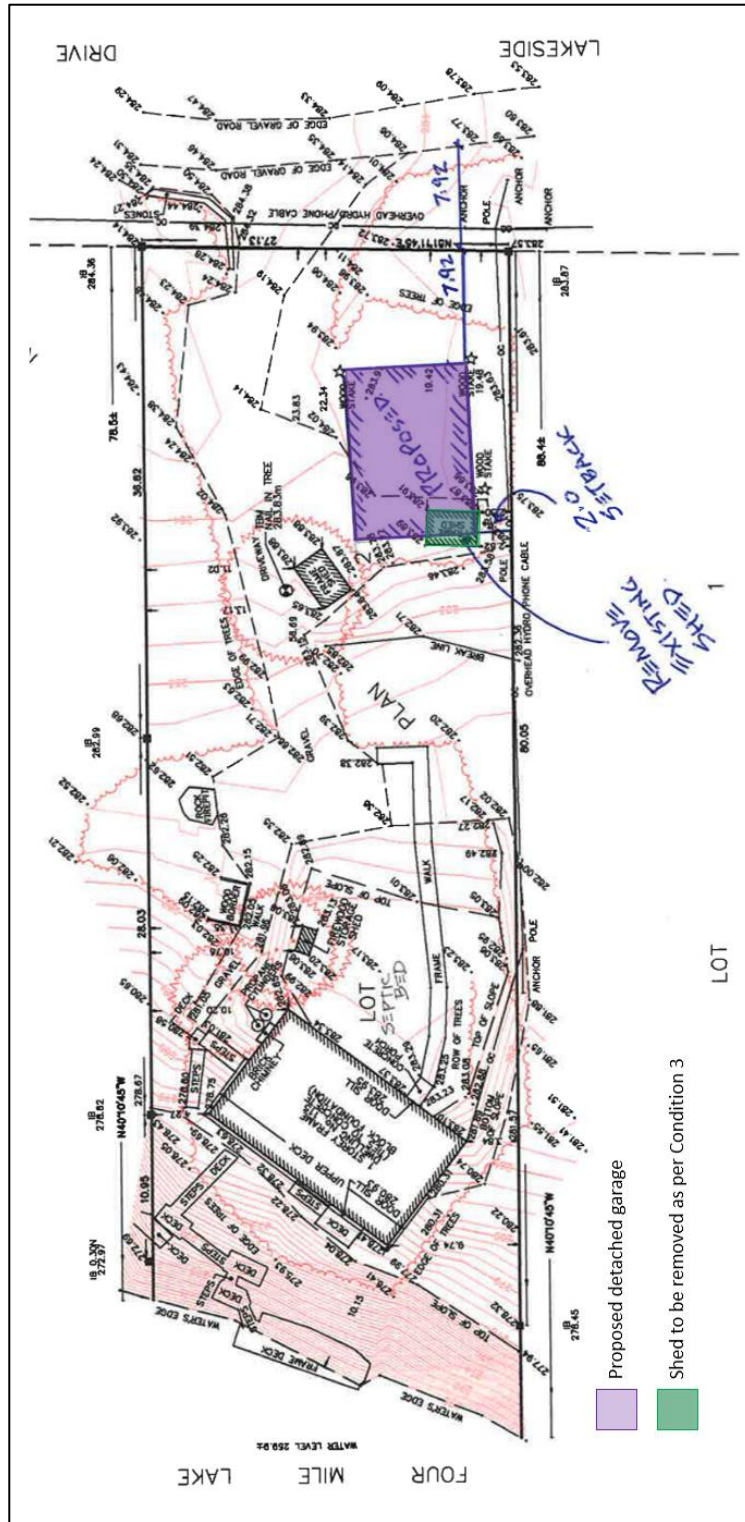


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APPLICANT'S SKETCH



to

**CONSTRUCTION DRAWINGS**

