

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

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

Schedule 1

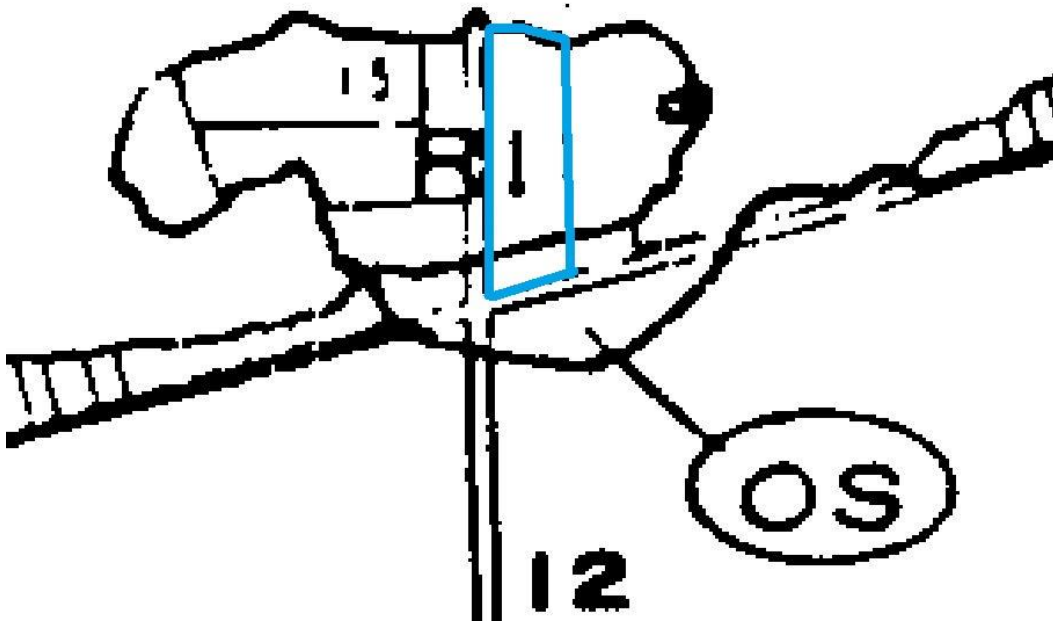
Relevant Planning Policies and Provisions

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



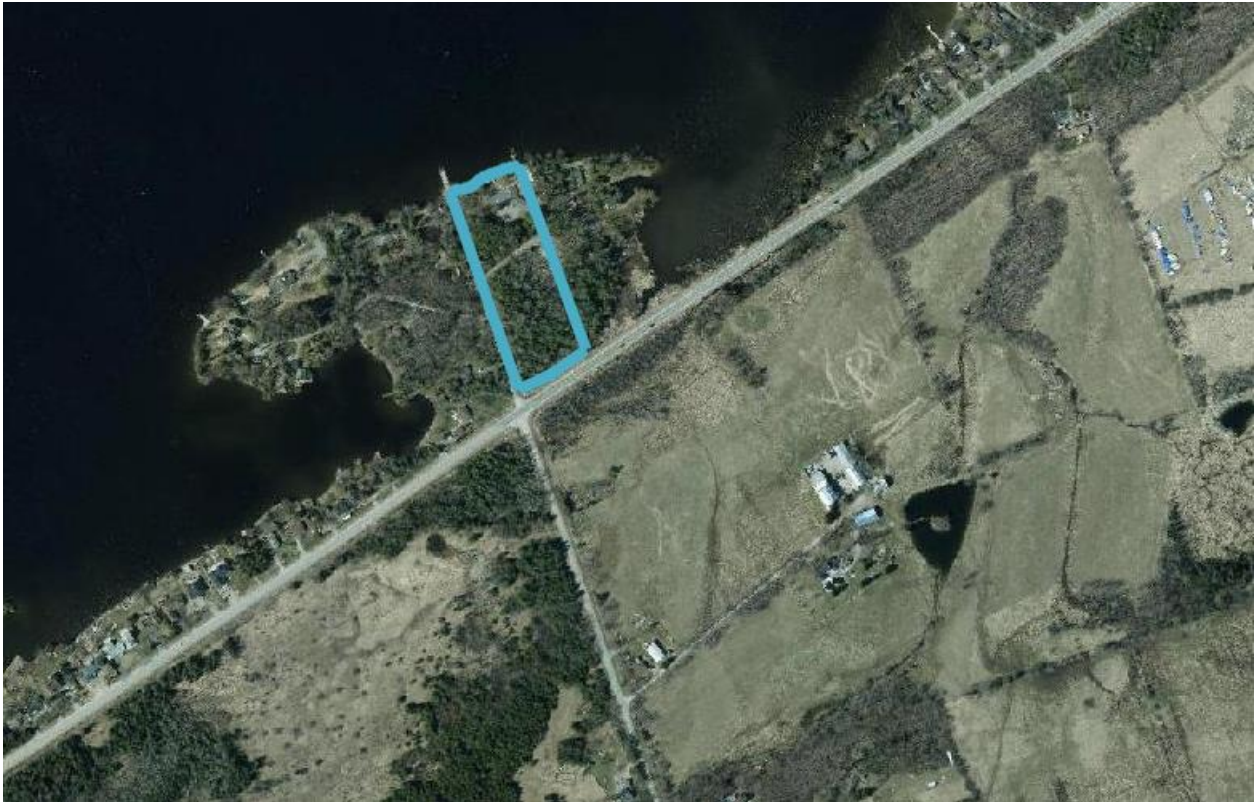
APPENDIX " B "

to

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AERIAL PHOTO

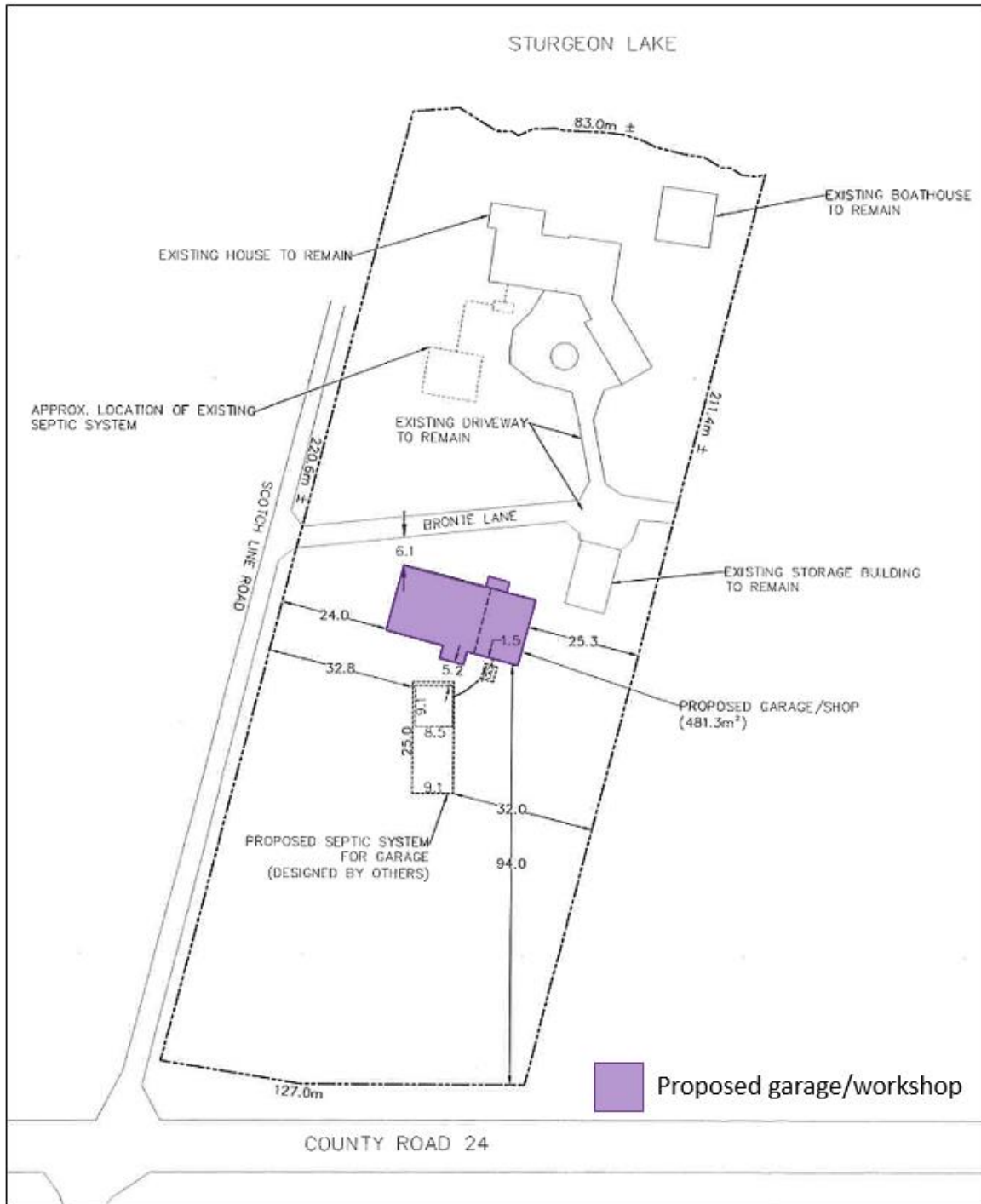


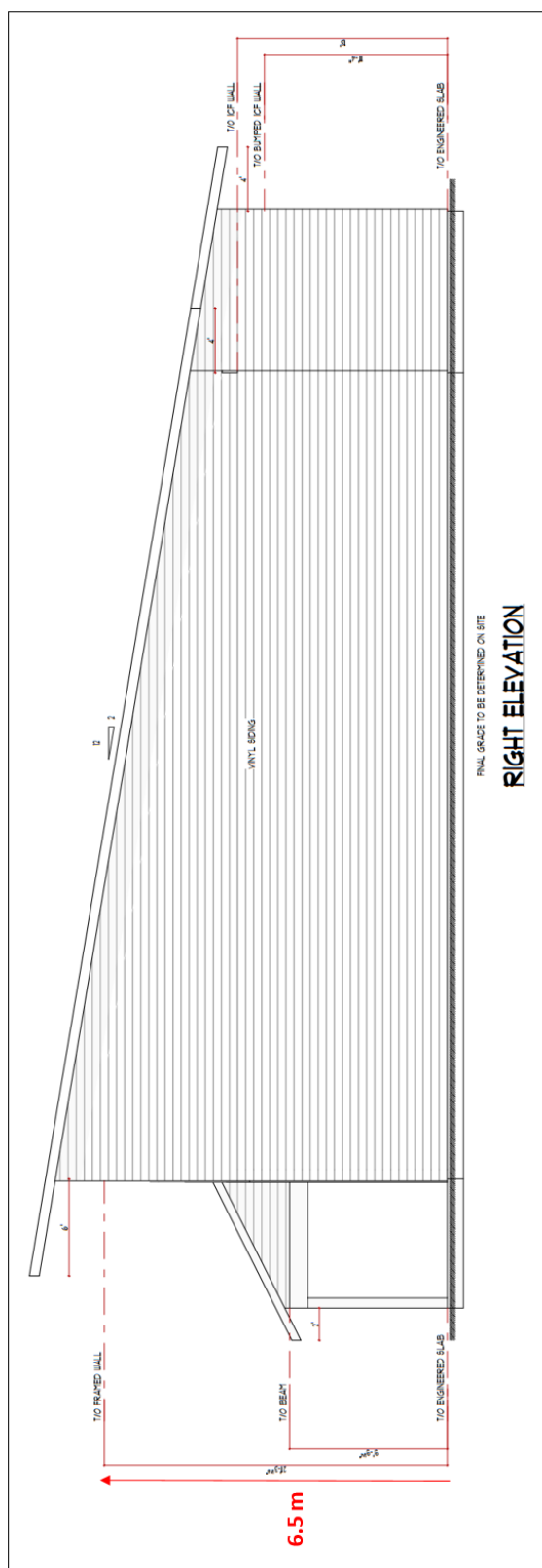
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APPLICANT'S SKETCH

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FLOOR PLAN

APPENDIX " E "

to

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