

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
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Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-013

Schedule 1

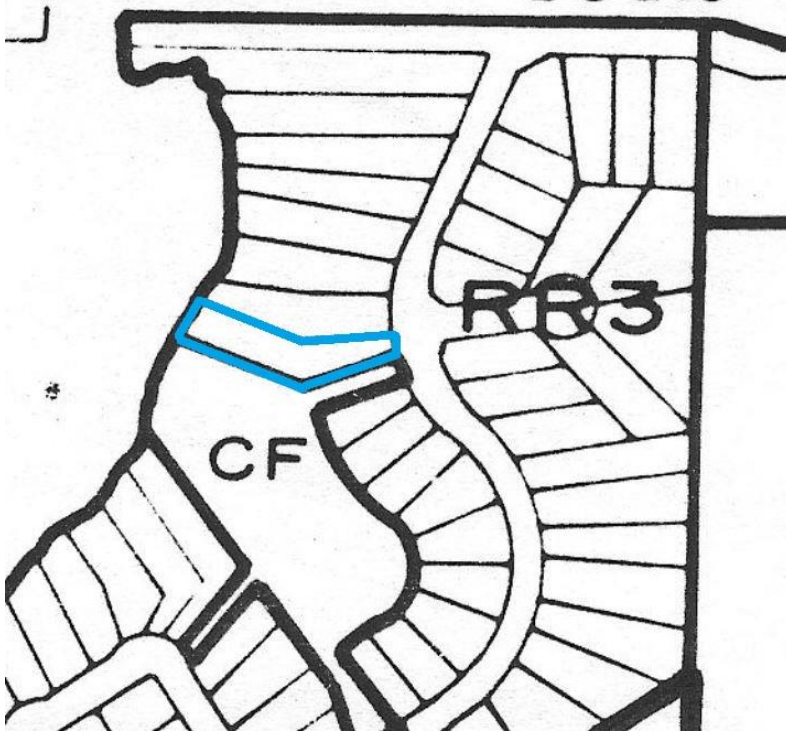
Relevant Planning Policies and Provisions

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.

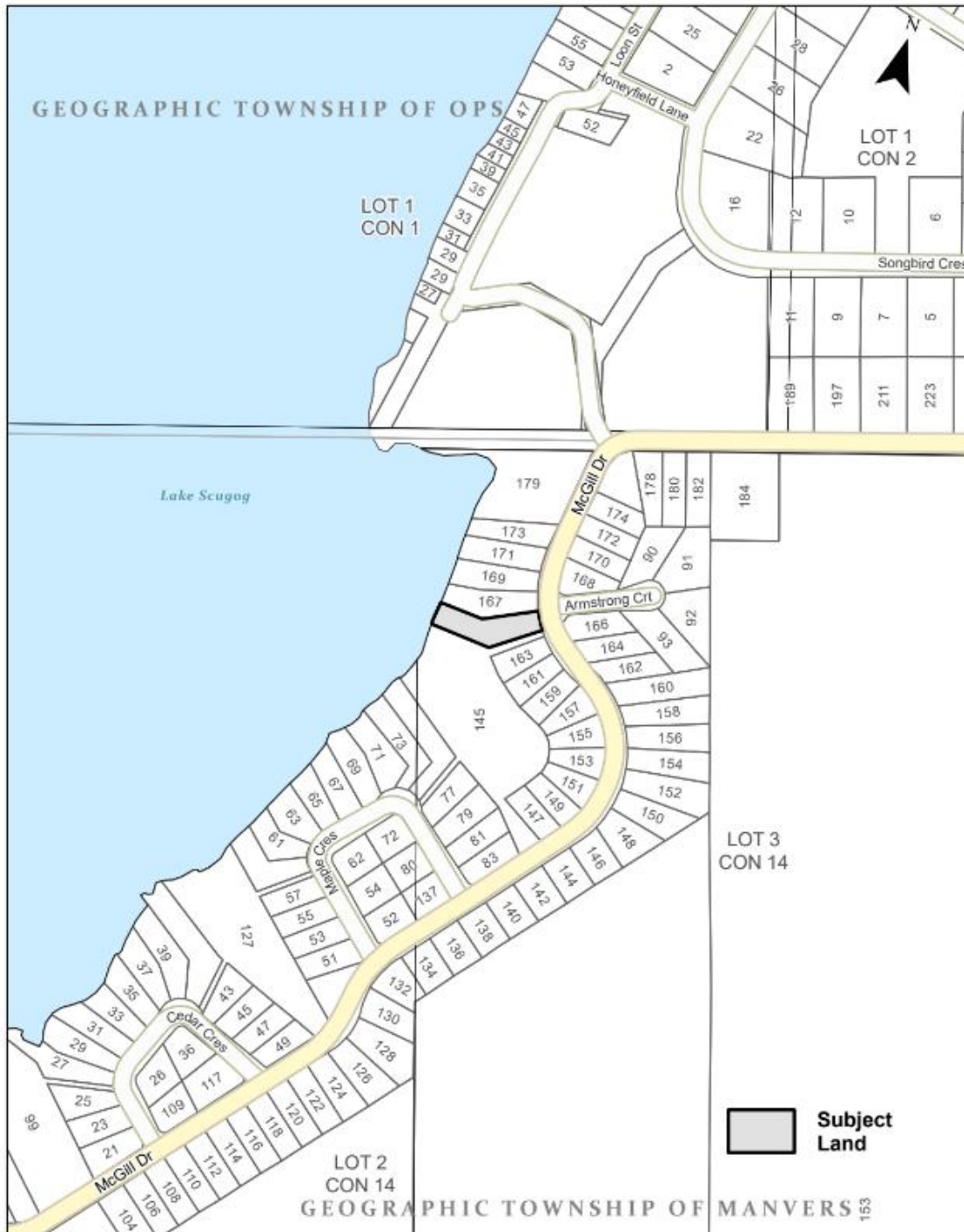
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LOCATION MAP

D20-2025-013



APPENDIX " B "

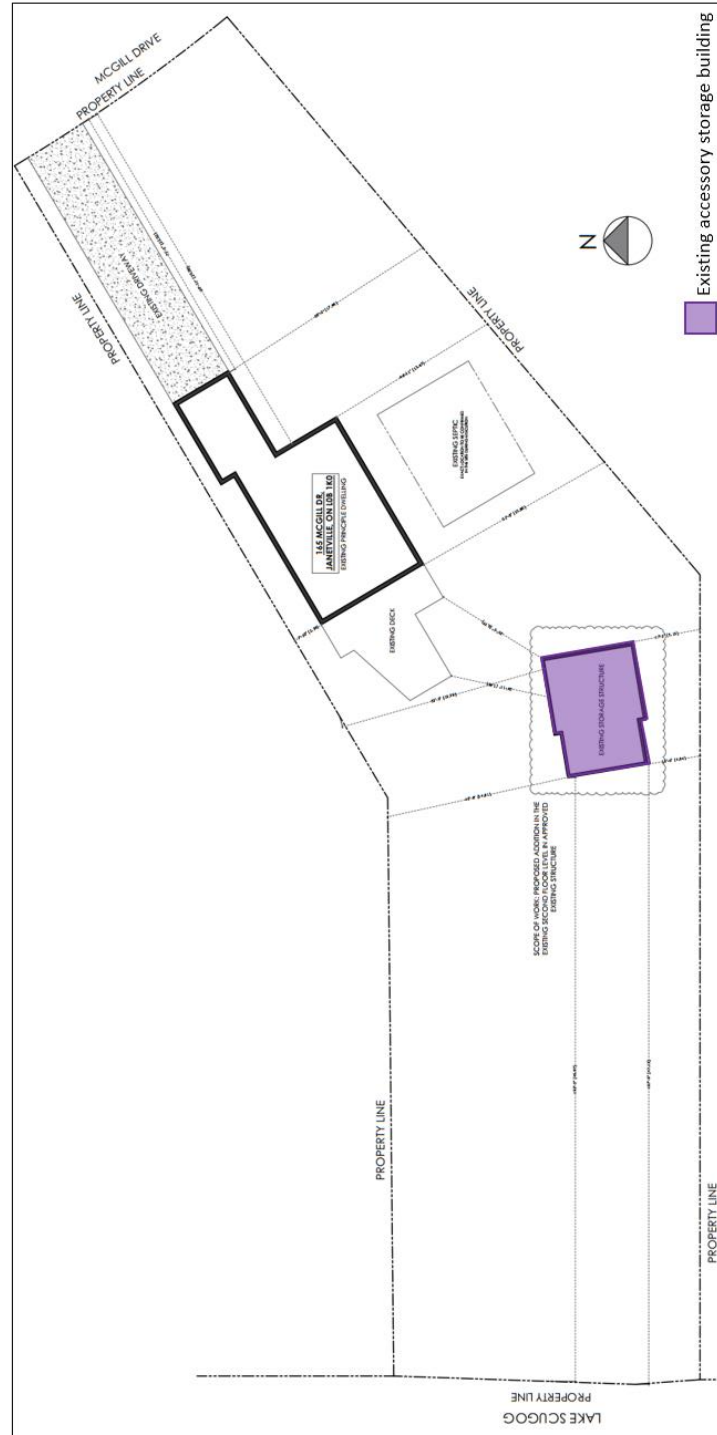
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AERIAL PHOTO





CONSTRUCTION DRAWINGS

APPENDIX “ D ”

to

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