

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Stamper
Report Number COA2025-037

Public Meeting

Meeting Date: April 23, 2025

Time: 1:00 pm

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

Ward 1 – Geographic Township of Bexley

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

Relief sought:

1. Section 3.1.3.2 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 **36 Maple Avenue** (File D20-2025-024).

Author: Katherine Evans, Acting Development Supervisor

Signature: 

Recommendations

That Report COA2025-037 – Stamper, be received;

That minor variance application D20-2025-024 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 COA2025-037, 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 COA2025-037. 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: | Andrew and Robin Stamper |
| Applicant: | Bobbi Leppington |
| Legal Description: | Part Lot A, Concession 4 (being Lot 102 and Part Lot 101 on Plan 187) |
| Official Plan ¹ : | Waterfront (City of Kawartha Lakes Official Plan, 2012) |
| Zone ² : | Rural Residential Type Three Exception One (RR3-1) Zone (Township of Bexley Zoning By-law 93-09) |
| Site Size: | 3,966 sq. m (42,689.67 sq. ft.) |
| Site Access: | Year round 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 within an established residential neighbourhood located on the southwestern shore of Balsam Lake. The property is irregular in shape and is a waterfront lot. The property contains a single detached dwelling constructed in 1949 (according to Municipal Property Assessment Corporation), a gazebo, and a shed.

The proposal is to construct a detached garage. The garage will provide enclosed parking space for vehicles as well as storage space for the property owners'

¹ See Schedule 1

² See Schedule 1

belongings. The purpose of the increased height is to allow for additional headspace on the second storey, which is to be used for storage purposes.

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 subject 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 in the Waterfront 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 Exception One (RR3-1) Zone under the Township of Bexley Zoning By-law 93-09. A single detached dwelling as well as accessory buildings and structures are permitted within this zone. The exception zone requires a site specific front and interior side yard setback for the main building, as well as a site specific height maximum for boathouses. The proposal complies with all provisions of the Zoning By-law with the exception of the maximum height for accessory structures.

Section 3.1.3.2 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.

As per Section 3.1.2.3 of the Zoning By-law, a garage is permitted in the front yard on a property that fronts on a navigable waterway, such as the subject property. The proposed garage is to be located towards the centre of the property, approximately 29.1 metres from the front lot line and 21.8 metres and 12.1 metres from the interior lot lines. Additionally, the property is heavily vegetated. Therefore, the proposed garage will be minimally visible from the road and neighbouring properties. Massing issues 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:

Engineering and Corporate Assets Division: “We have no objection to or comment for this proposed application.”

Building and Septic Division (Building): “No concerns.”

Building and Septic Division (Septic): “A review of the placement of the garage was conducted. It has been confirmed that the garage will be placed to ensure the required minimum clearance distances from the sewage system are maintained. Additionally, the detached garage will not contain any plumbing fixtures or habitable space. Lastly, there is adequate space to replace the sewage system, should the current system malfunction or fail. As such, the Building and Septic Division have 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 |
| E-Mail: | kevans@kawarthalakes.ca |
| Department Head: | Leah Barrie, Director of Development Services |
| Division File: | D20-2025-024 |

Schedule 1

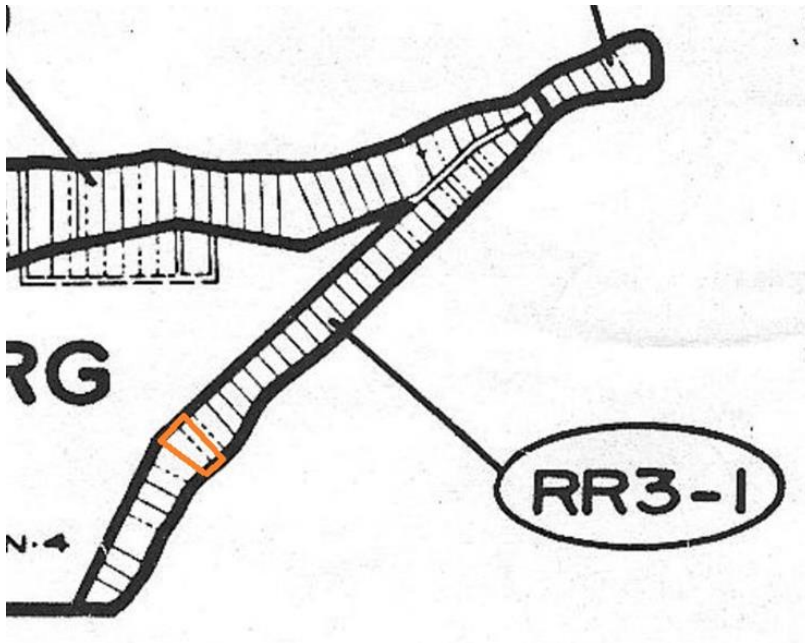
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



20. Waterfront Designation

Township of Bexley Zoning By-law 93-09



Part 3 General Provisions

3.1 Accessory Buildings, Structures and Uses

3.1.3 Lot Coverage and Height

3.1.3.2 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.

Part 12 Rural Residential Type Three (RR3) Zone

12.1 Uses Permitted

12.2 Zone Provisions

12.3 Rural Residential Type Three Exception Zones

12.3.1 Rural Residential Type Three Exception One (RR3-1) Zone

Notwithstanding subsection 12.2.1, articles 12.2.1.3 (a) and (b), land zoned "RR3-1" shall be subject to the following zone provisions:

(a) Minimum Front Yard 15 m

(b) Minimum side yard shall be 3 metres on each side, plus 1 metre on each side for each additional or partial storey above the first.

12.3.1.2 Notwithstanding article 3.1.3.2, on land zoned "RR3-1" the maximum height of all boat houses shall mean the vertical distance on a building or structure measured between the maintained summer water level and the top of the roof and the maximum height shall be 4 metres.

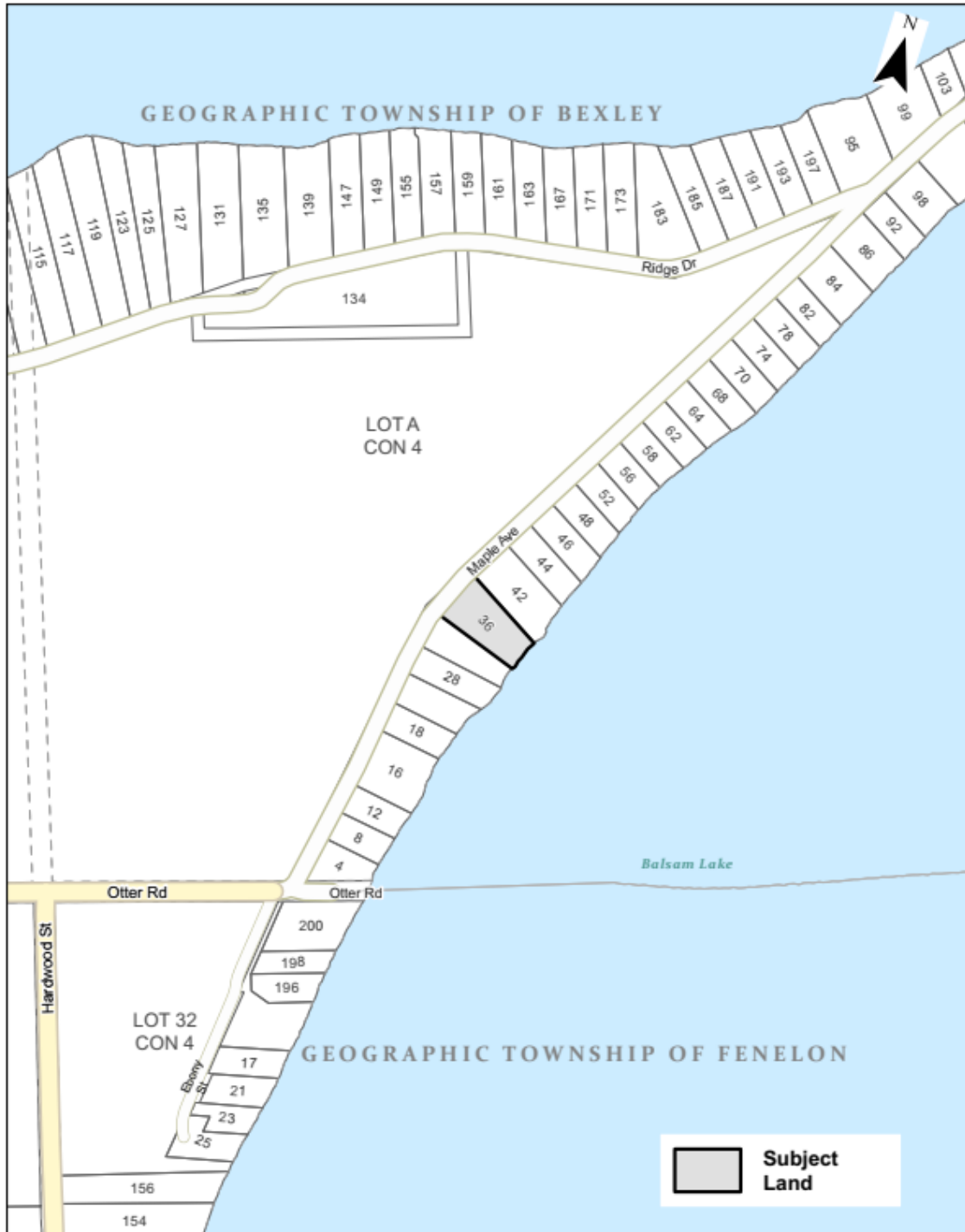
to

REPORT COA2025-037

FILE NO: D20-2025-024

LOCATION MAP

D20-2025-024



to

REPORT COA2025-037

FILE NO: D20-2025-024

AERIAL PHOTO

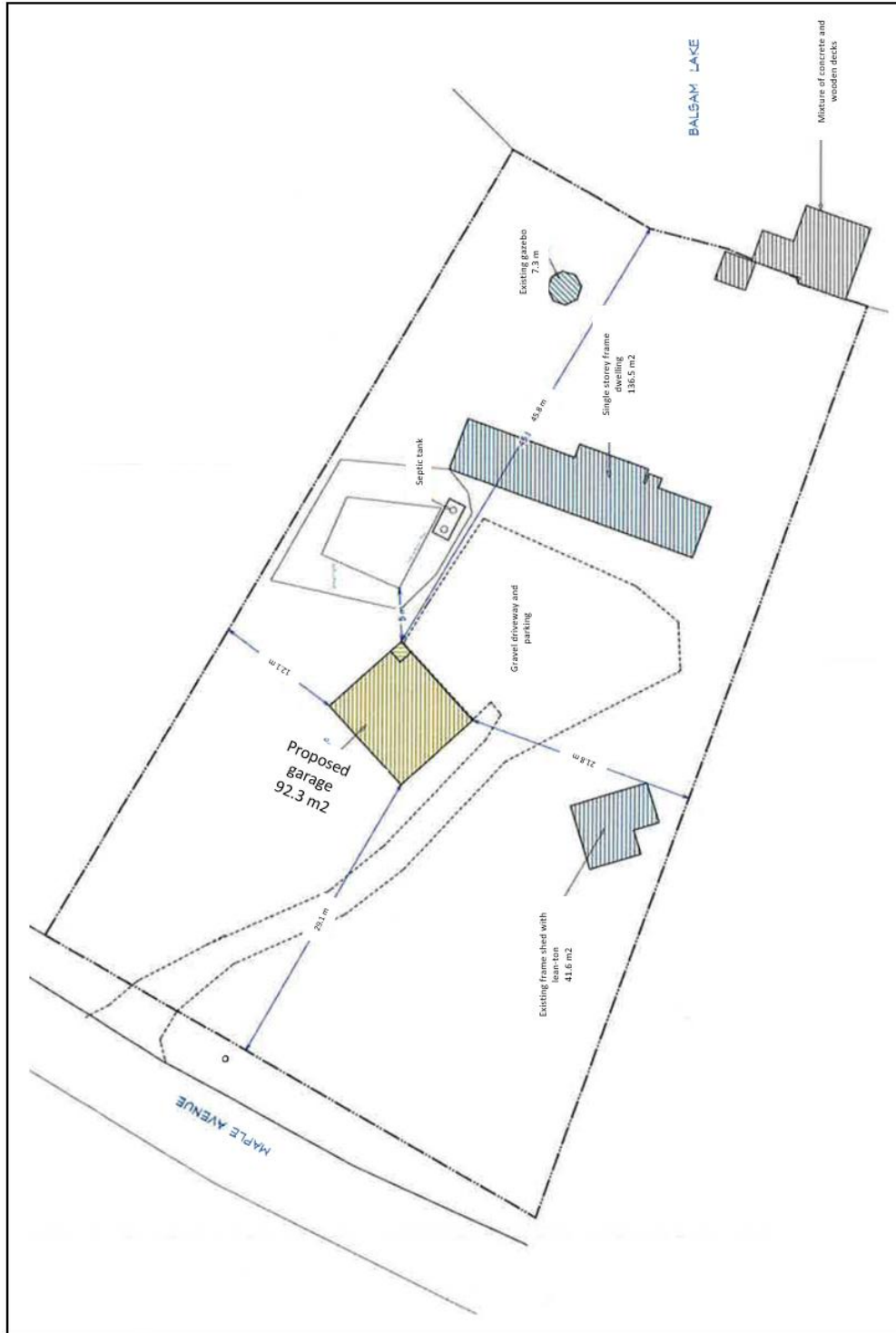


to

REPORT COA2025-037

FILE NO: D20-2025-024

APPLICANT'S SKETCH



CONSTRUCTION DRAWINGS

APPENDIX " D "
to
REPORT COA2025-037
FILE NO: D20-2025-024

