

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Watson
Report Number COA2025-038

Public Meeting

Meeting Date: April 23, 2025

Time: 1:00 pm

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

Ward 6 – Geographic Township of Emily

Subject: The purpose and effect is to recognize several residential accessory structures for the purpose of obtaining building permits

Relief sought:

1. Section 3.1.2.1 of the Zoning By-law permits accessory structures in the interior side or rear yard; as per the Sketch the following residential accessory structures are located in the front yard: Shed 1, Shed 2, the truck trailer, the pool, and the pool deck;
2. Section 3.1.2.2 provides that the front yard setback for an accessory structure is the front yard setback required under the applicable zone, being the Agricultural (A1) Zone. Section 7.2.1.3 a) of the Zoning By-law requires a minimum front yard setback of 30 metres; the existing setbacks are 7.9 metres for Shed 1, 7.4 metres for Shed 2, 6.8 metres for the truck trailer, 10.9 metres for the pool, and 9.4 metres for the pool deck.

The variance is requested at **1394 Pigeon Lake Road** (File D20-2025-025).

Author: Katherine Evans, Acting Development Supervisor

Signature: 

Recommendations

That Report COA2025-038 – **Watson**, be received;

That minor variance application D20-2025-025 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 COA2025-038, 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 eight (8) 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 COA2025-038. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	To recognize several residential accessory structures for the purpose of obtaining building permits
Owners:	Linda Watson
Applicant:	Glenn Wilcox
Legal Description:	Part Lot 13, Concession 10
Official Plan ¹ :	Rural and Environmental Protection (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Agricultural (A1) Zone (Township of Emily Zoning By-law 1996-30)
Site Size:	39 ha (96.25 ac)
Site Access:	Year round municipal road
Site Servicing:	Private individual well and septic system
Existing Uses:	Residential and agricultural
Adjacent Uses:	Residential, agricultural, and community facility

¹ See Schedule 1

² See Schedule 1

Rationale

The variance is desirable for the appropriate development or use of the land, building or structure.

The subject property is located at the southeast corner of the intersection of Pigeon Lake Road and Centreline Road. The area contains residential and agricultural uses, and the property is across Centreline Road from Kawartha Lakes Fire Rescue Service Emily Station 6. The property currently contains a single detached dwelling constructed in 1984 (according to Municipal Property Assessment Corporation), two sheds, a truck trailer, a pool, a pool deck, and several buildings associated with the kennel business that operates on the property.

The purpose of the application is to recognize several residential accessory structures for the purpose of obtaining building permits. The buildings and structures that are the subjects of this application are the sheds (labelled as Shed 1 and Shed 2 on Appendix C), the truck trailer, the pool, and the pool deck. These structures are accessory to the residential use on the property, and are used for storage by the property owners and the pool provides opportunity for outdoor recreation. The area contains a mix of properties used for residential uses only, and properties used for both residential and agricultural purposes. As such, residential accessory structures exist in the area and the existing structures on the subject property are not out of character with the surrounding land uses.

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 Rural and Environmental Protection under the City of Kawartha Lakes Official Plan, 2012. The Environmental Protection designation follows a watercourse that goes through the middle of the property west to east. The subject accessory structures are wholly within the Rural designation, which permits agricultural and residential uses including buildings and structures accessory to residential uses. 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 Agricultural (A1) Zone under the Township of Emily Zoning By-law 1996-30. A single detached dwelling, buildings and structures accessory to residential uses, agricultural uses, and kennels are permitted within this zone. The proposal complies with all provisions of the Zoning By-law with the exception of permitted accessory structure location and minimum front yard setback.

Section 3.1.2.1 of the Zoning By-law permits accessory structures in the interior side or rear yard. As per the Sketch in Appendix C the following residential accessory structures are located in the front yard: Shed 1, Shed 2, the truck trailer, the pool, and the pool deck. 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.

The dwelling on the subject property was constructed in 1984 approximately 13.4 metres from the front lot line. The area behind the dwelling, being the rear yard, contains several buildings and a parking area dedicated to the kennel business that operates on the property. The buildings that are the subject of this minor variance are accessory to the residential use (the dwelling) and are therefore logically located in close proximity to the dwelling. Additionally, their location provides separation between the home and the commercial kennel. The property owners can store their personal items in a secure location away from the publically accessible portion of the property. Additionally, the location of the pool and pool deck provides privacy.

The subject property is 39 hectares in size. Ample amenity space is maintained. Additionally, there is a stand of mature vegetation which provides a visual buffer between the road and the location of the accessory structures. The location of the accessory structures does not change the overall rural character of the property and does not conflict with surrounding land uses.

Section 3.1.2.2 provides that the front yard setback for an accessory structure is the front yard setback required under the applicable zone, being the Agricultural (A1) Zone. Section 7.2.1.3 a) of the Zoning By-law requires a minimum front yard setback of 30 metres. The existing setbacks are 7.9 metres for Shed 1, 7.4 metres for Shed 2, 6.8 metres for the truck trailer, 10.9 metres for the pool, and 9.4 metres for the pool deck. The intent of the minimum front yard setback is to ensure adequate spatial separation between built form and the travelled portion of the street and to maintain features such as sight lines and the character of the streetscape.

Due to the stand of vegetation, the accessory structures are minimally visible from the road and do not impact the character of the streetscape. There is an approximately 10-metre-wide shoulder between the travelled portion of the road and the front lot line, which provides a physical buffer between vehicles passing by and the accessory structures. There is no impact to sight lines or the flow of traffic.

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:

When the minor variance was circulated to the public, it was identified that relief was needed for the maximum lot coverage for accessory structures. However, after the circulation was completed further details about the size of the existing pool were provided by the applicant, and it was determined that the proposal complies with the maximum accessory structure lot coverage provision, as the Zoning By-law does not include outdoor pools in the calculation of lot coverage.

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.”

Public Comments:

No comments received as of the writing of the staff report.

Attachments

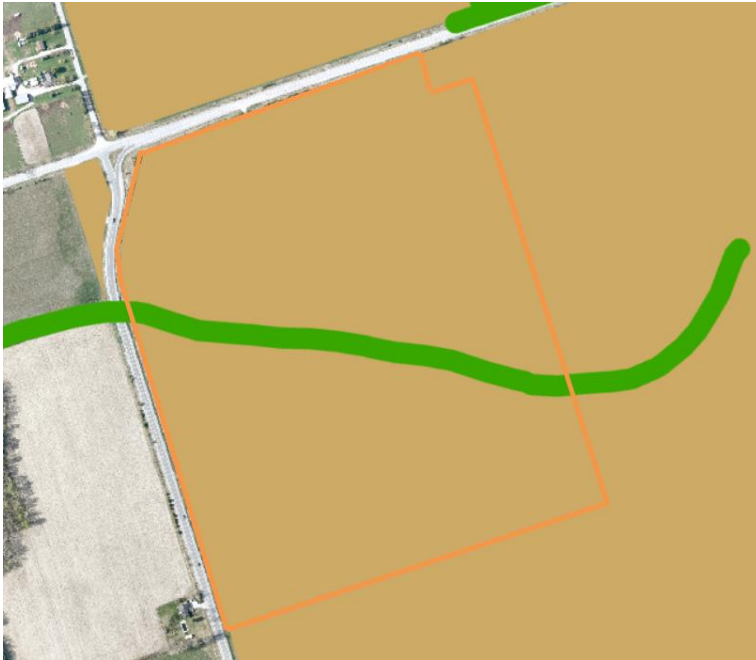
Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant’s Sketch

Phone:	705-324-9411 extension 1883
E-Mail:	kevans@kawarthalakes.ca
Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-025

Schedule 1

Relevant Planning Policies and Provisions

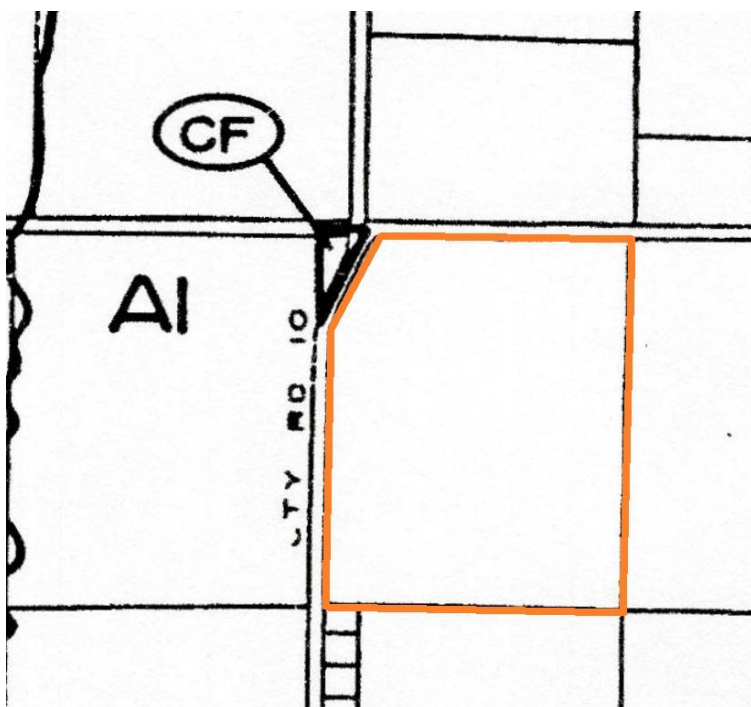
City of Kawartha Lakes Official Plan



16. Rural Designation

17. Environmental Protection Designation

Township of Emily Zoning By-law 1996-30



Section 3 General Provisions

3.1 Accessory Buildings, Structures and Uses

3.1.2 Location

3.1.2.1 Except as otherwise provided herein or within a specific zone, any accessory building which is not part of the main building shall only be erected in an interior side or rear yard.

3.1.2.2 An accessory building may be erected not closer than 1.0 metre from a rear lot line and 1.0 metre from the side lot line nor closer to a street than the required front yard setback for the zone in which it is located and shall not be closer than 2 metres to a residential building located on the same lot.

Section 7 Agricultural (A1) Zone

7.1 Uses Permitted

7.2 Zone Provisions

7.2.1.3 Yard Requirements (min.)

- a) front 30 m

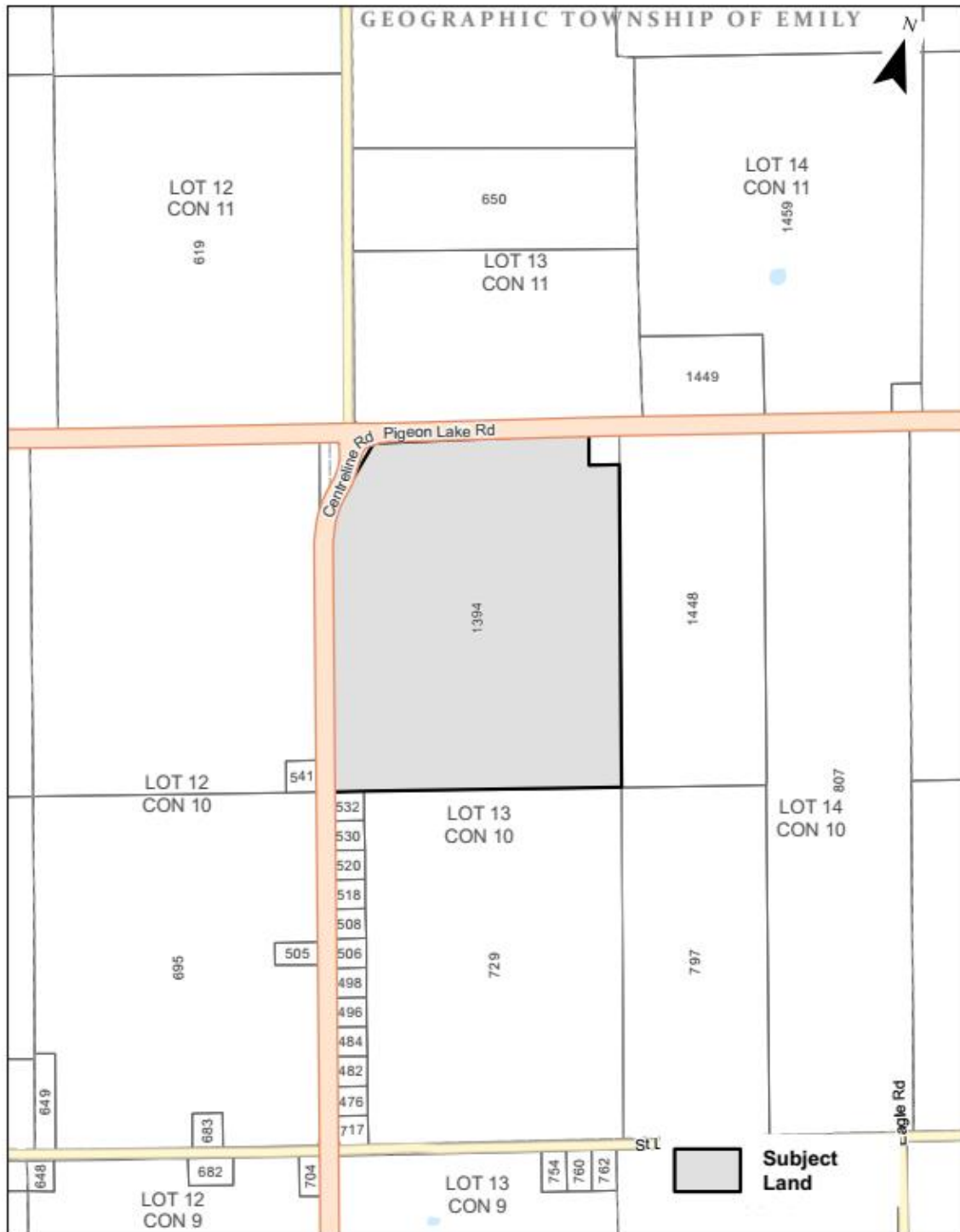
to

REPORT COA2025-038

FILE NO: D20-2025-025

LOCATION MAP

D20-2025-025



APPENDIX " B "

to

REPORT COA2025-038

FILE NO: D20-2025-025

AERIAL PHOTO



to

REPORT COA2025-038

FILE NO: D20-2025-025

APPLICANT'S SKETCH

