

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report –Yuen
Report Number COA2025-039

Public Meeting

Meeting Date: April 23, 2024

Time: 1:00 pm

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

Ward 6 – Geographic Township of Fenelon

Subject: The purpose and effect is to recognize an existing carport for the purpose of obtaining a building permit.

Relief sought:

1. Section 3.1.2.1 of the Zoning By-law permits accessory buildings which are not part of the main building to be erected in an interior side or rear yard; the existing car port is located in the front yard.

The variance is requested at **319 Snug Harbour Road** (File D20-2025-026).

Author: Ahmad Shahid, Planner II

Signature:



Recommendations

That Report COA2025-039 –Yuen, be received;

That minor variance application D20-2025-026 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

- 1) **That** this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-039, which shall be attached to and form part of the Committee's Decision; and,
- 2) **That** this approval shall be in effect 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 COA2025-039. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	To permit an existing carport in the front yard.
Owners:	Stella Yuen
Applicant:	TD Consulting Inc.
Legal Description:	Concession 8 East Part Lot 5
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Rural Residential Type Three (RR3) Zone (Township of Fenelon Zoning By-law 12-95)
Site Size:	2,144.8 sq. m. (23,086.4 sq. ft.)
Site Access:	Public Year-Round Maintained Road
Site Servicing:	Private Individual Well and Septic
Existing Uses:	Residential
Adjacent Uses:	Residential

Rationale

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

The subject property is situated on the shoreline of Sturgeon Lake with access from Snug Harbour Road. The property is within an established residential neighbourhood and currently contains a single storey dwelling which was constructed in 1962 (according to Municipal Property Assessment Corporation) and a boathouse.

The proposal is to permit an existing carport in the front yard. This will provide protection for a maximum of two vehicles and is consistent with the surrounding properties as neighbouring properties also feature garages/carports in their front yards. The property slopes downward toward the lake, making a carport located in the rear or side yard less accessible and practical for vehicle storage.

¹ See Schedule 1

² See Schedule 1

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 (RR3) Zone under the Township of Fenelon Zoning By-law 12-95. The RR3 Zone permits a single detached dwelling, a vacation dwelling, a public park, a home occupation, and related accessory uses. The proposal complies with all provisions of the Zoning By-law with the exception of the permitted location for accessory buildings and structures.

Section 3.1.2.1 of the Zoning By-law requires accessory structures which are not part of the main building to be erected in only the interior side or rear yard. The proposed carport is located in the front yard. The intent of limiting accessory structures to the side or rear yards helps to keep these structures in less visible areas, preserves front yard amenity space, and supports a cohesive streetscape in keeping with surrounding properties.

In many waterfront communities, it is common for accessory structures that are associated with vehicle storage to be placed in the front yard to provide direct access from the driveway. For instance, the neighbouring properties also contain structures within their front yards which will ensure that this proposal supports a consistent streetscape. Furthermore, placing the carport in the rear or side yard could create conflicts with the water setback and interior side yard setback requirements.

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:

DS – Building and Septic (Building): “This is an enforcement file. No concerns otherwise.”

DS – Building and Septic Division (Septic): “A sewage system review was conducted for the construction completed on the property. During the site visit, the sewage system was located. It was observed that the carport did not encroach within the required minimum clearance distances to the sewage system. Nor would the construction pose a concern for the overall performance of the system. As such, the Building and Septic Division have no concerns with the minor variance as it relates to private on-site sewage disposal.”

ECA – Development Engineering: “From a Development engineering perspective, we have no objection to or comment for this proposed 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

Phone:	705-324-9411 extension 1367
E-Mail:	ashahid@kawarthalakes.ca
Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-026

Schedule 1

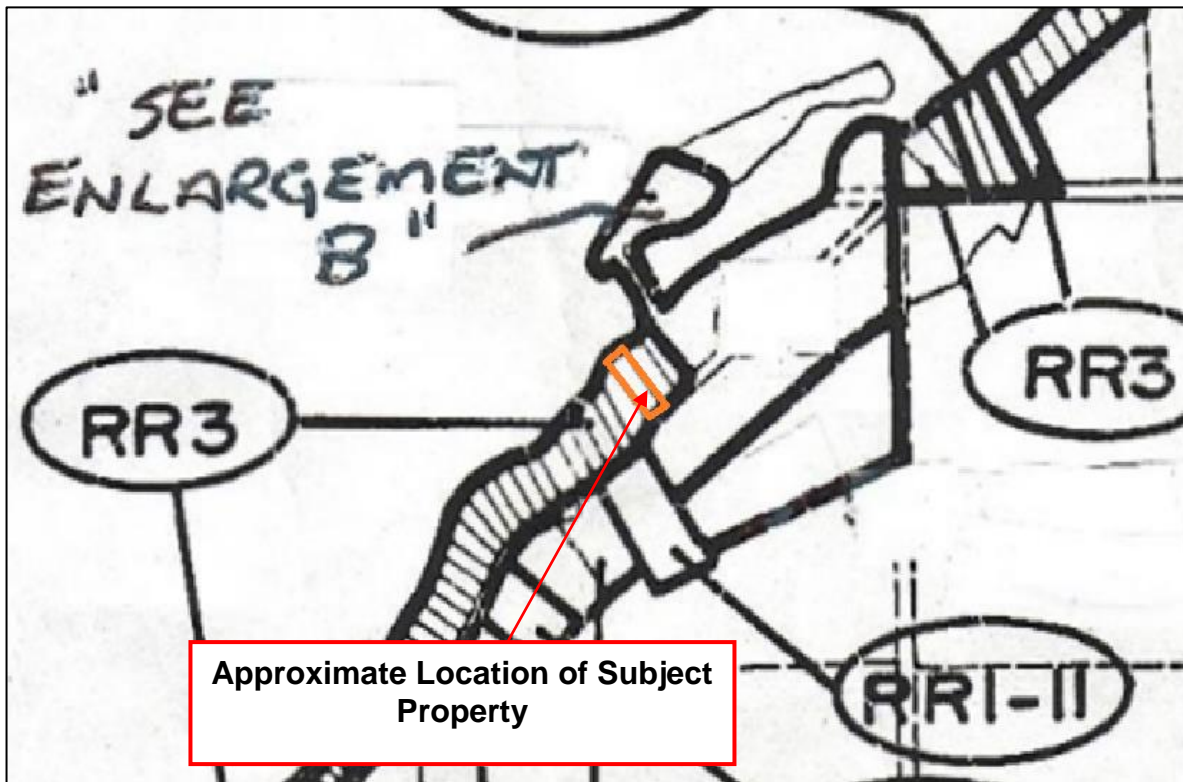
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



Section 20. Waterfront Designation

Township of Fenelon Zoning By-law 12-95



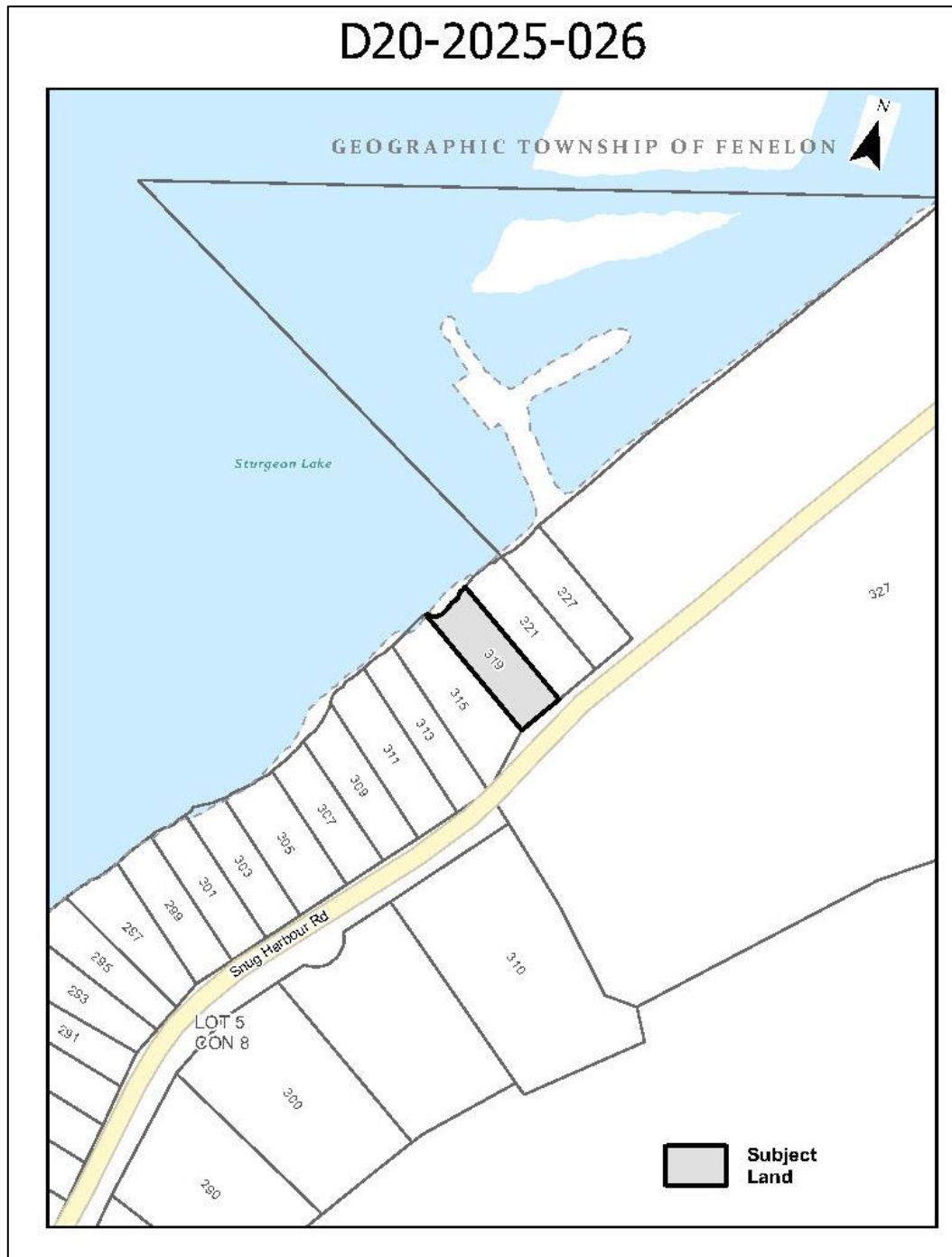
Section 3. General Provisions

to

REPORT COA2025-039

FILE NO: D20-2025-026

LOCATION MAP



APPENDIX " B "

to

REPORT COA2025-039

FILE NO: D20-2025-026

AERIAL PHOTO



to

REPORT COA2025-039

FILE NO: D20-2025-026

APPLICANT'S SKETCH

