

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Spence**  
Report Number COA2025-041

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**Public Meeting**

**Meeting Date:** April 23, 2025  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward 3 – Former Village of Fenelon Falls**

**Subject:** The purpose and effect is to facilitate the construction of an addition onto an existing detached garage/workshop.

**Relief sought:**

1. Section 4.3.3 c) i) of the Zoning By-law requires a minimum front yard setback of 7.6 metres; the proposed setback is 6.1 metres;
2. Section 4.3.3 f) of the Zoning By-law requires a minimum setback from the street centreline of 17.6 metres; the proposed setback is 16.1 metres; and,
3. Section 5.1.4 of the Zoning By-law permits a maximum lot coverage for accessory structures of 5%; the proposed lot coverage is 8.7%.

The variance is requested at **20 River Drive** (File D20-2025-028).

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**Author:** Katherine Evans, Acting Development Supervisor

**Signature:** 

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**Recommendations**

**That** Report COA2025-041 – **Spence**, be received;

**That** minor variance application D20-2025-028 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 COA2025-041, 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 COA2025-041. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

## Application Summary

Proposal:	Construction of an addition onto an existing detached garage/workshop
Owners:	Vaughn and Kristina Spence
Applicant:	Vaughn Spence
Legal Description:	Part Block B, Plan 22
Official Plan <sup>1</sup> :	Residential with EIS Floodplain Hazard and Sturgeon Lake Floodplain Hazard (Fenelon Falls Secondary Plan, 2015)
Zone <sup>2</sup> :	Residential One (R1) Zone (Village of Fenelon Falls Zoning By-law 89-25)
Site Size:	1,942 sq. m. (20,904 sq. ft.)
Site Access:	Year round municipal road
Site Servicing:	Private individual septic system and lake draw water
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 within an established residential neighbourhood located on a peninsula on the eastern side of the Fenelon River. The property is rectangular in shape and is a waterfront lot. The property currently contains a single detached dwelling constructed in 1968 (according to Municipal Property Assessment

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<sup>1</sup> See Schedule 1

<sup>2</sup> See Schedule 1

Corporation), a detached garage/workshop, a wood shed, and a boathouse with an attached deck.

The proposal is to construct an addition onto the existing garage/workshop. The addition will be used to store a single vehicle for security purposes and to shelter it from the elements. The addition will allow the vehicle to be stored without taking away space in the existing garage/workshop so it can continue to be used as it has been by the owners. The purpose of the proposed addition being closer to the front lot line than the rest of the garage/workshop is so a man-door can be installed on the north side of the addition.

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 Residential with EIS Floodplain Hazard and Sturgeon Lake Floodplain Hazard under the Fenelon Falls Secondary Plan, 2015. The location of the proposed garage is outside of the Sturgeon Lake Floodplain Hazards. Within the Residential designation, a variety of dwelling types as well as accessory buildings and structures are permitted. Performance and siting criteria is implemented through the Zoning By-law.

As per the Fenelon Falls Secondary Plan, an Environmental Impact Study (EIS) or other appropriate study shall be required for all development proposals on or abutting lands identified as Environmental Constraint Area. As per the City of Kawartha Lakes Official Plan, the City in consultation with partner agencies, shall identify the appropriate scope and study area for each required EIS. The proposed garage is approximately 75 metres from the shoreline. As such, staff feel it is reasonable to not require a study and that the proposal is in keeping with the general intent and purpose of the Secondary Plan.

**The variance maintains the general intent and purpose of the Zoning By-law.**

The subject property is zoned Residential One (R1) Zone under the Village of Fenelon Falls Zoning By-law 89-25. 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 minimum front yard setback, the minimum setback from the centreline of the road, and the maximum lot coverage for accessory structures.

Section 4.3.3 c) i) of the Zoning By-law requires a minimum front yard setback of 7.6 metres. The proposed setback is 6.1 metres. Additionally, Section 4.3.3 f) of the Zoning By-law requires a minimum setback from the street centreline of 17.6 metres. The proposed setback is 16.1 metres. The intent of these provisions 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.

The proposed addition to the garage will encroach minimally into the front yard beyond the existing garage. The proposed 6.1 metre setback will allow for a vehicle to be parked in front of the garage and a vehicle will be able to exit the garage and have space to be able to safely enter the travelled portion of the road. An approximately 8-metre-wide shoulder separates the travelled portion of the road from the front lot line, providing an additional buffer between the proposed garage addition and the travelled portion of the road. The proposal is not anticipated to impact traffic flow, road maintenance, or sight lines.

Section 5.1.4 of the Zoning By-law permits a maximum lot coverage for accessory structures of 5%. The proposed lot coverage is 8.7%. The intent of establishing a maximum lot coverage for accessory structures is to maintain the residential character of the property and to ensure that accessory uses remain subordinate to the primary (residential) use.

The accessory structures on the property consist of the existing detached garage, a boathouse, and a woodshed. The proposal is to expand the detached garage. The accessory structures are dispersed throughout the lot and the property does not appear overbuilt. Several properties in the area have multiple accessory structures, so the proposal is not out of character with the existing built form and does not alter the residential character of the subject property. The existing accessory structure lot coverage is approximately 7.3%, so the proposed addition to the garage does not significantly increase the lot coverage beyond what exists today.

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):** “Outstanding building permits that require final inspections; 2004-0299; 2005-0573; 2013-0283. No other concerns.”

**Building and Septic Division (Septic):** “A sewage system installation report was located for the property. The report indicates the sewage system is located on the

north side of the existing garage/workshop. The proposed addition will be located on the south side of the existing garage. The placement of the addition will ensure the minimum clearance distances to the sewage system are maintained. Additionally, the garage/workshop will not include any plumbing fixtures or habitable space. As such, the Building and Septic Division have no concerns with the minor variance 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

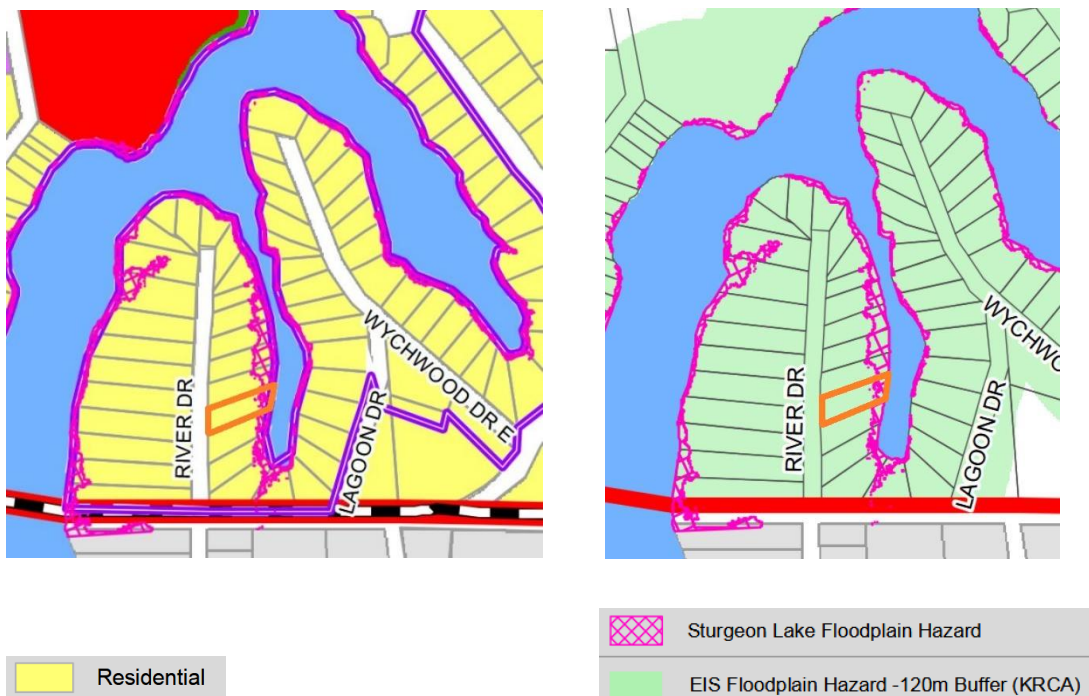
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<b>Department Head:</b>	Leah Barrie, Director of Development Services
<b>Division File:</b>	D20-2025-028

## Schedule 1

### Relevant Planning Policies and Provisions

#### City of Kawartha Lakes Official Plan and Fenelon Falls Secondary Plan



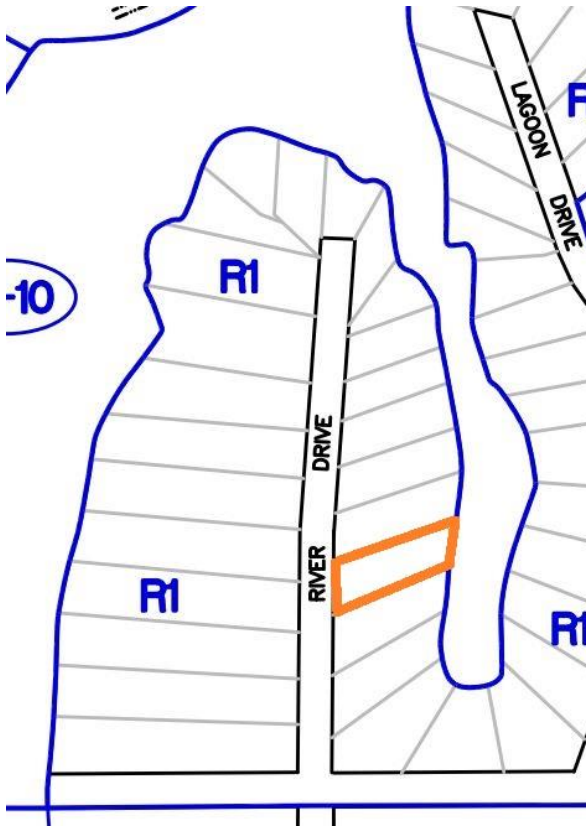
### 31.4.3 Land Use Policies

#### 31.4.3.1. Residential

### 31.4.2.6. Environment and Natural Heritage

31.4.2.6.6 Schedule "G-3" delineates as Environmental Constraint Areas those lands that are susceptible to flooding or erosion, have steep slopes or soil instability, contain Provincially Significant Wetlands, and/or contain Environmentally Sensitive Features. Development of the lands in accordance with the designation on Schedule "F-3" may be permitted provided that the development does not result in an increased risk of loss of life, property damage, or the degradation of the environment. An EIS prepared in accordance with Sections 3.5.37 to 3.5.40 of this Plan shall be required for all development proposals on or abutting lands identified as Environmental Constraint Area.

## Village of Fenelon Falls Zoning By-law 89-25



### Section 5 General Zone Provisions

#### 5.1 Accessory Buildings, Structures and Uses

##### Section 5.1.4 Lot Coverage and Height

The total lot coverage of all accessory buildings and structures, except swimming pools, shall not exceed five per cent of the lot area.

### Section 4.3 Residential Type One (R1) Zone

#### 4.3.1 Uses Permitted

#### 4.3.3 Regulations for Residential Uses Municipal and/or Private Water Supply and Private Sewage Treatment Facilities

##### c) Minimum yard requirements

i) Front yard 7.6 m

f) Minimum Setback From Street Centreline 17.6 m

to

REPORT COA2025-041

FILE NO: D20-2025-028

LOCATION MAP

D20-2025-028





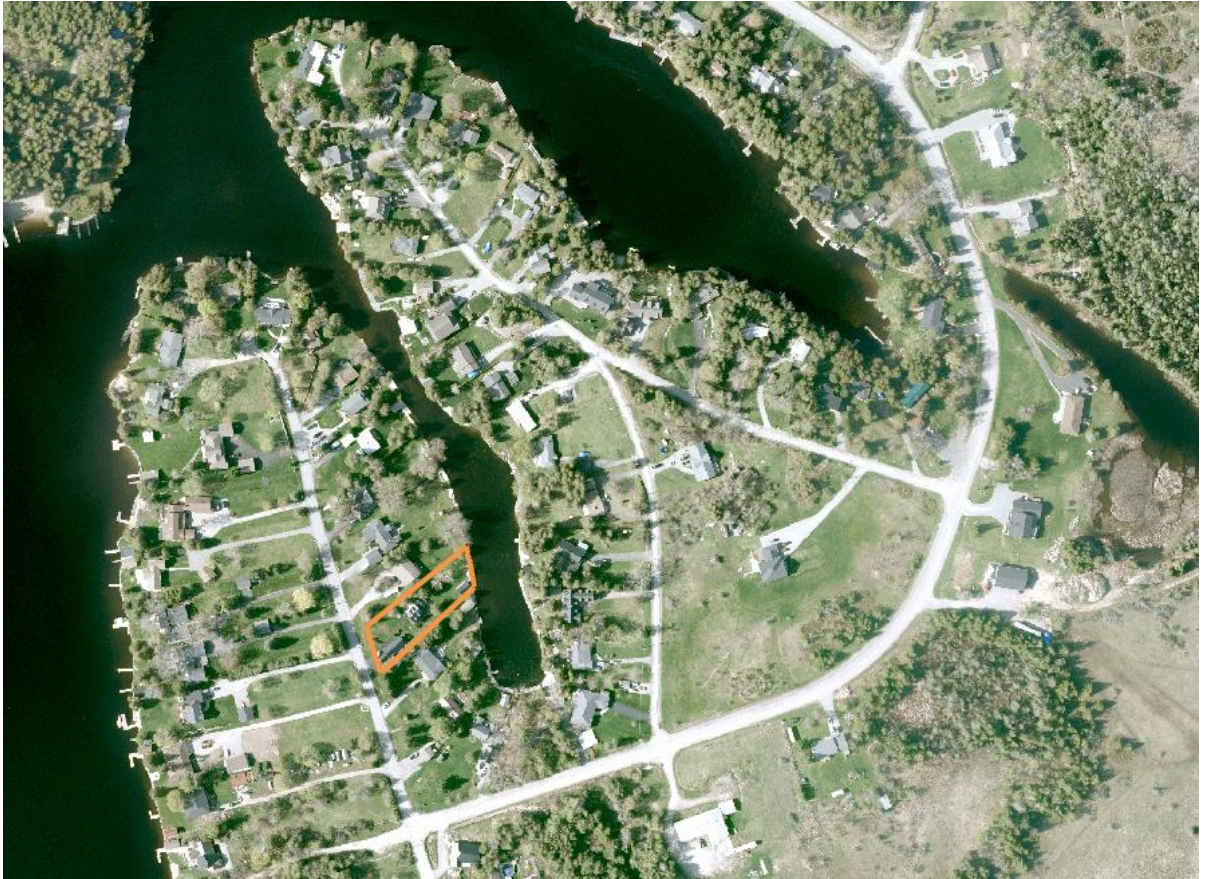
APPENDIX " B "

to

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## AERIAL PHOTO



to

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## APPLICANT'S SKETCH

