

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – A & G Gibson Holdings Inc.
Report Number COA2025-043

Public Meeting

Meeting Date: April 23, 2024

Time: 1:00 pm

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

Ward 2 – Geographic Township of Somerville

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

Relief sought:

1. Section 5.2.c of the Zoning By-law requires a minimum front yard setback of 7.5 metres, the proposed front yard setback of the garage is 2.4 metres; and,
2. Section 18.1.3.c. of the Zoning By-law permits a maximum 3 accessory structures, with the proposed detached garage the number of accessory structures is 4.

The variance is requested at **73 Beaver Drive** (File D20-2025-030).

Author: Ahmad Shahid, Planner II **Signature:**



Recommendations

That Report COA2025-043 – A & G Gibson Holdings Inc., be received;

That minor variance application D20-2025-030 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 COA2025-043, 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 COA2025-043. 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:	A & G Gibson Holdings Inc.
Applicant:	TD Consulting Inc.
Legal Description:	Part Lots 17 and 18, Concession 8
Official Plan ¹ :	Waterfront and (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Limited Service Residential (LSR) Zone (Township of Somerville Zoning By-Law 78-45)
Site Size:	3,480.3 square metres (0.86 acres)
Site Access:	Private road
Site Servicing:	Private individual well and septic system
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 Four Mile Lake, at the end of Beaver Drive (a dead-end private road). The area in which the property is located is predominantly seasonal residential, with the properties immediately to the south and west being vacant (according to Municipal Property Assessment Corporation). The property currently contains a one-storey dwelling, boathouse, shed, and detached garage.

¹ See Schedule 1

² See Schedule 1

The proposal seeks to facilitate the construction of a second detached garage. The proposed garage is located in the southwestern corner of the property, behind a line of trees along the front and side lot lines. The proposal is compatible with the surrounding land uses and existing built form. Moreover, based on a review of aerial imagery from 2023, it appears that other properties in the area contain garages located in the front yard with deficient front yard setbacks.

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). The objective of the Waterfront designation is to recognize low density residential development as the primary land use, as such, single detached dwellings and accessory uses are permitted within the designation.

Additionally, the property is located within the 'Four Mile Lake – Specific Lake Policy Area'. The Four Mile Lake Waterfront designation aims to preserve the unique character of Four Mile Lake. This designation allows for single detached dwellings and accessory structures.

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 Limited Service Residential (LSR) Zone under Township of Somerville Zoning By-Law 78-45. The LSR Zone permits various uses including a detached garage as an accessory structure in the front yard.

Relief is required from two provisions of the Zoning By-law: Section 5.2.c of the Zoning By-law which requires a minimum front yard setback of 7.5 metres, the proposed front yard setback of the garage is 2.4 metres; and, Section 18.1.3.c. of the Zoning By-law permits a maximum 3 accessory structures, with the proposed detached garage the number of accessory structures is 4.

Firstly, 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 the character of the streetscape. The proposed garage itself is permitted to be in the front yard given its waterfront nature. As the subject property is the last property along Beaver Drive at the dead-end, concern is minimized considering no other lots currently rely on the road for access beyond the point of the subject property. Therefore, the deficient front yard setback does not interrupt neighbouring properties with their use of the road.

With respect to the maximum number of accessory structures, by establishing a maximum limit, the intention is to maintain the low-density residential use of properties while also safeguarding against potential overcrowding. The proposed development is to be located in the southwestern corner of the property, limiting visual impact as there is vegetation buffering the view of the garage from the road. Moreover, the proposed garage is located closest to what is currently a vacant

property, with a compliant side yard setback. The proposed overall lot coverage (10.5%) and accessory structure lot coverage (6.3%) remain compliant. Moreover, the proposed use of a garage is a typical accessory structure on residential lots, and does not negatively impact the low-density residential character of the property.

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 right-of-way with respect to access, drainage, or streetscaping and maintenance.

Other Alternatives Considered:

Discussion was held with the applicant regarding the potential relocation of the proposed garage further from the front lot line. The placement of the garage is constrained by existing hydro wires on the property and the presence of a septic system within the front yard. A front yard setback of 2.4 metres provides adequate clearance from the hydro wires and maintains flexibility in relation to the septic system.

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 Division (Building): “No concerns.”

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

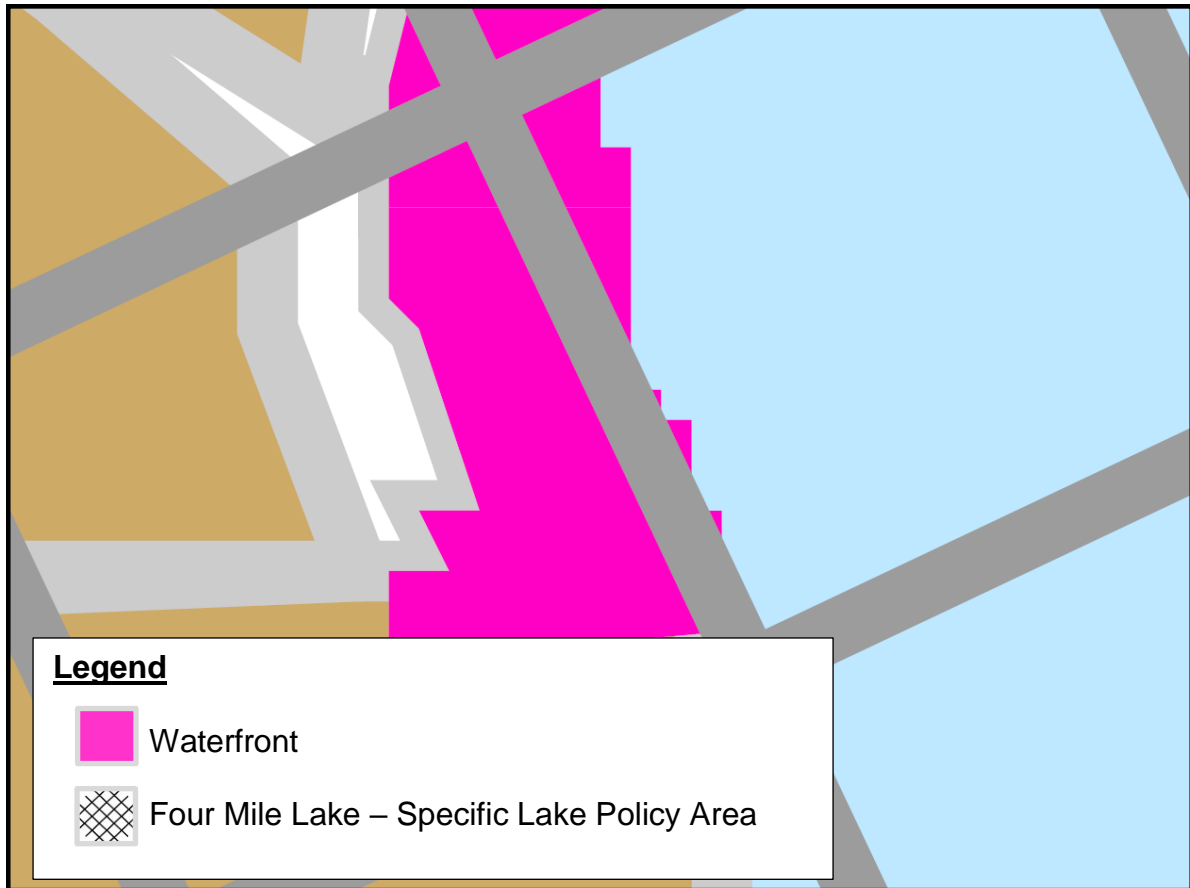
E-Mail: ashahid@kawarthalakes.ca

Department Head: Leah Barrie, Director of Development Services
Division File: D20-2025-030

Schedule 1

Relevant Planning Policies and Provisions

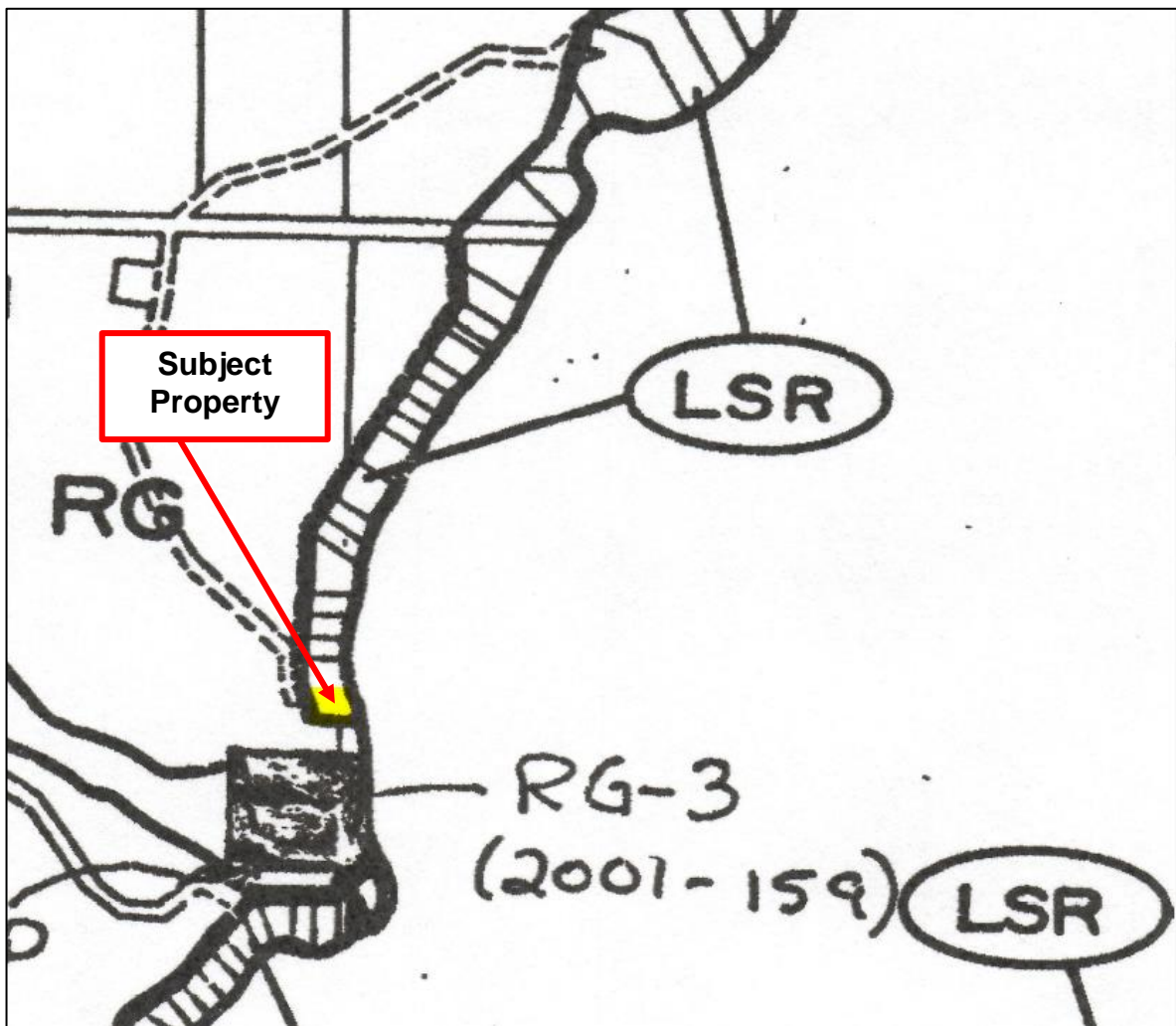
City of Kawartha Lakes Official Plan



Section 20. Waterfront Designation

Section 31.3. Four Mile Lake – Specific Lake Policy Area

Township of Fenelon Zoning By-law 12-95



Section 5. Limited Service Residential (LSR) Zone
Section 18. General Provisions

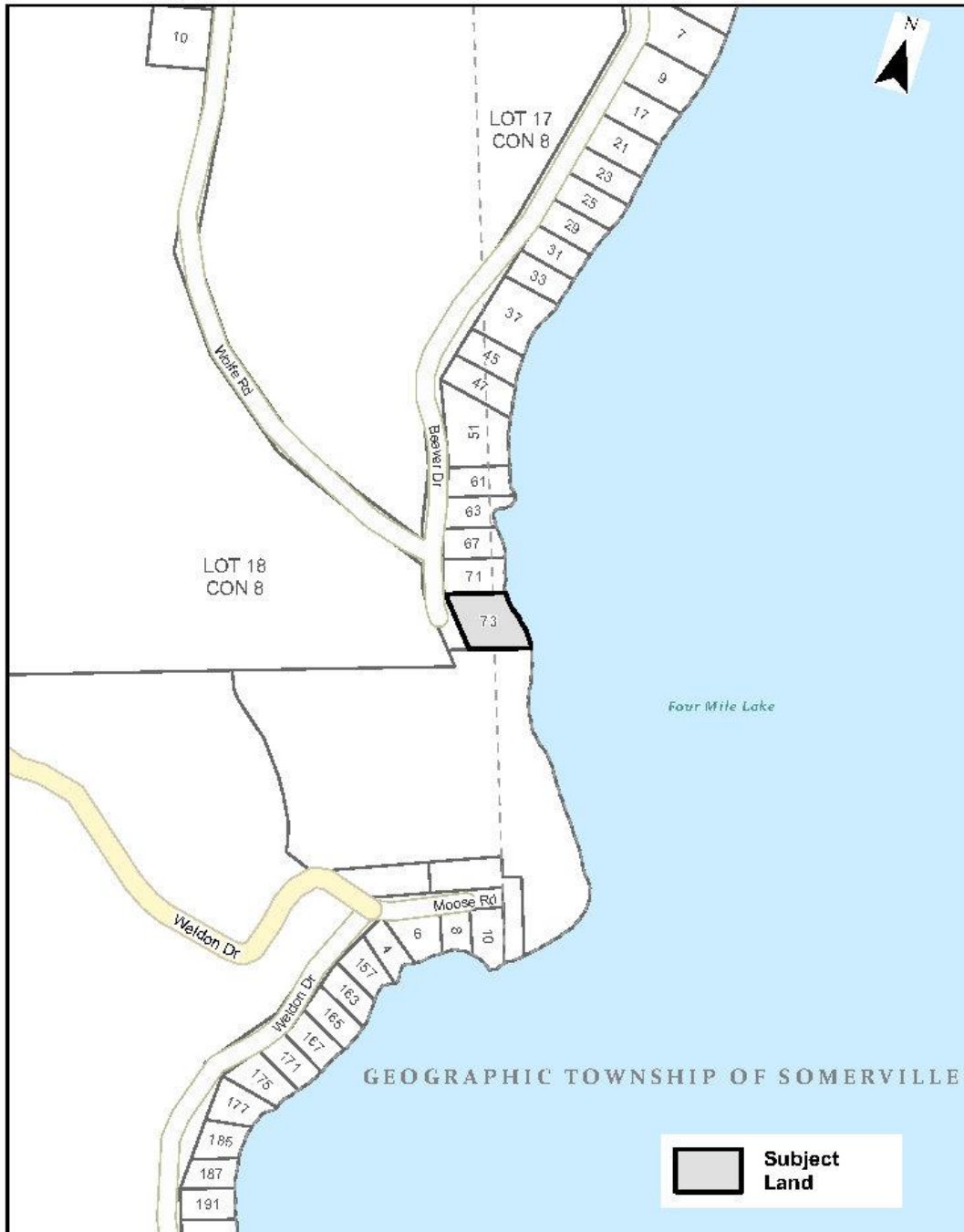
to

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LOCATION MAP

D20-2025-030



APPENDIX " B "

to

REPORT COA2025-043

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AERIAL PHOTO (2023)



to

REPORT COA2025-043

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APPLICANT'S SKETCH

73 Beaver Drive, Somerville

Number of Accessory Structures (Existing and Proposed): 4

