

Township of North Kawartha

280 Burleigh Street, PO Box 550, Apsley, ON K0L 1A0
Tel: 705-656-4445 | 1-800-755-6931 | Fax: 705-656-4446
www.northkawartha.ca

Report to Committee of Adjustment

To: Chair and Members of the Committee of Adjustment
From: Laura Stone, Planning Consultant
Date: July 23, 2026
Subject: Minor Variance Application A-14-26

Recommendation:

That the Committee of Adjustment **approve** Minor Variance Application A-14-26, with the condition that the structure is built to the measurements on the site plan, to vary Section 6.2h) to permit a side yard setback of 1.25 metres in the Shoreline Residential zone as it meets the Four Tests of the Minor Variance and are in keeping with the policy provisions of the Provincial Planning Statement.

Background:

This application comes to the Committee to facilitate the construction of a dwelling setback 1.25 metres from the side property line. The required reduction in side yard setback was discovered once the footings were poured for the approved building permit 2026-28.

Property Information:

Address: 1949 Anstruther Lake Road
Roll No: 1536-020-202-09000
Owners: Kevin Paul
Zone: Shoreline Residential
Official Plan Designation: Seasonal Residential

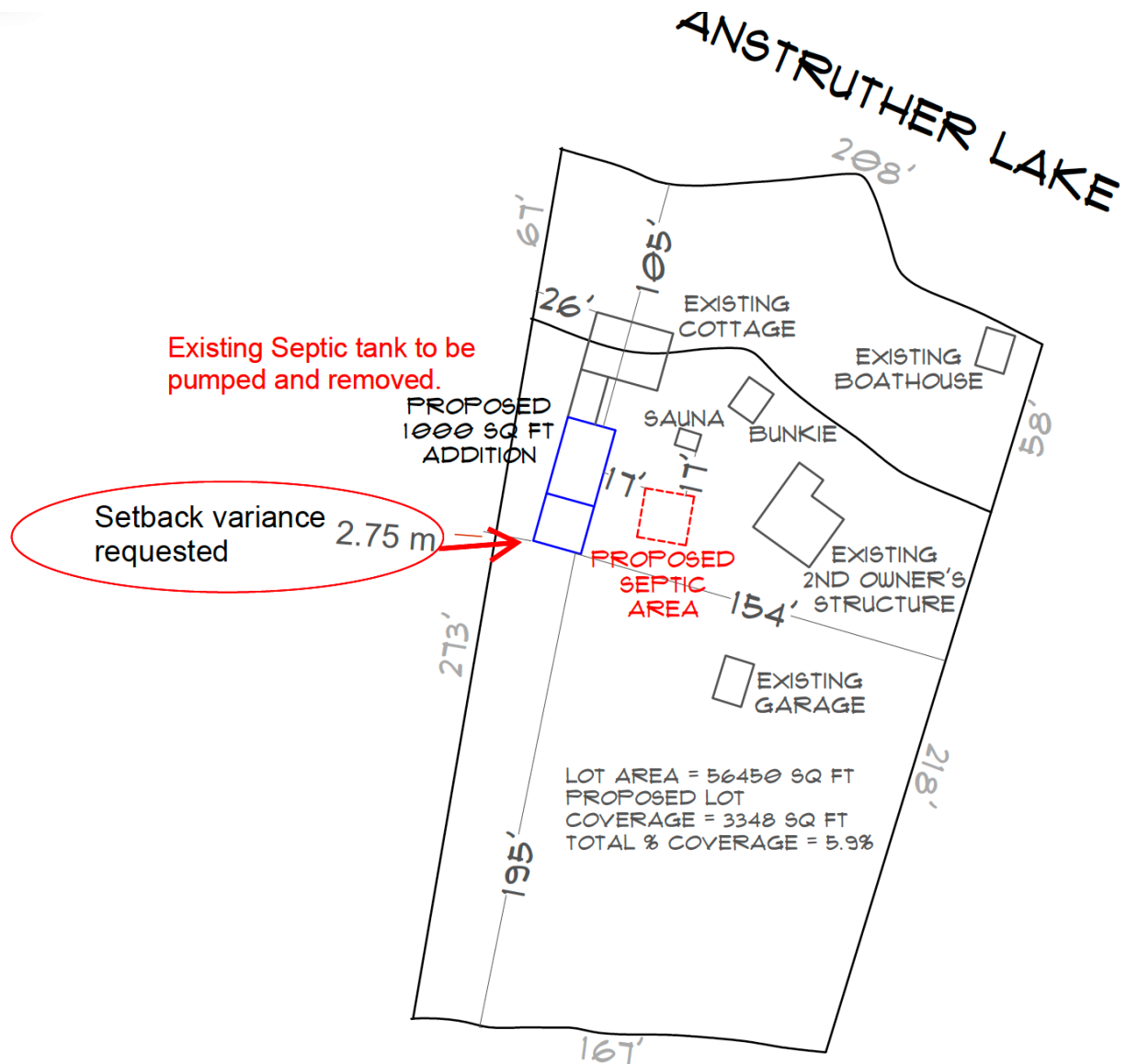


This property is located in the Anstruther Ward with frontage onto Anstruther Lake.



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Planning Policy Discussion

The Four Tests of the Minor Variance

The Planning Act dictates that a Minor Variance Application must meet the four tests of the minor variance. The tests are as follows:



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1. Is it application minor in nature?

Yes. The requested variance is minor in nature in that the topography of the property directs development on the westerly side of the lot and the requested setback is suitable for the lot.

2. Is the application desirable and appropriate?

Yes. Section 6 of the Comprehensive Zoning By-law (Shoreline Residential) requires a side yard setback of 4.5 metres to the principal dwelling. As noted above, the applicant obtained a building permit for the addition to the existing cottage and during inspection, it was noted that the side yard setback offended Section 6.2h) in the Comprehensive Zoning By-law.

3. Does the application meet the intent of the Official Plan?

Yes. The following policies from the Official Plan for the County of Peterborough are applicable and support the Minor Variance application:

Section 6.2.5.2 Seasonal Residential – Permitted Uses

The predominant use of land within the Seasonal Residential designation shall be for seasonal cottages. This category includes uses accessory to seasonal cottages.

Section 6.2.5.3 a) The uses permitted in Seasonal Residential areas and regulations for such uses shall be defined in the implementing Zoning By-law. Regard shall be had to the protection of cottages from incompatible uses. Provision will be made for adequate setbacks from property lines, for lands to be set aside in certain cases for landscaping and buffering purposes, for off-street parking facilities, prohibition of nuisances and control over outside storage.

The application meets the intent of the Official Plan in that uses in the Seasonal Residential designation are regulated by the Zoning By-law and that cottage development, inclusive of accessory structure, are protected.

4. Does the application meet the intent of the Comprehensive Zoning By-law?

Yes. Section 6 of the Comprehensive Zoning By-law permits recreational dwellings.

In addition to meeting the Four Tests, this application also meets the intent and spirit of the Provincial Planning Statement.



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Provincial Planning Statement

The Provincial government released the Provincial Planning Statement (PPS) in 2024. This policy document is intended to provide planning direction for all of Ontario. The following policies from the PPS are relevant to this application:

Chapter 2.1 Planning for People and Homes

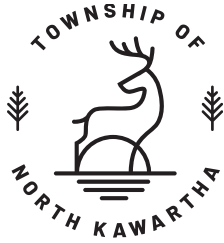
6. Planning authorities should support the achievement of complete communities by:
 - a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
 - b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
 - c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

Chapter 2.5 Rural Areas in Municipalities

1. Healthy, integrated and viable rural areas should be supported by:
 - a) building upon rural character, and leveraging rural amenities and assets;
 - b) promoting regeneration, including the redevelopment of brownfield sites;
 - c) accommodating an appropriate range and mix of housing in rural settlement areas;
 - d) using rural infrastructure and public service facilities efficiently;
 - e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
 - f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
 - g) conserving biodiversity and considering the ecological benefits provided by nature;

Chapter 2.6 Rural Lands in Municipalities

1. On rural lands located in municipalities, permitted uses are:
 - a) the management or use of resources;
 - b) resource-based recreational uses (including recreational dwellings not intended as permanent residences);
 - c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services;
 - g) other rural land uses.
2. Development that can be sustained by rural service levels should be promoted.



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3. Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure.

Opinion: The application for the above-noted minor relief is in keeping with the directives of the PPS.

Conclusion

This Minor Variance Application meets the Four Tests of the Minor Variance and is consistent with the intent of the Provincial Planning Statement. This application is representative of good planning and should be approved with the following condition:

1. That the structures are built to the measurements on the site plan.

Financial Implications:

N/A

Attachments:

Site Plan

Notice