



Report to Committee of Adjustment

To: Chair and Members of the Committee of Adjustment
From: Laura Stone, Planning Consultant
Date: March 17, 2026
Subject: Minor Variance Application A-01-26

Recommendation:

That the Committee of Adjustment **approve** Minor Variance Application A-01-26 vary Sections 3.27 to permit a second dwelling unit (accessory dwelling unit) to be located 72 metres from the principle dwelling, as the application meets the Four Tests of the Minor Variance and is in compliance with the 2024 Provincial Planning Statement.

Background:

This application comes to the Committee to ask for an increase in setback of an accessory dwelling unit to the principle dwelling. The permitted maximum setback is 30 metres from the principle dwelling and this application requests a setback of 72 metres. The property owners are converting an existing barn, taking advantage of an already developed area of the property.



Property Information:

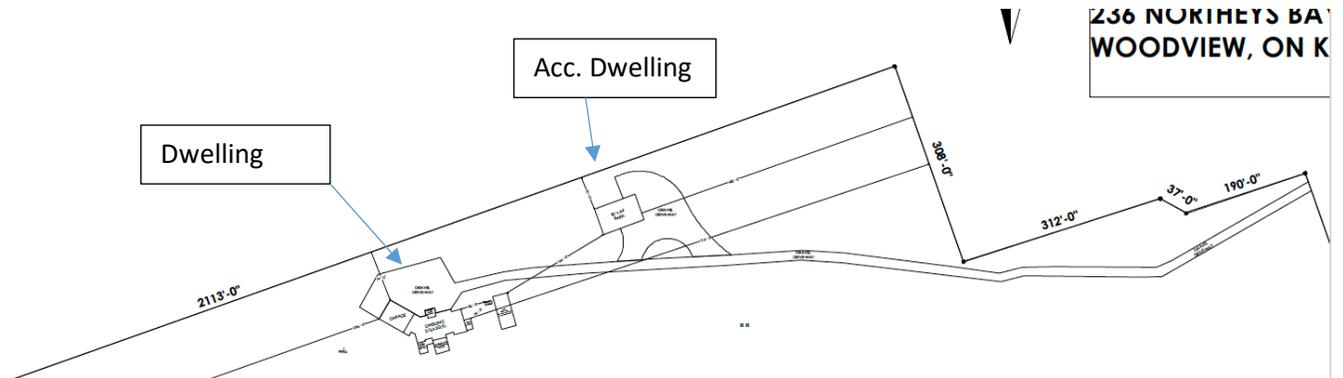
Address: 236 Northey's Bay Road
Roll No: 1536-020-001-48900
Owners: Adam and Amber Dragisic
Zone: Rural
Official Plan Designation: Rural
Area: 22.6 ha



Township of North Kawartha

280 Burleigh Street, PO Box 550, Apsley, ON K0L 1A0
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This property is located in the Burleigh Ward of the Township of North Kawartha with frontage onto Northey's Bay Road. While there are unevaluated wetlands on site, the location of the proposed accessory dwelling unit is not within the buffers of said wetlands.



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:

1. Is it application minor in nature?

Yes. The requested variance is indeed minor in nature. The increase in setback to the principle dwelling is suitable considering the size of the property and the setback from the road.

2. Is the application desirable and appropriate?

Yes. The accessory dwelling unit utilizes the same driveway as the principle dwelling and provides additional housing. Additionally, an existing accessory structure is being converted to accommodate the dwelling and further disturbance of the property is limited.

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

Yes. In 2019, the County of Peterborough initiated an Official Plan Amendment to permit Secondary Dwelling Units (accessory dwelling units) on residential lots, inclusive of the Rural designation. Section 7.34 of the County of Peterborough's Official Plan outlines the supportive policies of Second Dwelling Units.



- 4. Does the application meet the intent of the Comprehensive Zoning By-law?**
Yes. Section 3.27 of the Comprehensive Zoning By-law regulates the requirements for a Secondary Dwelling Unit (accessory dwelling unit), which is a permitted use on the property.

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

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:
- 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;
 - improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
 - 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:
- building upon rural character, and leveraging rural amenities and assets;
 - promoting regeneration, including the redevelopment of brownfield sites;
 - accommodating an appropriate range and mix of housing in rural settlement areas;
 - using rural infrastructure and public service facilities efficiently;
 - 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;
 - providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
 - conserving biodiversity and considering the ecological benefits provided by nature;



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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.
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.

Financial Implications:

N/A

Attachments:

Site Plan
Notice