



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 7, 2025
Subject: Staff Report for Minor Variance Application MV-10-25

Recommendation:

That The Committee of Adjustment **approve** Minor Variance Application MV-10-25 to increase the height of a permitted boathouse as it meets the Four Tests of the Minor Variance.

Background:

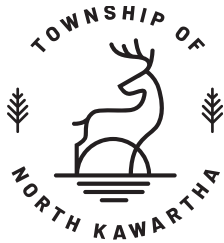
This application comes to the Committee for the consideration of permitting an increase in height to an existing boathouse. The property owner obtained a building permit in 2023 to rebuild an existing dryland boathouse. Following the build, it was determined that the height of the structure is 0.34 metres (1 foot 1 inch) taller than what was applied for.

Property Information:

Address: 25 Fire Route 2
Roll No: 1536-020-001-01700
Owners: Lake Side Organics Inc.
Zone: Recreation Commercial
Official Plan Designation: Recreation Commercial

This property is located in the Burleigh Ward of the Township of North Kawartha with frontage onto Stoney Lake. The property is accessed via Fire Route 2, which branches off of Highway 28.

The subject property is a commercial property that contains a number of commercial buildings, inclusive of an on-water boathouse, regulated by the Trent Severn Waterway, and a dryland boathouse. The dryland boathouse was subject to a building permit that



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permitted a tear-down and rebuild with the same dimensionality as what had existed previously. The grading of the boathouse is varied; however, the height of the structure facing the lake is 4.22 metres, when 3.9 metres was applied for. The boathouse has an angled, shed style roof that further limits the visual impact of the structure. See the photo below:



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 increase in height has no visible impact when viewed from



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the lake based on the very minor deficiency from what was permitted through the Building Permit.

2. Is the application desirable?

Yes. The boathouse use is permitted as-of-right through having the status of Legal Non-conforming. A boathouse use and the subsequent minor increase in size is suitable and desirable for a Shoreline Commercial property in the Township of North Kawartha.

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 6.2.11. Recreation Commercial

Section 6.2.11.2 – Permitted Uses

The predominant use of land within the Recreational Commercial designation shall be tourist establishments, resorts and other similar accommodation uses, marinas, amusement parks and other similar recreational uses. Ancillary uses such as indoor and outdoor recreational facilities, convenience and retail commercial uses, restaurants and eating establishments shall also be permitted.

Section 6.2.11.3 b) Only buildings, structures and uses requiring proximity to the water such as docks, boathouses, marina service facilities and water pumping equipment shall be located within 30 metres of the high water mark.

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

Yes. Section 3.19 of the Comprehensive Zoning By-law protects structures that are considered to be Legal Non-Conforming in terms of permitting a rebuild. The intent of the Shoreline Commercial Zone is to cater to the needs of the waterfront community and this intent is being met with this application.

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



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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.

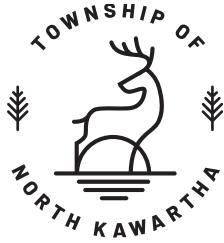
Chapter 2.5 Rural Areas in Municipalities

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.
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 to permit an increase in height of an existing dryland boathouse is in keeping with the 2024 PPS. The resource being enjoyed is Stoney Lake and the subject property promotes resource-based recreational uses.



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Conclusion

This application to permit an increase in height for an existing dryland boathouse 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