



## 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](http://www.northkawartha.ca)

## Report to Council

To: Mayor and Members of Council  
From: Emily Fitzgerald, BES (Hons.)  
Junior Planner, Township of North Kawartha  
Reviewed By: Forbes Symon, RPP, MCIP  
Senior Planner, Jp2g Consultants Inc.  
Date: April 1, 2025  
Subject: Report on Zoning By-law Amendment Application ZA-01-25

### Recommendation

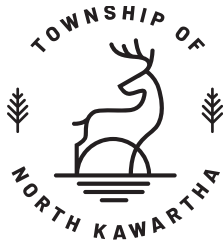
That subject to any public or agency comments received, Council approve Zoning By-law Amendment application ZA-01-25.

### Subject Properties

Municipal (911) Address:	382 Couch's Road	436 Couch's Road
Roll Number:	1536-010-201-11800	1536-010-201-13300
Property Owners:	Barbara Powell & Robert Murray	Laura Young
Lot and Concession:	Part of Lot 10, Concession 7	Part of Lot 10, Concession 7
Ward:	Chandos	Chandos
Area:	+/- 1.87 hectares (+/- 4.62 acres)	+/- 5.4 hectares (+/- 13.3 acres)
Frontage:	+/- 29.0 metres (+/- 95 feet) on Chandos Lake	+/- 42.7 metres (+/- 140 feet) on Chandos Lake
Official Plan Designation:	Seasonal Residential/Rural/Environmental Constraint	Seasonal Residential/Rural/Environmental Constraint
Zoning:	Shoreline Residential (SR)/Rural (RU)	Shoreline Residential (SR)/Rural (RU)/Environmental Constraint (EC)
Access:	Couch's Road (Private Road)	Couch's Road (Private Road)

### Background

Zoning By-law Amendment application ZA-01-25 has been submitted by Robert Murray, for the properties located in Part of Lot 10, Concession 7, in the Chandos ward, municipally known as 382 and 436 Couch's Road. Application ZA-01-25 has been submitted in fulfillment of the conditions imposed on Consent application B-85-24 which was granted provisional approval on December 17, 2024. The purpose of the Consent application is to provide a lot addition of



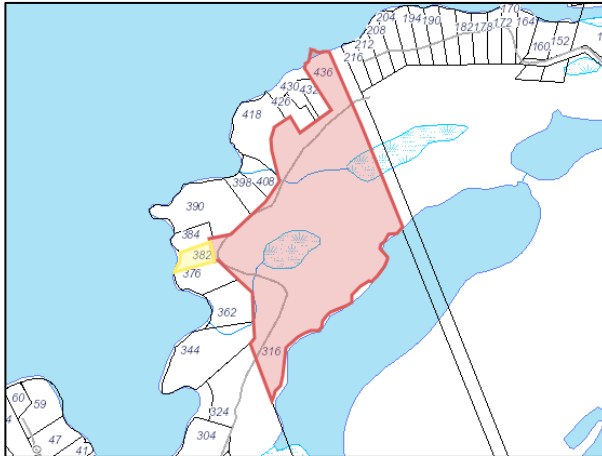
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approximately 1.7 hectares (4.2 acres) to the property at 382 Couch's Road (benefiting parcel) from the property located at 436 Couch's Road (retained parcel). The Consent sketch is provided in Attachment #2.

Both properties are developed for recreational residential use in the form of a recreational dwelling house serviced by a private individual septic system and well. The application notes that the rezoning is requested in part to facilitate the construction of a new accessory building on the resultant enlarged parcel at 382 Couch's Road in future; however, no new development is proposed through this Zoning By-law Amendment application.

### Location Map



### 2023 Aerial Imagery

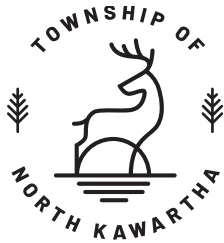


### Proposed Amendment

The purpose of application ZA-01-25 is to rezone the severed lands to ensure that any future accessory building constructed on the resultant enlarged parcel is located to the rear of the benefiting parcel. The portion of the severed lands to the rear of the benefiting parcel would be rezoned from Rural (RU) to a Shoreline Residential (SR) zone and the remainder of the severed lands to the rear of neighbouring properties to the south would be rezoned from Rural (RU) to an Open Space (OS) zone.

The subject application would also serve to recognize lot area and lot frontage deficiencies arising from the provisional approval of Consent application B-85-24. The portion of the retained parcel zoned RU would become further deficient from the minimum lot area requirements of the Zoning By-law. Despite a portion of the severed lands being rezoned from RU to SR, the portion of the resultant enlarged parcel zoned SR would remain deficient from the requirements of the SR zone. Additionally, the portion of the severed lands to be rezoned from RU to an OS zone has no direct road frontage; rather, Couch's Road bisects said lands. As such, the application seeks to address this zero-frontage condition.

Application ZA-01-25 would serve to amend the Township's Comprehensive Zoning By-law #26-2013, as amended, in the following respects:



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1. Section 17.2 (a) to permit a minimum lot area of 2.82 hectares (6.97 acres) for the remaining portion of the property at 436 Couch's Road zoned Rural (RU).
2. Section 6.2 (a) to permit a minimum lot area of 0.4 hectares (0.99 acres) for the portions of the property at 382 Couch's Road currently zoned Shoreline Residential (SR) and to be rezoned from Rural (RU) to a Shoreline Residential (SR) zone.
3. Section 15.2 (b) to permit a minimum lot frontage of 0 metres (0 feet) for the portion of the property at 382 Couch's Road to be rezoned from Rural (RU) to an Open Space (OS) zone.

### **Planning Analysis**

The Planning Act stipulates that decisions on planning matters, including zoning by-law amendments, must be consistent with the Provincial Planning Statement (PPS) and conform to the Official Plan.

### **Provincial Planning Statement, 2024**

Under the policies of the Provincial Policy Statement (PPS), the subject properties are considered rural lands. On rural lands, permitted uses are resource-based recreational uses including dwellings not intended as permanent residences. Development is to be sustained by existing rural service levels and shall be appropriate to the existing or planned infrastructure.

The existing uses of the subject properties to be continued conform to those permitted under the PPS and no further development is proposed together with this application to amend the Zoning By-law. The application is therefore considered consistent with the PPS.

### **County of Peterborough Official Plan**

#### **Local Component for the Township of North Kawartha**

The subject properties are comprised of lands designated Seasonal Residential, Rural, and Environmental Constraint under the Local Component of the Official Plan for the Township of North Kawartha. As aforementioned, both properties are developed for recreational residential use. Said use is permitted within the Seasonal Residential designation, where all existing development is located.

Should the application be approved as proposed, the resultant enlarged parcel would comprise two distinct zones, Shoreline Residential (SR) and Open Space (OS). Given the irregular configuration of the resultant enlarged parcel, it encompasses lands to the rear of several existing waterfront lots. The configuration of the proposed zone boundaries is intended to minimize the potential for land use incompatibility or nuisance to neighbouring properties. The proposed zone boundaries would allow for the contemplated future construction of an accessory building directly to the rear of the existing dwelling on the resultant enlarged parcel. No such building would conform to the permitted uses of the OS zone; therefore, the portion of the resultant enlarged parcel to the rear of the neighbouring properties would remain undeveloped.



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Nevertheless, its use and enjoyment for passive recreational purposes would remain permitted. No new development is proposed together with this application for rezoning; therefore, the existing balance between built and natural form will be maintained.

Based on the foregoing, the application is considered to conform to the general intent of the Official Plan.

### Township of North Kawartha Comprehensive Zoning By-law #26-2013

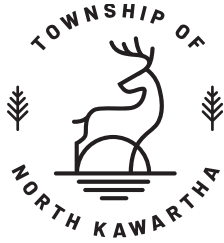
Following the lot addition proposed through Consent application B-85-24, the resultant enlarged parcel at 382 Couch's Road comprises lands zoned Shoreline Residential (SR) and Rural (RU). The retained parcel at 436 Couch's Road is similarly comprised of lands zoned SR and RU with smaller portions of the property zoned Environmental Constraint (EC) corresponding to some unevaluated wetland features.

As noted previously, the application proposes to rezone portions of the resultant enlarged parcel at 382 Couch's Road from RU to SR and Open Space (OS) zones. The zoning categories of the retained parcel would remain the same; however, the area of said property zoned RU would be reduced. The minimum lot area and lot frontage requirements of the Zoning By-law for each the SR, RU, and OS zones are outlined in the table below:

Zone Category	Zone Provision	Minimum Requirement
SR	Lot Area	0.5 ha (1.2 ac)
	Lot Frontage	46 m (150 ft)
RU	Lot Area	10 ha (25 ac)
	Lot Frontage	90 m (295 ft)
OS	Lot Area	2,300 sq. m (0.57 ac)
	Lot Frontage	30 m (100 ft)

The portion of the resultant enlarged parcel zoned SR would be increased from 0.17 hectares (0.42 acres) to 0.4 hectares (0.99 acres). The existing lot area deficiency would be improved but not resolved through the proposed rezoning; therefore, these lands would be rezoned into a Shoreline Residential-Exception (SR-XXX) zone to address such deficiency. The portion of the resultant enlarged parcel to be rezoned from RU to OS would exceed the minimum lot area requirement of the OS zone; however, given that this portion of the property has no direct frontage on a public or private road or navigable waterway, its frontage is considered 0 metres (0 feet). As such, these lands would be rezoned into an Open Space-Exception (OS-XXX) zone to address such deficiency.

The portion of the retained parcel zoned RU would be reduced from 4.52 hectares (11.2 acres) to 2.82 hectares (6.97 acres) excluding those portions of the property zoned EC. These lands would be rezoned into a Rural-Exception (RU-XXX) zone to address such deficiency. Despite the various lot area and frontage deficiencies arising from Consent application B-85-24, said



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deficiencies are not anticipated to hinder the continuation of the existing recreational residential use and development of both properties.

Based on the foregoing, the application is considered to uphold the general intent and purpose of the Zoning By-law.

### **Public and Agency Comments**

Notice of application ZA-01-25 was circulated to neighbouring property owners and commenting agencies in accordance with the statutory requirements of the Planning Act on March 12, 2025. A notice was posted on the property on the same day.

Agency comments have been received from CVCA and MTO. Neither agency objects to the application; however, CVCA notes that portions of both properties are located within CVCA's regulated area. As such, a CVCA work permit may be required for any future physical development of the properties. MTO notes that the properties are not within its permit control area; therefore, the agency had no comments to offer.

At the time of writing this report, no public or agency comments were received, other than those discussed above. Any comments received will be provided to Council prior to or during the public hearing.

### **Financial Implications**

No financial implications are anticipated as a result of approval of application ZA-01-25.

### **Concluding Comments**

Zoning By-law Amendment ZA-01-25 seeks to rezone the subject properties in fulfillment of conditions associated with Consent application B-85-24. Based on the foregoing analysis, Staff are of the opinion that the application is consistent with the applicable land use planning policies and as such, represents good planning. It is therefore recommended that application ZA-01-25 as proposed be approved.

All of which is respectfully submitted,

Emily Fitzgerald, BES (Hons.)  
Junior Planner  
Township of North Kawartha

### **Attachments**

- Attachment #1 – Notice of Public Meeting
- Attachment #2 – Consent Sketch
- Attachment #3 – Draft Amendment to Zoning By-law