



Report to Committee of Adjustment

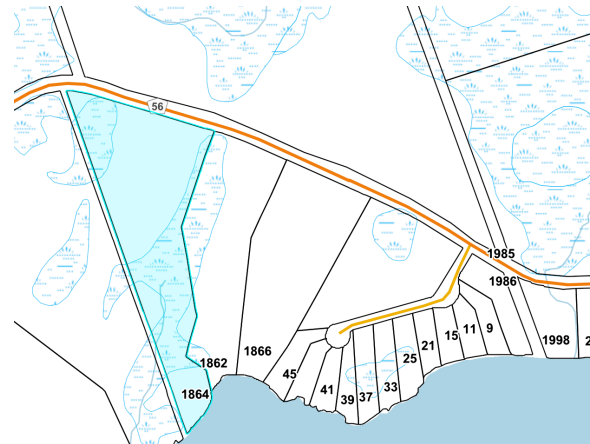
To: Chair and Members of the Committee of Adjustment
From: Laura Stone, Planning Consultant
Date: June 4, 2026
Subject: Minor Variance Application A-11-26

Recommendation:

That the Committee of Adjustment **approve** Minor Variance Application A-11-26 to vary Sections 3.1i) to permit an overhang of eaves of 1.2 metres and Section 3.18b)iv) to permit a lateral increase of 35.6 metres as they meet the Four Tests of the Minor Variance and are in keeping with the policy provisions of the Provincial Planning Statement.

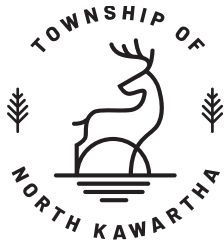
Background:

This application comes to the Committee following the destruction of the principle dwelling on the property as a result of fire. The proposed redevelopment will take place on the footprint of the original dwelling. Given that the development will occur exclusively on an area already disturbed, an Archaeological Study was not required.



Property Information:

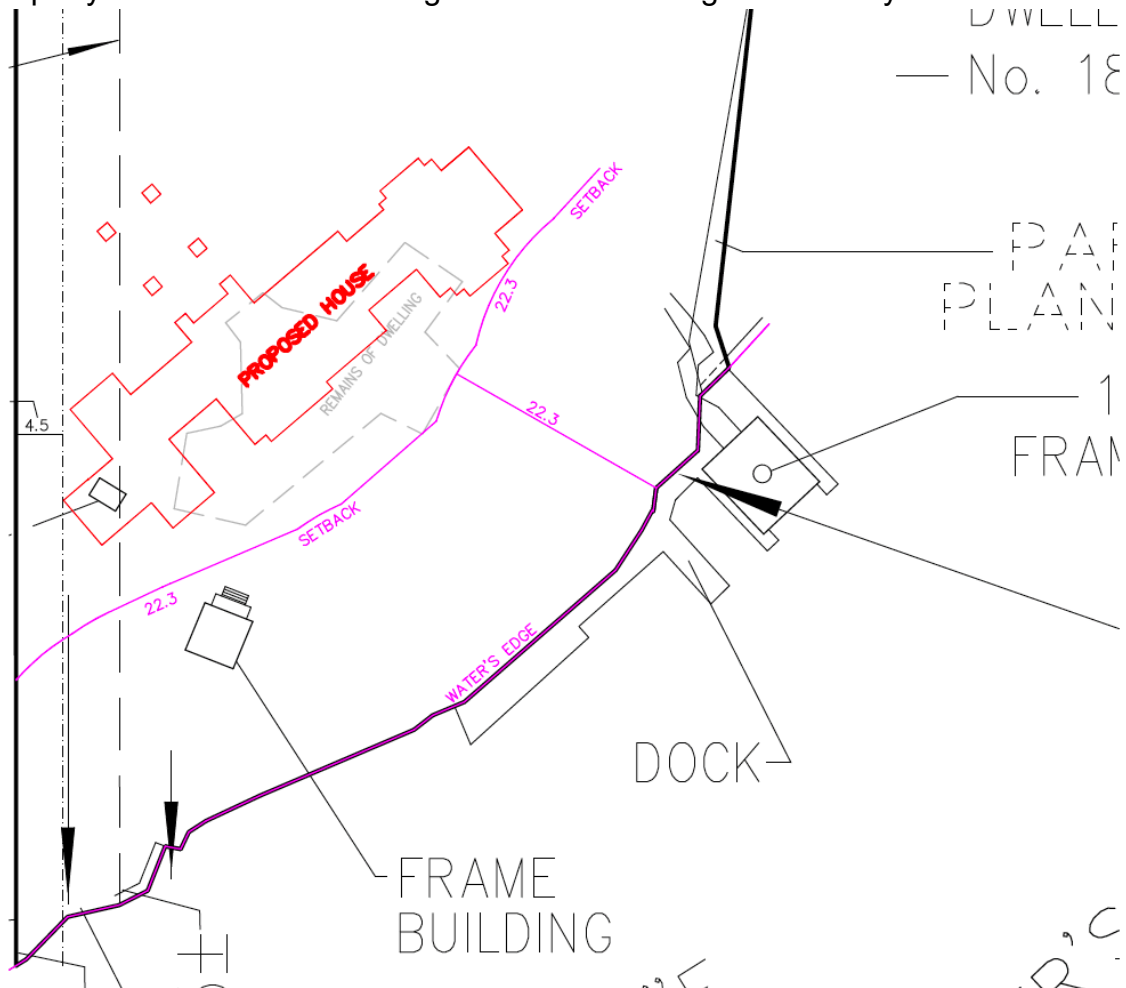
Address: 1864 Northey's Bay Road
Roll No: 1536-020-001-84300
Owners: Douglas/Farren
Agent: Foreshew Designs
Zone: Shoreline Residential – P/ Environmental Constraint
Official Plan Designation: Seasonal Residential



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 with frontage onto Stony Lake..



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 minor in nature in that the water frontage is 94 metres and the proposed redevelopment will give a lateral expansion of 35.6 metres, or 38% of the frontage. The Zoning By-law requirement of a maximum



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lateral expansion of 27.6 metres or 60% of the lot frontage. The application is 38% of the frontage and therefore the visual impact from the lake will be minimal. The overhang of eaves of 1.2 metres is an ornamental design feature and will not encroach towards the lake in a manner that increases habitable area.

2. Is the application desirable and appropriate?

Yes. The proposed redevelopment is taking place on the footprint of the burned dwelling and does not further encroach towards the water.

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. Sections 3.1i) and Section 3.18b)iv) permit a lateral expansion and ornamental encroachments.

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:



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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.

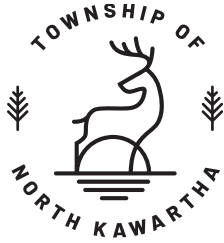
Chapter 2.5 Rural Areas in Municipalities

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.
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.



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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