



Report to Committee of Adjustment

To: Members of the Committee of Adjustment
From: Forbes Symon, MCIP, RPP
Senior Planner (Contract), Jp2g Consultants Inc.
Date: June 17, 2025
Subject: Report on Minor Variance Application A-06-25 (Kalas)

Recommendation

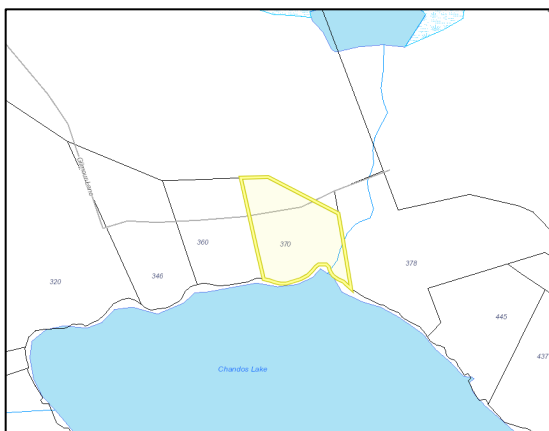
That subject to any public or agency comments received, the Committee approve Minor Variance application A-06-25, without conditions.

Background and Property Information

Minor Variance application A-06-25 has been submitted by Adam Dragisic on behalf of property owners Shannon and Jordan Kalas for the property located in Part of Lot 6, Concession 9, in the Chandos Ward, municipally known as 370 Gilmour Lane.

According to GIS mapping, the subject lands are approximately 0.33 hectares (0.83 acres) in area and have approximately 59.1 metres (194 feet) of water frontage along Chandos Lake. The property is currently improved with an existing cottage dwelling (reconstructed in 2024), bunkie, shed, and boathouse.

Location Map



2023 Aerial Imagery





Proposed Development

The application seeks to recognize existing as-built setback deficiency for the existing cottage dwelling on the property, which was reconstructed in 2024 in accordance with Zoning By-law Amendment ZA-03-22. Given that Zoning By-law Amendment ZA-03-22 served to permit a reduction to water yard setback for the dwelling of 20.4 metres (66.9 feet) from the required 30 metre (100 foot) setback; OLS confirmation was requested by the Township's Building Department. Based on the OLS report, the reconstructed dwelling is located 19.2 metres (62.9 feet) from the high-water mark of Chandos Lake and is therefore deficient from the minimum water yard setback permitted through application ZA-03-22. As such, the application requests relief from the Zoning By-law to allow the as-built dwelling to remain in its present location.

The application also requests to reconstruct and expand the height of the existing boathouse on the subject property from 4.26 metres (14 feet) as existing to 4.87 metres (16 feet) as proposed, which was included in the public notice which was issued on June 6, 2025. However, it was later acknowledged through email correspondence with the applicant that the boathouse no longer seeks to increase in height and is proposing to be constructed with the same area and height as existing "(like for like)". Staff suggest that the applicant confirm this information at the public meeting, however this report does not have a concern with the request to reconstruct the boathouse with an increased height of 4.87 metres (16 feet), if desired.

As proposed, Minor Variance Application A-06-25 requests the following relief from the Township's Zoning By-law:

1. Section 3.30 and 6.2 (k), further amended through by-law 2022-0069, to permit a water yard setback of 19.2 metres (62.9 feet) for the dwelling, whereas a site-specific water yard setback of 20.4 metres (66.9 feet) is otherwise required.

Planning Analysis

This application is subject to the four tests of a minor variance, as outlined under Section 45 of the Planning Act. The four tests are as follows:

1. Is the application minor in nature?

When determining whether an application is minor, the consideration must relate to the potential impacts of the variances requested. The requested



water yard setback of 19.2 metres (62.9 feet) from the required 20.4 metre (66.9 foot) setback approved of through ZA-03-22 represents a small deficiency that is not likely to be discernable from the public realm, nor result in any further environmental or visual impacts.

The requested variance is considered minor in nature.

2. Is the application desirable for the appropriate development or use of the land, building, or structure?

The request to allow the reconstructed dwelling to remain in its present location, despite being slightly deficient in the permitted water setback established through ZA-03-22, is appropriate and desirable as no further impacts are anticipated as a result of the dwelling remaining in its location.

The application is considered desirable for the appropriate development and use of the property.

3. Does the application uphold the general intent and purpose of the Official Plan?

The subject property is designated as 'Shoreland Areas and the Waterfront' in the County of Peterborough Official Plan and 'Seasonal Residential' under the Local Component for the Township of North Kawartha. A cottage dwelling is a permitted accessory use to the recreational residential uses in both designations.

Section 6.5.2.3 h) of the Official Plan generally requires a 30-metre (100 foot) setback from the high-water mark for new development. As noted, the dwelling received approval through a site-specific zone amendment to reconstruct the existing cottage at a setback of 20.4 metres (66.9 feet) from Chandos Lake.

Although the dwelling is seeking permission to be located at a lesser setback than permitted through the former site-specific zone amendment, no further environmental or visual impacts are anticipated as a result of the reduced setback considering the dwelling is already constructed. The subject application is keeping with the general intent and purpose of the Official Plan.



4. Does the application uphold the general intent and purpose of the Zoning By-law?

The subject property is zoned 'Shoreline Residential Exception 302 (SR- 302)' in the Township's Zoning By-law. The eastern portion of the property is also zoned 'Environmental Constraint (EC)'. It is recognized that the constructed dwelling is located towards the western half of the property.

As earlier noted, the application is seeking to recognize existing as built setback deficiency for the dwelling, which is currently located 19.2 metres (62.9 feet) from the high-water mark of Chandos Lake, whereas a water setback of 20.4 metres (66.9 feet) was permitted through a site-specific zone amendment in 2022. The reconstructed dwelling would otherwise appear to comply with all other Zoning By-law standards, including height, rear and side yard setbacks, and the site-specific water yard setback of 18.2 metres (59.7 feet) for the open-attached deck. Further, it is assumed that the dwelling and septic system were both constructed in accordance with any permits/ approvals issued from Crowe Valley Conservation Authority (CVCA). Any further comments provided from CVCA will be provided to the Committee prior to or during the public hearing.

The subject application is in keeping with the general intent and purpose of the zoning by-law.

Provincial Planning Statement, 2024

Under the policies of the Provincial Planning Statement (PPS), the subject property is considered rural lands. The PPS directs that resource-based recreational uses, including recreational dwellings for seasonal accommodation, are permitted on rural lands. Development is to be sustained by rural service levels and appropriate to existing or planned infrastructure.

The application is considered consistent with the PPS.

Public and Agency Comments

Notice of application A-06-25 was circulated to neighbouring property owners and commenting agencies in accordance with the statutory requirements of the Planning Act on June 6, 2025.



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

At the time of writing this report, no public comments have been received. Any public or agency comments received will be provided to the Committee prior to or during the public hearing.

Financial Implications

No financial implications are anticipated as a result of approval of application A- 06-25.

Concluding Comments

Given that the application meets the four tests of a minor variance and conforms to the applicable policies of the PPS, it is recommended that application A-06-25 be approved without conditions.

Respectfully submitted,

Forbes Symon, MCIP, RPP
Senior Planner (Contract) Jp2g Consultants Inc.

Attachments

Attachment #1 – Notice of Public Meeting
Attachment #2 – Site Plan