

The Corporation of the City of Kawartha Lakes

Agenda

Committee of Adjustment Meeting

COA2025-09

Thursday, August 28, 2025

1:00 P.M.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Councillor Emmett Yeo

Betty Archer

Gerald Erickson

Eric Finn

Sandra Richardson

Lloyd Robertson

Stephen Strangway

This Public Meeting will be held both in person and virtually with electronic public participation.

To request to speak to public meeting reports on this agenda please email cofa@kawarthalakes.ca and reference the report number in your email.

The general public and the media can view the Committee of Adjustment webcast through the City of Kawartha Lakes livestream at: www.youtube.com/c/CityofKawarthaLakes.

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Video and/or audio recording is not permitted during Council or Committee of Council meetings, pursuant to Trespass to Property Act, R.S.O. 1990, c. T.21.

1.	Call to Order	
2.	Administrative Business	
2.1	Appointment of Secretary-Treasurer	
	That Leah Barrie, Director of Development Services with the City of Kawartha Lakes, be appointed as Acting Secretary-Treasurer for the City of Kawartha Lakes Committee of Adjustment meeting of August 28, 2025.	
2.2	Adoption of Agenda	
2.2.1	COA2025-09	
	Committee of Adjustment Agenda August 28, 2025	
2.3	Declaration of Pecuniary Interest	
2.4	Adoption of Minutes	
2.4.1	COA2025-08	6 - 27
	Committee of Adjustment Minutes July 24, 2025	
3.	Deferred Applications	
3.1	Minor Variances	
3.1.1	COA2025-079	28 - 38
	Ahmad Shahid, Planner II File Number: D20-2025-065 Location: 344-348 Kent Street West Part Lot 21, concession 4 (formerly Ops)being Part of Part 1 of Reference Plan 57R-4940 Former Town of Lindsay Owner: Easton's Muffler Centres Ltd. c/o Don MacPherson Applicant: EcoVue Consulting Services Inc. c/o Kent Randall	
3.2	Consents	

4.	New Applications	
4.1	Minor Variances	
4.1.1	COA2025-081	39 - 49
	<p>Violeta Manastirliu, Summer Student Planner File Number: D20-2025-041 Location: 102 Lindsay Street Lot 74 on Plan 11 West Side of Lindsay Street Former Village of Fenelon Falls Owner: Sinnathural Jeevanesan Applicant: Mayu Balasubramaniam</p>	
4.1.2	COA2025-082	50 - 60
	<p>Ahmad Shahid, Planner II File Number: D20-2025-067 Location: Queen Street North Lot 1 to 2 South Side of Wood Street Former Village of Omemee Owner: 208564 Ontario Inc. Applicant: TD Consulting Inc.</p>	
4.1.3	COA2025-083	61 - 70
	<p>Cathy Lu, Summer Student Planner File Number: D20-2025-069 Location: 465 Cheese Factory Road Part Lot 26, Concession 11 Geographic Township of Ops Owner: Douglas and Elizabeth McCausland Applicant: TD Consulting Inc.</p>	
4.1.4	COA2025-084	71 - 80
	<p>Shayan Okhowat, Planner II File Number: D20-2025-070 Location: 19 Pleasant Point Road Lot 1, Plan 553, Part Lot 7, Concession A Geographic Township of Mariposa Owners: Jeff Vanuden, Ashley Vanuden James Sneyd and Sherry Sneyd Applicant: Jeff and Ashley Vanuden</p>	

4.1.5	COA2025-085	81 - 89
	<p>Ahmad Shahid, Planner II File Number: D20-2025-071 Location: 3 South Harbour Drive Lot 74, Plan 632 Former Village of Bobcaygeon Owner: Lisa and Rick Lamanna Applicant: Rick Lamanna</p>	
4.1.6	COA2025-086	90 - 98
	<p>Ahmad Shahid, Planner II File Number: D20-2025-072 Location: 107 Woodworth Drive Part of Lot 14, Concession 9 (being Lot 6 of Plan 363) Geographic Township of Somerville Owners: Adolfine and Keith Way Applicant: Stuart Way</p>	
4.1.7	COA2025-087	99 - 107
	<p>Shayan Okhowat, Planner II File Number: D20-2025-073 Location: 115 Fell Station Drive Part Lot 19, Concession 1 Geographic Township of Somerville Owners: Mike and Kim Baldesarra Applicant: EcoVue Consulting Services Inc. c/o Aditya Srinivas</p>	
4.1.8	COA2025-088	108 - 117
	<p>Shayan Okhowat, Planner II File Number: D20-2025-074 Location: 359 Bury's Green Road Part lot 13, Concession 1 Geographic Township of Somerville Owners: Darlene and Dave Fell Applicant: Granite Engineering c/o Catherine DeNardis</p>	

Ahmad Shahid, Planner II
File Number: D20-2025-075
Location: 8 Delamere Island
Part 1, Island
Geographic Township of Somerville
Owner: Joshua Malcolm
Applicant: Joan Phillips

4.2 Consents

5. **Other Business**

6. **Correspondence**

7. **Next Meeting**

The next meeting will be Thursday, September 25th at 1:00pm in Council Chambers, City Hall.

8. **Adjournment**

The Corporation of the City of Kawartha Lakes
Minutes
Committee of Adjustment Meeting

COA2025-08
Thursday, July 24, 2025
1:00 P.M.
Council Chambers
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

Members:
Councillor Emmett Yeo
Betty Archer
Gerald Erickson
Eric Finn
Sandra Richardson
Lloyd Robertson
Stephen Strangway

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1. **Call to Order**

Chair Robertson called the meeting to order at 1:00pm.

Chair Robertson and Members S. Strangway, B. Archer, S. Richardson, G. Erickson and E. Finn were in attendance in person.

Absent, Councillor Yeo.

Staff, L. Barrie, Director of Development Services, K. Evans, Acting Development Supervisor, A. Shahid, Planner II, S. Okhowat, Planner II, M. McKinnon, Supervisor of Plans Review and Inspections, M. LaHay, Secretary-Treasurer and C. Crockford, Recording Secretary.

2. **Administrative Business**

2.1 Adoption of Agenda

2.1.1 COA2025-08

Committee of Adjustment Agenda
July 24, 2025

CA2025-108

Moved By B. Archer

Seconded By S. Strangway

That the agenda for July 24, 2025 be approved.

Carried

2.2 Declaration of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

2.3 Adoption of Minutes

2.3.1 COA2025-07

Committee of Adjustment Minutes
June 26, 2025

CA2025-109

Moved By E. Finn

Seconded By G. Erickson

That the minutes of the previous meeting held June 26, 2025 be adopted as printed.

Carried**3. Deferred Applications****3.1 Minor Variances****3.1.1 Memo - D20-2025-029**

Katherine Evans, Acting Development Supervisor

File Number: D20-2025-029

Location: 195 Campbell Beach Road

Part Lot 12 and Part Shore Road Allowance, Concession 1 (being Part 1 on Reference Plan 57R-7312 and Part 1 on Reference Plan 57R-4255)

Geographic Township of Carden

Owners/Applicants: Rotem Golan and Troy Lamsee

Ms. Evans addressed the Committee regarding the application, which was deferred at the April 23rd meeting for no more than three (3) months to return at the latest to this meeting. The intention of the deferral was to allow time for the proponent to work with Kawartha Region Conservation Authority staff to address their comments and concerns.

The proponent has since withdrawn their application, as such the application will not be returning to the Committee of Adjustment.

There were no questions from the Committee or other persons.

CA2025-110

Moved By S. Richardson

Seconded By B. Archer

That the memorandum indicating withdrawal of the application be received.

Carried**3.1.2 COA2025-069**

Ahmad Shahid, Planner II

File Number: D20-2025-027

Location: Part Lot 21, Concession 12

Geographic Township of Emily

Owners: Jeannette Y. and John E. Van Lagen

Applicant: Grace and Associates Inc.

Mr. Shahid addressed the Committee regarding the returning application deferred at the April 23rd meeting. Reason for deferral is due to comments raised by Kawartha Region Conservation Authority (KRCA) after the writing of the report that required further review and evaluation. The deferral period of no more than three (3) months was to allow the applicants/owners to work with Kawartha Region Conservation Authority staff.

Mr. Shahid summarized Report COA2025-069. To consider relief under Section 45(1) of the Planning Act., R. S. O., as amended, from the Township of Emily Zoning By-Law 1996-30, as amended. The purpose and effect is to facilitate the construction of a one-storey single detached dwelling, as well as to recognize an existing shed. Relief sought: Section 12.2.1.3.e. of the Zoning By-law requires a minimum 30 metre water setback, the proposed water setback from the dwelling is 15.1 metres and the existing shed is 21.5 metres.

After the writing of the report, comments were received from the Supervisor of Part 8 Sewage Systems stating that an alternative septic disposal system is proposed and as such no concerns with the application. KRCA worked through the previous concerns stating they are now in support of the application and that a permit is required from their office.

The Committee had the following questions:

- 1) Do you know what the alternative septic system will be?
- 2) Slide 5 of the presentation - reason for the lot line continuing out in the water.
- 3) Appendix C, has consideration been taken to move the proposed dwelling closer to the front lot line?

Mr. Shahid responded.

The applicant, Thomas Grace was present via electronic participation and responded to the Committee's questions.

There were no further questions from the Committee or other persons.

Detailed responses can be obtained from the YouTube recording and from the staff report COA2025-069.

CA2025-111

Moved By S. Strangway

Seconded By G. Erickson

That minor variance application D20-2025-027 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

1. **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-069, which shall be attached to and form part of the Committee's Decision;
2. **That** the privy and trailer identified in Appendix C are removed upon completion of construction of the proposed dwelling. This condition will be considered fulfilled upon the owner providing photographic evidence to the Planning Administration (cofa@kawarthalakes.ca) and Secretary-Treasurer; and,
3. **That** building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2025-069. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

3.2 Consents

4. New Applications

4.1 Minor Variances

4.1.1 COA2025-070

Ahmad Shahid, Planner II
 File Number: D20-2025-056
 Location: 46 Birch Glen Drive
 Part Lot 16, Concession 7, Lot 13 of Plan 184
 Geographic Township of Somerville
 Owners: Guillaume Lessard and Julie Tran
 Applicant: Keji, Planners and Builders c/o Joe McCool

Mr. Shahid summarized Report COA2025-070. To consider relief under Section 45(1) of the Planning Act., R. S. O., as amended, from the Township of Somerville Zoning By-Law 78-45, as amended. The purpose and effect is to facilitate the construction of a new deck connecting the existing dwelling and boathouse. Relief sought: Section 5.2.f of the Zoning By-law which requires a 15 metre water setback, the proposed water setback from the new deck is 9.3 metres.

After the writing of the report, comments were received from DS-Building and Septic Division (Building) stating no concerns. Kawartha Region Conservation Authority (KRCA) are in support of the application and that a permit is not required. Public comments were received from the owners of 50 Birch Glen Drive, in support of the application.

The owner, Guillaume Lessard was present via electronic participation and spoke to the Committee. The applicant, Mr. McCool was present in person and was available should the Committee have questions.

There were no questions from the Committee or other persons.

Detailed responses can be obtained from the YouTube recording and from the staff report COA2025-070.

CA2025-112

Moved By S. Richardson

Seconded By E. Finn

That minor variance application D20-2025-056 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

1. **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-070, which shall be attached to and form part of the Committee's Decision; and,
2. **That** building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2025-070. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

4.1.2 COA2025-071

Shayan Okhowat, Planner II
 File Number: D20-2025-057
 Location: 2 Omega Road
 Lot 38, Part Public Road, Plan 221
 Geographic Township of Fenelon
 Owners: Casey and Karen Baker
 Applicant: TD Consulting Inc.

Before the evaluation of the report Mr. Okhowat brought to the Committee's attention the reliefs circulated to the public, the additional reliefs identified after the circulation and the revised site plan. Although staff's opinion is to continue, it was turned over to the Committee to determine whether to proceed. Committee agreed to proceed.

Mr. Okhowat summarized Report COA2025-071. To consider relief under Section 45(1) of the Planning Act., R. S. O., as amended, from the Township of Fenelon By-law 12-95, as amended. The purpose and effect is to facilitate the construction of a detached garage that contains an Additional Residential Unit (ARU). Reliefs sought: Section 13.2.1.3.a of the Zoning By-law requires a minimum front yard setback of 7.5 metres; the proposed setback is 1.2 metres; Section 3.1.2.1 of the Zoning By-law requires an accessory structure or building to be located within the rear or interior yard; the proposed structure is located in the front yard; Section 3.1.3.1 of the Zoning By-law permits a lot coverage for accessory structures of 8% of the lot area to a maximum of 225 square metres; the proposed is a lot coverage of 8.4%; and, Section 3.22.vi of the Zoning By-law requires a minimum lot area of 0.4 hectares (4,000 square metres) to permit an Additional Residential Unit (ARU) on a lot with private services; the existing lot area is 0.27 hectares (2,694.70 square metres). Section 13.2.1.3.c of the Zoning By-law requires a minimum exterior side setback of 7.5 metres; the proposed setback is 2.2 metres.

After the writing of the report, comments were received from the Supervisor of Part 8 Sewage Systems to add a condition relating to private on site sewage disposal. Comments were received from DS-Building and Septic Division (Building) and Engineering Corporate Assets stating no concerns with the proposal.

The Committee had the following questions and concerns:

- 1) Is the structure going to be a one or two storey building?
- 2) Should there be a relief for the height of a two storey?
- 3) Primary use of this land.
- 4) Distinction between the exterior side yard setback and front yard setback.
- 5) Is 2 Omega Road classed as the front yard?

Mr. Okhowat responded.

The applicant, Ms. Archer of TD Consulting Inc. was present in person, thanked staff and was available for questions. Ms. Archer spoke to the height of the proposed ARU.

A motion was made to approve the application as amended.

There were no further questions from the Committee or other persons.

Detailed responses can be obtained from the YouTube recording and from the staff report COA2025-71.

CA2025-113

Moved By S. Strangway

Seconded By S. Richardson

That minor variance application D20-2025-057 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

1. **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-071, which shall be attached to and form part of the Committee's Decision; and,
2. **That** building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

3. **That** approval under the Ontario Building Code (OBC) pertaining to private sanitary waste disposal be obtained within a period of eight (8) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon achievement of compliance to the satisfaction of the Supervisor of Part 8 Sewage Systems.

This approval pertains to the application as described in report COA2025-071. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

4.1.3 COA2025-072

Ahmad Shahid, Planner II

File Number: D20-2025-058

Location: 76 Coldstream Road

Part Lot 32, Concession 8 (Part Park Lot 6 of Plan 115, being Part 1 of Reference Plan 57R-3292)

Geographic Township of Fenelon

Owner: David Beecroft

Applicant: Ryan Hayter

Mr. Shahid summarized Report COA2025-072. To consider relief under Section 45(1) of the Planning Act., R. S. O., as amended, from the Township of Fenelon Zoning By-Law 12-95, as amended. The purpose and effect is to facilitate the construction of a new boathouse and recognizing the relocation of an existing shed. Relief sought: Section 10.2.1.3.c of the Zoning By-law which requires a minimum 7.5 metre exterior side yard setback, the proposed setback of the boathouse is 1.5 metres and the existing setback of the rear shed is 3.4 metres.

Comments were received from DS-Building and Septic Division (Building) and Engineering Corporate Assets stating they have no objections or concerns. Kawartha Region Conservation Authority are in support of the proposal and that a permit will be required from their office.

Committee had the following questions and concerns:

- 1) Location of the second shed.

Mr. Shahid responded that the other existing shed was not the subject of the application.

The applicant, Mr. Hayter was present via electronic participation. Mr. Hayter responded to the Committee's question.

There were no further questions from the Committee or other persons.

Detailed responses can be obtained from the YouTube recording and from the staff report COA2025-072.

CA2025-114

Moved By S. Strangway

Seconded By E. Finn

That minor variance application D20-2025-058 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

1. **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-072, which shall be attached to and form part of the Committee's Decision; and,
2. **That** building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2025-072. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

4.1.4 COA2025-073

Shayan Okhowat, Planner II

File Number: D20-2025-059

Location: 23 Rockside Lane

Part Lot 3, Concession 4

Geographic Township of Carden

Owners: Glen and Kathleen Wells

Applicant: Robert Agivaev

Mr. Okhowat summarized Report COA2025-073. To consider relief under Section 45(1) of the Planning Act., R. S. O., as amended, from the Township of Carden By-law 79-2, as amended. The purpose and effect is to facilitate the construction of a detached garage. Relief sought: Section 14.1.b of the Zoning By-law provides that an accessory building shall only be erected in a side or rear yard. The proposed garage is located in the front yard.

After the writing of the report, comments were received from the Building and Septic Division (Building) and Engineering Corporate Assets stating no concerns with the proposal. Kawartha Region Conservation Authority indicated they have no concerns however a condition be added to confirm the review fee has been paid (Condition 3).

The Committee had the following questions and concerns:

1) Page 3, of the report, relief is required for the maximum permitted height of an accessory structure.... Why was this not included on Page 1 under reliefs sought?

2) KRCA fee.

Mr. Okhowat responded.

The applicant, Mr. Agivaev was present via electronic participation. Mr. Agivaev confirmed the KRCA fee was e-transferred this morning.

The Committee motioned to approve the application as amended.

There were no further questions from the Committee or other persons.

Detailed responses can be obtained from the YouTube recording and from the staff report COA2025-073.

CA2025-115

Moved By S. Richardson

Seconded By E. Finn

That minor variance application D20-2025-059 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

1. **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-073, which shall be attached to and form part of the Committee's Decision; and,

2. **That** building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.
3. **That**, prior to the issuance of a Building Permit, the owner provide written confirmation from Kawartha Region Conservation Authority to the Secretary Treasurer and Planning Administration (cofa@kawarthalakes.ca) that the review fee has been paid within a period of one (1) month after the date of the Notice of Decision, failing which this application shall be deemed to be refused.

This approval pertains to the application as described in report COA2025-073. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

4.1.5 COA2025-074

Shayan Okhowat, Planner II
 File Number: D20-2025-060
 Location 121 Robin Road
 Concession 4, Part N 1/2 Lot 6
 Geographic Township of Fenelon
 Owner: Alice Sorensen
 Applicant: John Sage

Mr. Okhowat summarized Report COA2025-074. To consider relief under Section 45(1) of the Planning Act., R. S. O., as amended, from the Township of Fenelon By-law 12-95, as amended. The purpose and effect is to facilitate the construction of a detached two-storey garage. Relief sought: Section 3.1.3.2 of the Zoning By-law requires a maximum height of 5 metres for an accessory structure or building. The proposed height is 6.3 metres.

After the writing of the report, comments were received from Engineering Corporate Assets indicating no concerns with the proposal.

The Committee had the following questions and concerns:

- 1) Are there requirements for submitting a sketch.

Mr. Okhowat responded.

The applicant, Mr. Sage was present via electronic participation.

There were no further questions from the Committee or other persons.

Detailed responses can be obtained from the YouTube recording and from the staff report COA2025-074.

CA2025-116

Moved By B. Archer

Seconded By E. Finn

That minor variance application D20-2025-060 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

1. **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-074, which shall be attached to and form part of the Committee's Decision; and,
2. **That** building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2025-074. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

4.1.6 COA2025-075

Katherine Evans, Acting Development Supervisor

File Number: D20-2025-061

Location: 73 Kenrei Road

Part Lot 1, Concession 4 (being Parts 1 and 2 on 57R-8137)

Geographic Township of Fenelon

Owners: Timothy and Calli McEachen

Application: Timothy McEachen

Ms. Evans summarized Report COA2025-075. To consider relief under Section 45(1) of the Planning Act., R. S. O., as amended, from the Township of Fenelon Zoning By-law 12-95, as amended. The purpose and effect is to facilitate the construction of a detached garage that is to contain an Additional Residential Unit (ARU) in the future. Relief sought: Section 3.1.2.1 of the Zoning By-law permits accessory structures in the interior side or rear yard; the proposed garage/ARU is to be located in the front yard; and, Section 3.1.3.2 of the Zoning By-law permits a maximum height for accessory structures of 5 metres; the proposed height is 5.3 metres.

After the writing of the report, comments were received from the Building and Septic Division (Building) stating no concerns with the proposal and that a building permit is required and that the ARU is registered. The Supervisor of Part 8 Sewage Systems stated no concerns with the proposal as it relates to an on site sewage disposal.

There were no questions from the Committee or other persons.

CA2025-117

Moved By E. Finn

Seconded By G. Erickson

That minor variance application D20-2025-061 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

1. **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C and the drawings in Appendix D submitted as part of Report COA2025-075, which shall be attached to and form part of the Committee's Decision;
2. **That** building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection; and,
3. **That** the shed as shown in Appendix E be removed or relocated to a location on the property that is compliant with the Zoning By-law within a period of twenty-four (24) months after the date of the Notice of Decision. This condition will be considered fulfilled upon the owner providing photographic evidence to the Secretary-Treasurer and Planning

Administration (cofa@kawarthalakes.ca) that the shed has been removed or relocated to a zone compliant location.

This approval pertains to the application as described in report COA2025-075. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

4.1.7 COA2025-076

Shayan Okhowat, Planner II
 File Number: D20-2025-062
 Location: 84 Adelaide Street South
 Part Park Lot K, Plan 8P
 Former Town of Lindsay
 Owners: Lindsay Retirement Home GP Limited
 Applicant: Lev Living c/o Samantha Chow

Mr. Okhowat summarized Report COA2025-076. To consider relief under Section 45(1) of the Planning Act., R. S. O., as amended, from the Town of Lindsay Zoning By-law 2000-75, as amended. The purpose and effect is to facilitate the construction of a solar panel structure. Relief sought: Section 5.2.b.i of the Zoning By-law requires a minimum exterior side yard setback of 4 metres; the proposed setback is 3.17 metres. Section 11.3.11.g of the Zoning By-law requires a maximum lot coverage of 25%; the proposed lot coverage is 27%.

After the writing of the report, comments were received from the Building and Septic Division (Building) and Engineering Corporate Assets indicating no concerns with the proposal.

The Committee had the following questions and concerns:

1. Appendix C, Parking spots lost to solar panels.

Staff responded.

The applicant, Jinny Tran was present via electronic participation.

No further questions from the Committee or other persons.

Detailed responses can be obtained from the YouTube recording and from the staff report COA2025-076.

CA2025-118**Moved By** B. Archer**Seconded By** S. Strangway

That minor variance application D20-2025-062 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

1. **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-076, which shall be attached to and form part of the Committee's Decision; and,
2. **That** building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2025-076. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried**4.1.8 COA2025-077**

Shayan Okhowat, Planner II

File Number: D20-2025-063

Location: 81 Clifford Drive

Part Lot 11, Concession 4

Geographic Township of Verulam

Owners: Jacqueline and Bedros Avedian

Applicant: Garry Newhook

Mr. Okhowat summarized Report COA2025-077. To consider relief under Section 45(1) of the Planning Act., R. S. O., as amended, from the Township of Verulam By-law 6-87, as amended. The purpose and effect is to facilitate the construction of a detached garage. Relief sought: Section 5.1.3.b of the Zoning By-Law requires any accessory building or structure which is not attached to the main building shall not be erected in any yard other than the interior side yard or

rear yard. The proposed garage is located in the front yard.

After the writing of the report, comments were received from Kawartha Region Conservation Authority, DS-Building and Septic Division (Building) and Engineering Corporate Assets stating no concerns with the proposal.

The applicant, Mr. Newhook was present via electronic participation and available for questions.

There were no questions from the Committee or other persons.

Detailed responses can be obtained from the YouTube recording and from the staff report COA2025-077.

CA2025-119

Moved By S. Richardson

Seconded By E. Finn

That minor variance application D20-2025-063 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

1. **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-077, which shall be attached to and form part of the Committee's Decision; and,
2. **That** building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2025-077. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

4.1.9 COA2025-078

Ahmad Shahid, Planner II

File Number: D20-2025-064

Location: 916 County Road 121

Part Lot 25, Concession 1 East
 Geographic Township of Verulam
 Owner/Applicant: Erin Vanderkleyn

Mr. Shahid summarized Report COA2025-078. To consider relief under Section 45(1) of the Planning Act., R. S. O., as amended, from the Township of Verulam Zoning By-Law 6-87, as amended. The purpose and effect is to facilitate the construction of an agricultural building. Relief sought: Section 19.2.e.i of the Zoning By-law, which requires a 30 metre interior side yard setback; the proposed side yard setback of the agricultural building is 10.7 metres.

After the writing of the report, comments were received from Engineering Corporate Assets stating no objections. The Building and Septic Division (Building) stated no concerns and that the spatial separation will be addressed at building permit stage. Agricultural Development Officer of Economic Development is in support of the proposal.

The Committee had the following questions and concerns:

- 1) Large property, could the owner relocate the building to comply with the Zoning-By-law?
 - 2) Building comments "spatial separation addressed at the Building permit stage". What is the building close too?
- Staff responded.

The applicant, Ms. Vanderkleyn was present via electronic participation and addressed the Committee.

No further questions from the Committee or other persons.

Detailed responses can be obtained from the YouTube recording and from the staff report COA2025-078.

CA2025-120

Moved By S. Richardson

Seconded By G. Erickson

That minor variance application D20-2025-064 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

1. **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report

COA2025-078, which shall be attached to and form part of the Committee's Decision; and,

2. **That** building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2025-078. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

4.1.10 Memo - D20-2025-065

Ahmad Shahid, Planner II

File Number: D20-2025-065

Location: Part Lot 21, Concession 4 (formerly Ops) being Part of Part 1 of Reference Plan 57R-4940

Former Town of Lindsay

Owners: Easton's Muffler Centres c/o Don MacPherson

Applicant: EcoVue Consulting Services Inc. c/o Kent Randall

Mr. Shahid summarized the memo previously circulated to the Committee. It was determined eight days prior to the Committee hearing that the location map used to generate the circulation list was inaccurate. As a result, the required notice was not provided to neighbouring properties in accordance with the provisions of the Planning Act. The application has been deferred to allow for proper circulation and compliance with statutory notice requirements.

The Committee motioned to defer the application to return at the August 28th meeting.

There were no questions from the Committee or other persons.

CA2025-121

Moved By B. Archer

Seconded By E. Finn

That Application D20-2025-065 be deferred for a period of not more than one (1) month, returning to the August 28, 2025 meeting.

Carried

4.1.11 COA2025-080

Ahmad Shahid, Planner II

File Number: D20-2025-066

Location: Part Lot 25, Concession 3, Lots 18 to 20 of Plan 171

Geographic Township of Fenelon

Owner/Applicant: Paula Kember

Mr. Shahid summarized Report COA2025-080. To consider relief under Section 45(1) of the Planning Act., R. S. O., as amended, from the Township of Fenelon Zoning By-law 12-95, as amended. The purpose and effect is to facilitate the recognition of a detached garage currently under construction. Relief sought: Section 3.1.3.2 of the Zoning By-law which permits a maximum 5 metre height for accessory structures, the height of the existing detached garage is 7.47 metres.

After the writing of the report, comments were received from the Building and Septic Division (Building) indicating an active building permit for the construction of a single detached building. No concerns. Engineering Corporate Assets stating no concerns and Kawartha Region Conservation Authority stating they are in support of the proposal and that a permit has already been issued for the garage.

The Committee had the following questions and concerns:

1) 2 lots consolidated, will the detached garage be in the front yard of the lot, and any concerns.

The owners, Mr. and Mrs. Kember were present in person, the applicant, Mr. Wilcox was present via electronic participation and available should there be any questions.

There were no further questions from the Committee or other persons.

Detailed responses can be obtained from the YouTube recording and from the staff report COA2025-080.

CA2025-122

Moved By S. Strangway

Seconded By S. Richardson

That minor variance application D20-2025-066 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

1. **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-080, which shall be attached to and form part of the Committee's Decision;
2. **That** prior to the issuance of a building permit for the intended use being a detached garage, the applicant submit an application for approval of a Deeming By-law to ensure the consolidation of the properties identified as PIN 631650428 and PIN 631650430; and,
3. **That** building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2025-080. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Carried

4.2 Consents

5. Other Business

Ms. Barrie introduced one of Planning's summer students, Cathy Lu who will be presenting at the next meeting and Susan Rosales, new Manager of Planning with 30 years of strategic planning.

The Chair thanked Mr. Okhowat for his presentations.

6. Correspondence

7. Next Meeting

The next meeting will be Thursday, August 28 at 1:00pm in Council Chambers, City Hall.

8. Adjournment

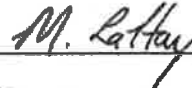
CA2025-123

Moved By S. Strangway

Seconded By S. Richardson

That the meeting be adjourned at 2:24pm.

Carried

A handwritten signature in cursive script, reading "M. LaHay", is positioned above a horizontal line.

Mark LaHay, Secretary-Treasurer

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Easton's Muffler Centres Ltd.
Report Number COA2025-079

Public Meeting

Meeting Date: August 28, 2025

Time: 1:00 pm

Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 5 – Former Town of Lindsay

Subject: The purpose and effect is to facilitate the construction of two commercial buildings, which includes a drive-through quick service restaurant and a drive-through automotive lube shop.

Relief sought:

1. Section 5.12 of the Zoning By-law requires 1 parking space per 11 square metres of gross floor area for an eating establishment (restaurant) which equals 27 parking spaces based on the size of the proposed restaurant; 22 parking spaces are proposed for the restaurant;
2. Section 5.12.h. of the Zoning By-law requires a minimum width of 3.6 metres for accessibility parking spaces, there are two accessibility parking spaces proposed, one of which is 2.7 metres in width;
3. Section 5.14 of the Zoning By-law requires a minimum landscaped buffer based on the subject applicable zone and abutting zone:
 - a. Section 5.1.4.b. states where a Commercial Zone abuts a Community Facility Zone, a landscaped strip of land not less than 1.8 metres in width with an opaque wood fence not less than 1.8 metres in height, shall be situated adjacent to the landscaped strip. The applicable yard (rear yard) provides 0.18 metres of landscaping buffer with an opaque wood fence;
 - b. Section 5.14.c. states in a Commercial Zone, a landscaped strip of a minimum width of 1.8 metres shall be required in yards that do not abut a Residential or Community Facility Zone. The applicable yards landscaped buffer is 1.63 metres (east side yard) and is 1.12 metres (west side yard).
4. Section 16.2.c. of the Zoning By-law requires a minimum 15 metre front yard setback, the proposed front yard setback from the restaurant is 10.4 m; and,
5. Section 16.2.e of the Zoning By-law requires a minimum 4.5 metre interior side yard setback, the proposed interior side yard setback is 2.0 metres (east) and 7.0 metres (west).

The variance is requested at **344 – 348 Kent Street West** (File D20-2025-065).

Author: Ahmad Shahid, Planner II **Signature:**



Recommendations

That Report COA2025-079 – Easton's Muffler Centres Ltd., be received;

That minor variance application D20-2025-065 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

- 1) **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-079, which shall be attached to and form part of the Committee's Decision; and,
- 2) **That** building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2025-079. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Construction of two commercial buildings, which includes a drive-through quick service restaurant and a drive-through automotive lube shop.
Owners:	Easton's Muffler Centres Ltd. c/o Don Macpherson
Applicant:	EcoVue Consulting
Legal Description:	Part Lot 21, Concession 4 (formerly Ops), being Part of Part 1 of Reference Plan 57R-4940
Official Plan ¹ :	Urban Settlement Area (City of Kawartha Lakes Official Plan, 2012)

¹ See Schedule 1

Secondary Plan ² :	Urban Settlement Area (Lindsay Secondary Plan, 2023)
Zone ³ :	General Commercial (GC) Zone (Town of Lindsay Zoning By-law 2000-75)
Site Size:	3,519.77 square metres (0.87 acres)
Site Access:	Year-round maintained road
Site Servicing:	Full municipal servicing
Existing Uses:	Commercial/Industrial
Adjacent Uses:	Commercial, Institutional

Rationale

The variance is desirable for the appropriate development or use of the land, building or structure.

The subject property is located in the former Town of Lindsay, with access from Kent Street West. The area surrounding the property is primarily characterized by commercial uses. Many of the surrounding lands contain commercial plaza's, malls, restaurants and drive-throughs, and institutional buildings.

The subject property currently contains several structures, all of which are to be demolished. The proposal seeks to facilitate the construction of two commercial buildings, which includes a drive-through quick service restaurant and a drive-through automotive lube shop. The proposed buildings and their intended uses are similar to and align with the surrounding area and lands along Kent Street West.

The property is also currently undergoing and subject to a site plan control process (D19-2024-008), for this same proposal.

Given the above analysis, the variance is considered desirable and appropriate for the use of land.

The variance maintains the general intent and purpose of the Official Plan.

The subject property is designated Urban Settlement Area under the City of Kawartha Lakes Official Plan. The Urban Settlement Area designation aims to provide general broad policies that are applicable to all urban settlements within the City. The Lindsay Secondary Plan provides more specific policies directed towards the former Town of Lindsay. Under the Secondary Plan, the property is designated General Commercial. This designation permits a wide range of retail establishments and commercial uses such as food stores, service commercial, and automobile service stations.

² See Schedule 1

³ See Schedule 1

The proposed development aligns with the permitted uses of the General Commercial designation. Performance and siting criteria is implemented through the Zoning By-law.

Therefore, the variance is considered to maintain the general intent and purpose of the Official Plan.

The variance maintains the general intent and purpose of the Zoning By-law.

The subject property is zoned General Commercial (GC) Zone under the Town of Lindsay Zoning By-law 2000-75. The GC Zone permits various uses including but not limited to motor vehicle repair establishment and an eating establishment. Relief is requested from the minimum required parking spaces, minimum width for an accessible parking space, landscape buffer requirements, front yard setback, and interior side yard setback.

Section 5.12 of the Zoning By-law requires 1 parking space per 11 square metres of gross floor area for an eating establishment (restaurant) which equals 27 parking spaces based on the size of the proposed restaurant; 22 parking spaces are proposed for the restaurant. The intention of minimum parking requirements in zoning by-laws is to ensure that developments provide sufficient on-site parking to meet the anticipated demand generated by their specific use. In this case, the proposed reduction is considered reasonable given the site's urban context, potential availability of shared or nearby parking, and opportunities for pedestrian or transit access. The proposed parking supply is anticipated to sufficiently meet operational needs while supporting efficient land use and site design. Sufficient parking is proposed for the drive-through automotive lube shop.

Section 5.12.h. of the Zoning By-law requires a minimum width of 3.6 metres for accessibility parking spaces, there are two accessibility parking spaces proposed, one of which is 2.7 metres in width. The intent of requiring increased parking space widths for accessible spaces is to ensure sufficient room for persons with disabilities to safely enter and exit vehicles, including the use of mobility aids, thereby promoting accessibility and compliance with human rights standards. The Accessibility for Ontarians with Disabilities Act, 2005 (AODA) contains Ontario Regulation 191/11 which pertains to accessibility standards. Section 80.34 prescribes two types of accessible parking spaces: Type A (minimum 3.4 metres in width) and Type B (minimum 2.4 metres in width). In this case, two accessible parking spaces are required, one of each Type under the AODA. Two accessible parking spaces are provided, one being 3.6 metres in width and the other being 2.7 metres in width. The reduced parking space width complies with the Type B requirements of the AODA, and therefore, achieves the intent of the Zoning By-law provision by ensuring sufficient room for persons with disabilities.

In regards to landscape buffers, Section 5.14 of the Zoning By-law requires a minimum landscaped buffer based on the subject applicable zone and abutting zone:

- a. Section 5.1.4.b. states where a Commercial Zone abuts a Community Facility Zone, a landscaped strip of land not less than 1.8 metres in width with an opaque wood fence not less than 1.8 metres in height, shall be

situated adjacent to the landscaped strip. The applicable yard (rear yard) provides 0.18 metres of landscaping buffer with an opaque wood fence;

- b. Section 5.14.c. states in a Commercial Zone, a landscaped strip of a minimum width of 1.8 metres shall be required in yards that do not abut a Residential or Community Facility Zone. The applicable yards landscaped buffer is 1.63 metres (east side yard) and is 1.12 metres (west side yard).

Landscape buffers are intended to mitigate land use conflicts, enhance visual screening, reduce noise and light intrusion, and protect the privacy and character of adjacent properties. When commercial uses abut sensitive uses such as residential areas or community facilities, buffers serve to minimize adverse impacts, support a compatible interface, and maintain the amenity and livability of the surrounding environment. Despite the minor reductions, the proposal maintains an opaque wood fence along the rear yard and provides functional landscaped strips on both side yards. Additionally, the abutting property to the north, zoned Community Facility (CF) Zone, is heavily treed along the shared lot line. Given the primarily commercial context of the area, the reduced buffers are considered appropriate and still support the general intent of the Zoning By-law.

Section 16.2.c. of the Zoning By-law requires a minimum 15 metre front yard setback, the proposed front yard setback from the restaurant is 10.4 m. The proposed front yard setback of drive-through automotive lube shop complies with the Zoning By-law. The intent of the minimum front yard setback is to ensure adequate spatial separation between built form and the travelled portion of the street and to maintain features such as the character of the streetscape. The proposed reduction is not significant, as the site design incorporates elements that enhance traffic circulation and safety, including an internal stop sign and directional road markings. These features help manage on-site vehicle movement and mitigate potential impacts of the reduced setback, thereby maintaining the overall functionality and compatibility of the site with its surroundings.

Section 16.2.e of the Zoning By-law requires a minimum 4.5 metre interior side yard setback, the proposed interior side yard setback is 2.0 metres (east) and 7.0 metres (west). The intention of a side yard setback is to ensure there is sufficient space between neighbouring properties, avoiding overcrowding, maintaining privacy, and a space for maintenance and access. It should be noted that the existing commercial building on the subject lands has a side yard setback of 0.66 metres (west side yard) and that the subject proposal will improve this requirement by proposing an increased side yard setback (7.0 metres). The side yard will include landscaping to prevent any potential visual impact from the proposed building. As such, there will be no negative impacts anticipated on neighbouring uses. Interior side yards may be reduced in urban areas to support compact, efficient land use, promote infill development, and reinforce a continuous urban streetscape.

Therefore, the variance is considered to maintain the general intent and purpose of the Zoning By-Law.

The variance is minor in nature.

There are no anticipated impacts on environmental features; neighbouring properties; or, the function of the municipal right-of-way with respect to access, drainage, or streetscaping and maintenance.

Other Alternatives Considered:

No alternatives considered.

Consultation Summary

Notice of this application was circulated in accordance with the requirements of the Planning Act.

Agency Comments:

No comments received as of the writing of the staff report.

Public Comments:

No comments received as of the writing of the staff report.

Attachments

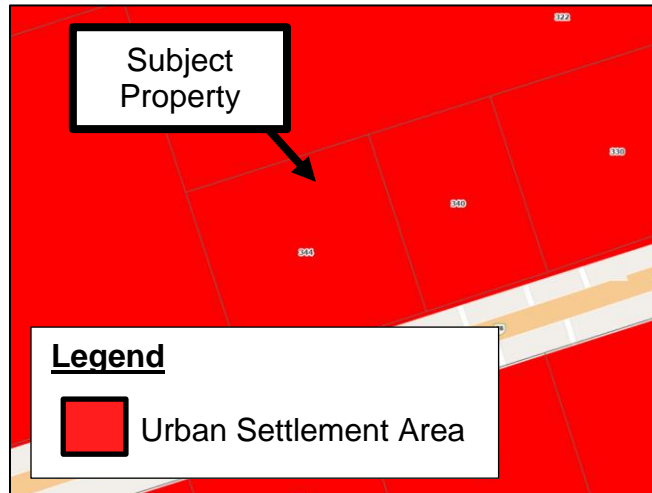
Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch

Phone:	705-324-9411 extension 1367
E-Mail:	ashahid@kawarthalakes.ca
Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-065

Schedule 1

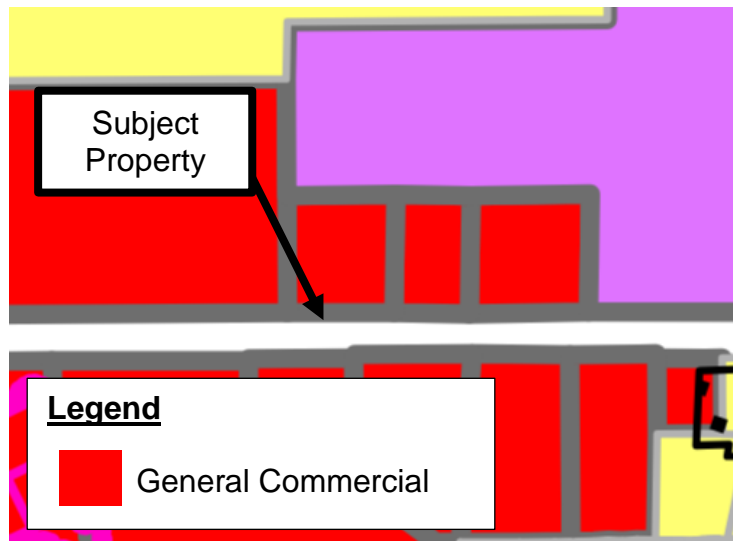
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan (2012)



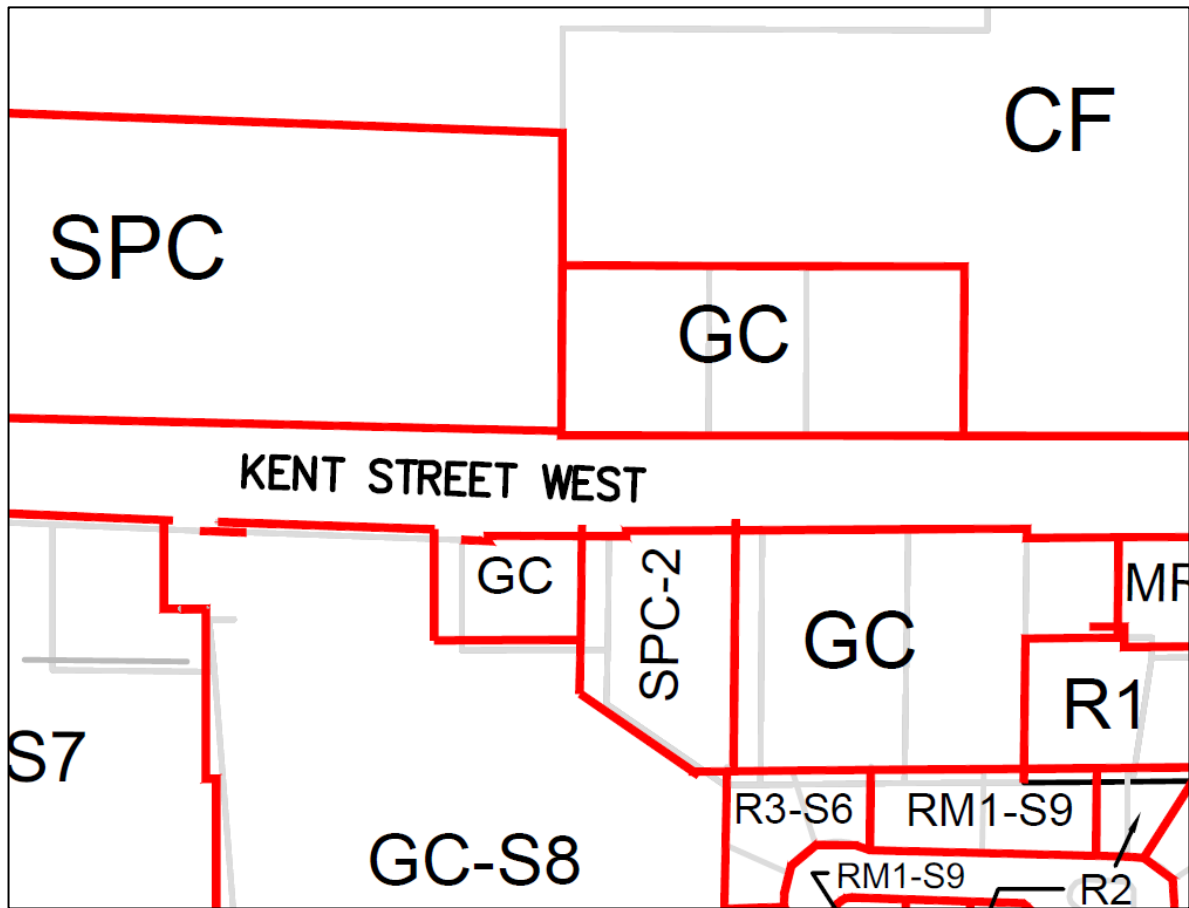
Section 18. Urban Settlement Designation

Lindsay Secondary Plan (2023)



Section 31.2.3.2.3. General Commercial

Town of Lindsay Zoning By-law 2000-75



Section 5. General Provisions

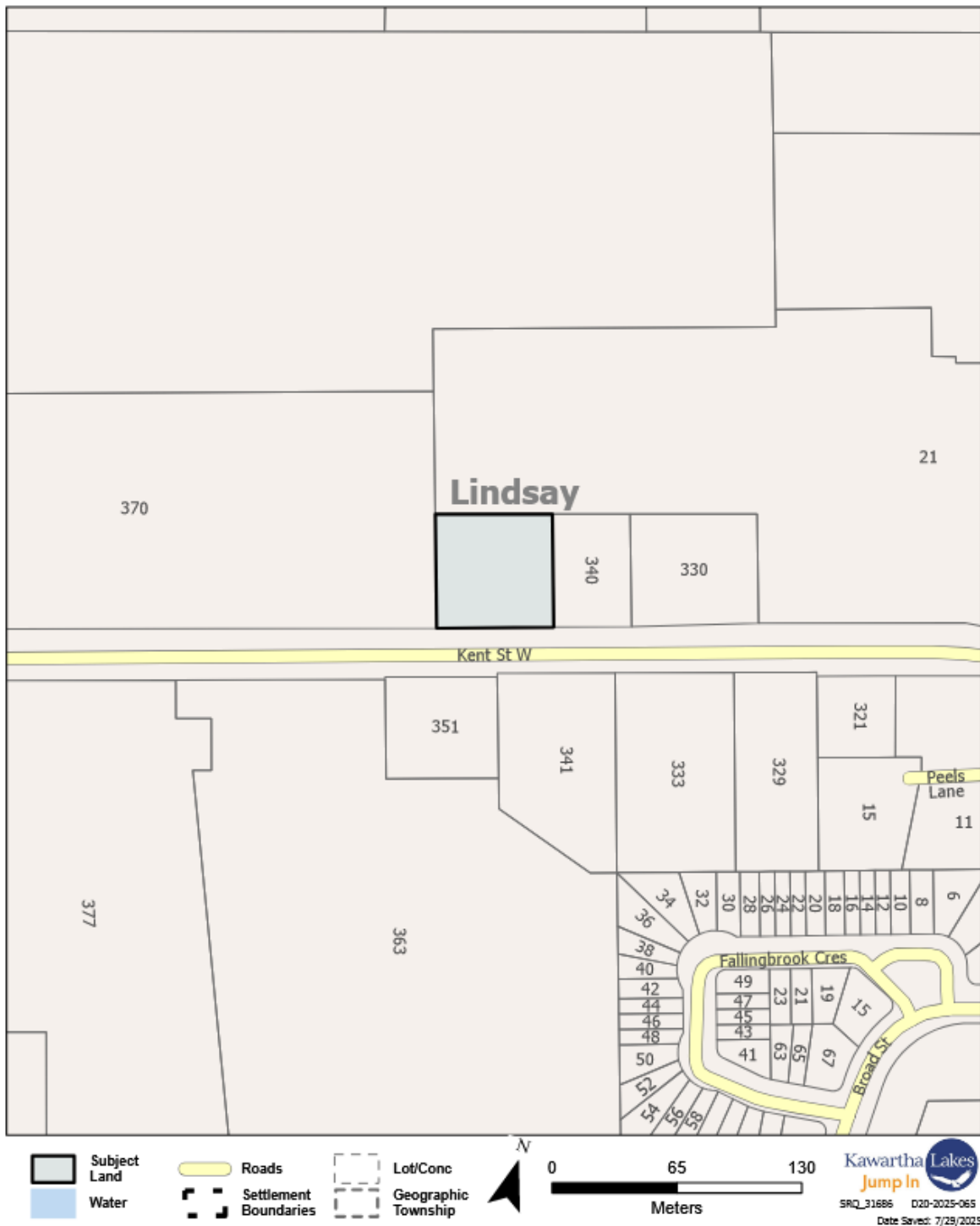
Section 5.12 Parking and Loading Requirements

Section 5.14 Landscaping and Buffer Requirements

Section 16. General Commercial (GC) Zone

LOCATION MAP

D20-2025-065



to

AERIAL PHOTO (2023)

REPORT COA2025-079

FILE NO: D20-2025-065

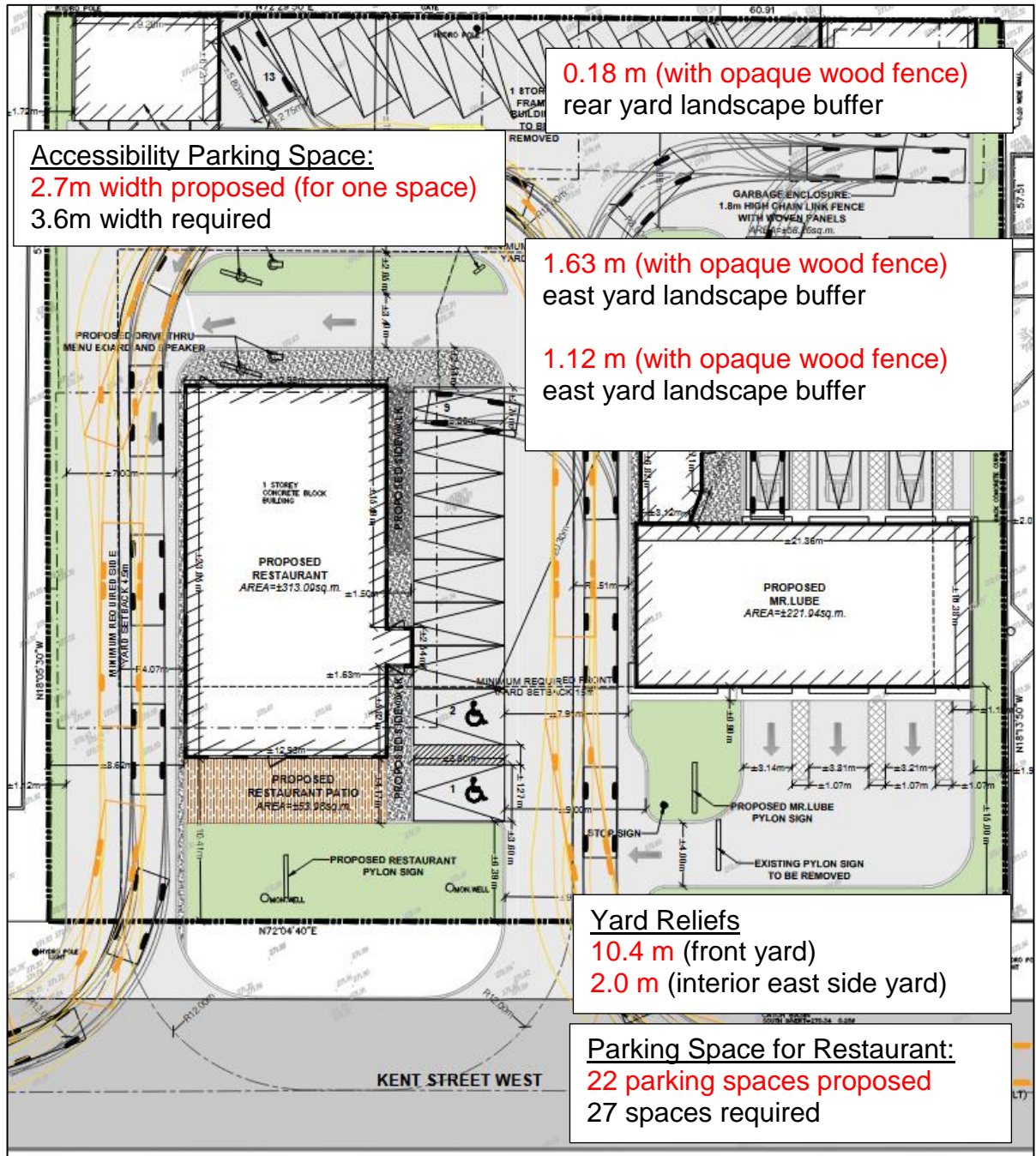


to

APPLICANT'S SKETCH

REPORT COA2025-079

FILE NO: D20-2025-065



The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Jeevanesan

Report Number COA2025-081

Public Meeting

Meeting Date: August 28, 2025

Time: 1:00 pm

Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 3 – Former Village of Fenelon Falls

Subject: The purpose and effect is to facilitate the recognition of an existing covered front patio and planter boxes

Relief sought:

1. Section 4.10.3.c) i) of the Zoning By-law requires a 12 metre minimum front yard setback; the existing front yard setback is 3.03 metres from the covered patio and 0.90 metres from the planter boxes
2. Section 4.10.3.e) of the Zoning By-law requires a 22 metre minimum setback from the street centreline; the existing street centreline setback is 13.56 metres from the covered patio and 11.46 metres from the planter boxes.

The variance is requested at **102 Lindsay Street** (File D20-2025-041).

Author: Violeta Manastirliu, Summer Student Planner

Signature: 

Recommendations

That Report COA2025-081 – Jeevanesan, be received;

That minor variance application D20-2025-041 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

- 1) **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report

COA2025-081, which shall be attached to and form part of the Committee's Decision; and,

- 2) **That** this approval shall be in effect a period of eight (8) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2025-081. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	To recognize an existing covered front patio and planter boxes
Owners:	Sinnathural Jeevanesan
Applicant:	Mayu Balasubramaniam
Legal Description:	Lot 74 on Plan 11 West Side of Lindsay Street
Official Plan ¹ :	Commercial (Fenelon Fall Secondary Plan, 2015)
Zone ² :	District Commercial (C2) (Village of Fenelon Falls Zoning By-law 89-25)
Site Size:	2,033.61 m ² (21,889.6 sq ft)
Site Access:	Year round municipal road
Site Servicing:	Municipal water and sanitary sewers
Existing Uses:	Commercial
Adjacent Uses:	Commercial and Residential

Rationale

The variance is desirable for the appropriate development or use of the land, building or structure.

The subject property is within an established Commercial area located on the western side of the Former Village of Fenelon Falls. The property is rectangular in

¹ See Schedule 1

² See Schedule 1

shape and currently contains a one-storey restaurant constructed in 1965 (According to Municipal Property Assessment Corporation).

The purpose of the application is to recognize an existing covered front patio and planter boxes. The covered patio provides outdoor dining space for customers of the restaurant. It is located at the front of the building, which is ideal for accessibility for both staff and customers. Additionally, the planter boxes improve the overall aesthetic of the property while also providing a physical buffer between the patio and the sidewalk.

Given the above analysis, the variance is considered desirable and appropriate for the use of land.

The variance maintains the general intent and purpose of the Official Plan.

The subject property is designated Urban Settlement under the City of Kawartha Lakes Official Plan, 2012 and Commercial under the Fenelon Falls Secondary Plan, 2015. The Urban Settlement designation allows commercial uses and supports the improvement of infrastructure. The Commercial designation permits the use of a restaurant. Performance and siting criteria are implemented through the ZBL.

Section 31.4.3.5.6 b) of the Fenelon Falls Secondary Plan details the need for adequate buffering through the use of suitable screening materials. The existing planter boxes act as a buffer between Lindsay Street and the covered patio space.

Therefore, the variance is considered to maintain the general intent and purpose of the Official Plan.

The variance maintains the general intent and purpose of the Zoning By-law.

The property is zoned District Commercial (C2) Zone under the Village of Fenelon Falls Zoning By-law 89-25. An eating establishment is permitted within this zone. The development complies with all provisions of the Zoning By-law with the exception of the minimum front yard setback and the minimum setback from the street centreline.

As per section 4.10.3.c) i) of the By-law, a minimum front yard setback of 12 metres is required. The existing setback is 3.03 metres from the covered patio and 0.90 metres from the planter boxes. Additionally, Section 4.10.3.e) of the By-law requires a minimum setback from the street centreline of 22 metres; the existing setback is 13.56 metres from the covered patio and 11.46 metres from the planter boxes. The intent of the minimum front yard setback is to ensure adequate spatial separation between built form and the travelled portion of the street as to not impede traffic, snow removal, and streetscaping maintenance, as well as to maintain features such as sight lines and the character of the streetscape. The intent of the street centreline setback is to ensure that built form will be adequately set back from it in the event the municipality decided to take a road widening. The road allowance for Lindsay Street is currently approximately 20 metres wide. It is not anticipated that the covered patio and planter boxes will impact the function of the road right of way. If the municipality were to widen Lindsay Street at some point

in the future, the patio and planter boxes could be removed or reconfigured to facilitate the widening.

The existing covered patio and planter boxes do not encroach onto or obstruct the sidewalk, allowing pedestrians to use the sidewalk safely. Additionally, there is sufficient parking in the side and back yard of the lot. Furthermore, automobile access to the property is not affected or hindered by the patio and planter boxes. The planter boxes act as a buffer between the sidewalk and the covered patio to create separation between public and private areas, as well as to avoid passerby's from entering into the restaurant area.

Therefore, the variance is considered to maintain the general intent and purpose of the Zoning By-Law.

The variance is minor in nature.

There are no anticipated impacts on environmental features; neighbouring properties; or, the function of the municipal right-of-way with respect to access, drainage, or streetscaping and maintenance.

Other Alternatives Considered:

No alternatives considered.

Consultation Summary

Notice of this application was circulated in accordance with the requirements of the Planning Act.

Agency Comments:

No comments received as of the writing of the staff report.

Public Comments:

No comments received as of the writing of the staff report.

Attachments

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch

Phone: 705-324-9411
E-Mail: vmanastirliu@kawarthalakes.ca

Department Head: Leah Barrie, Director of Development Services
Division File: D20-2025-041

Schedule 1

Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



 Urban Settlement Area

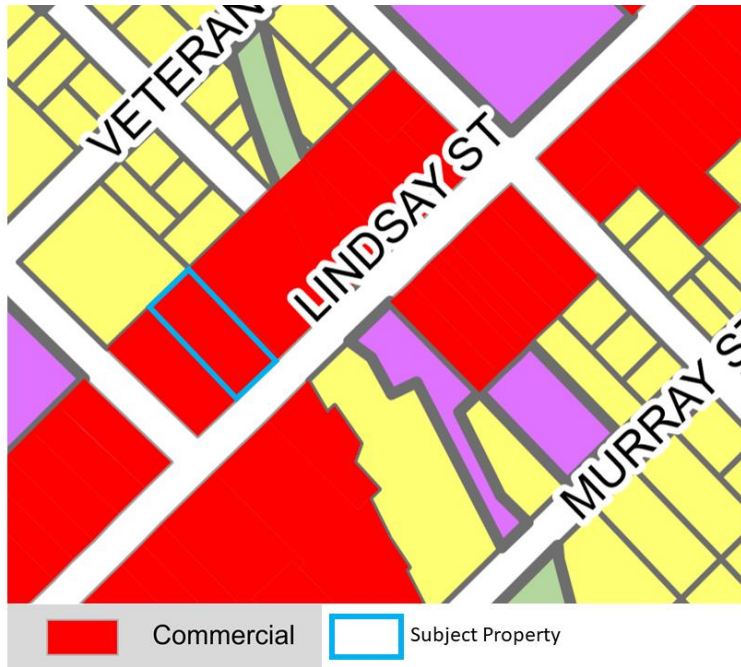
 Subject Property

Section 18. Urban Settlement Designation

18.1.3. Goals

To manage growth through efficient land use and development that supports strong, liveable and healthy communities, protects the environment and public health and safety and facilitates economic growth.

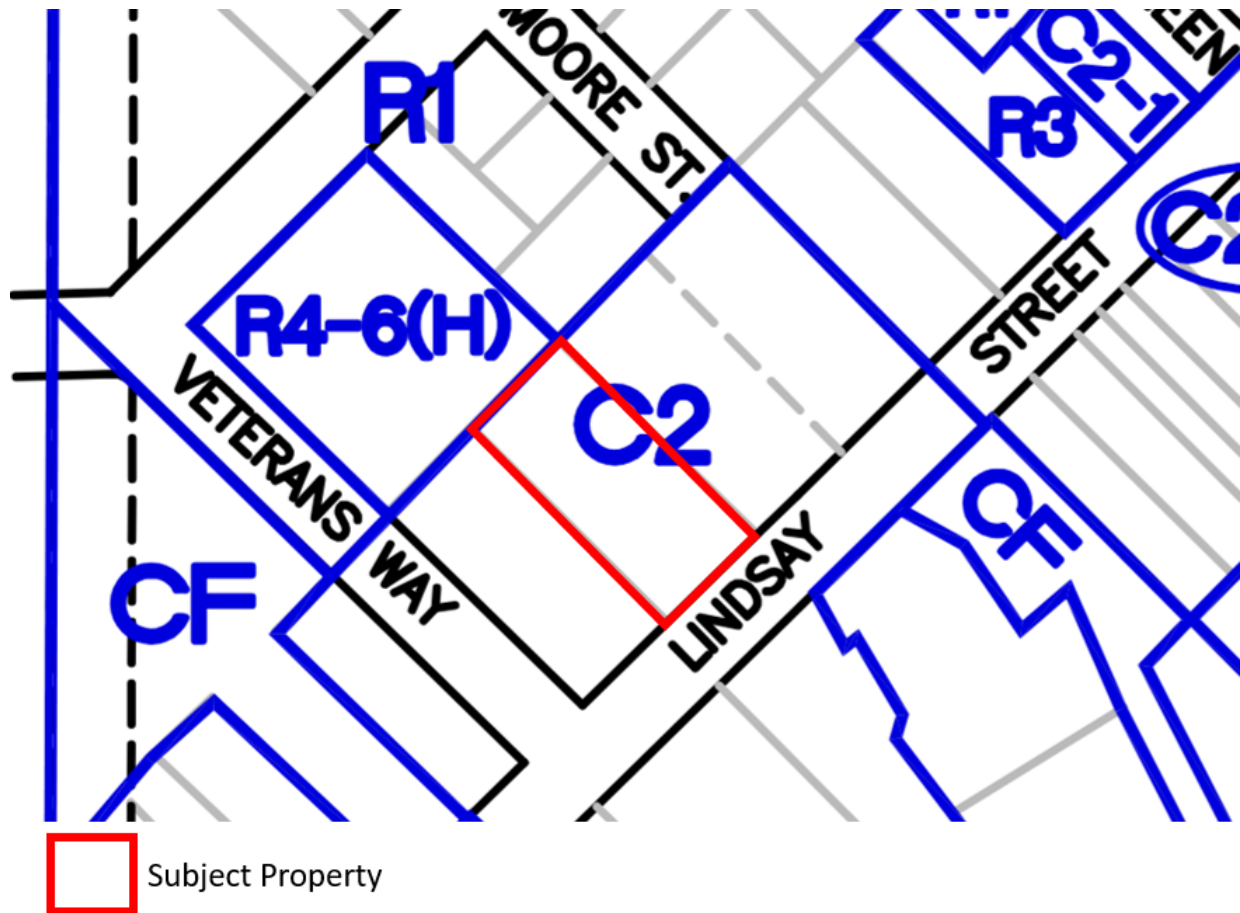
Fenelon Falls Secondary Plan



31.4.3.5 Commercial

31.4.3.5.2 Commercial uses which primarily serve vehicular traffic, the travelling public and which rely heavily upon such traffic for their economic existence shall be located on CKL Roads or arterial roads. These uses include automobile service station, public garages, motel, hotel, auction barn, laundromat, restaurant, places of assembly, building supply outlets, drive-through facilities, recreational uses, retail establishments that carry basically one line of goods of a non-perishable nature that requires a large area for storage and delivery being uses such as home furnishings stores, motor vehicle and marine sales and service, and existing tourism commercial establishments.

Village of Fenelon Falls Zoning By-law 89-25



Section 4.10 District Commercial (C2) Zone

Section 4.10 3. Regulations for Non-Residential Uses Exclusive of Retail Gasoline Establishments

- c) Minimum yard requirements
 - i) Front yard 12 m
- e) Minimum setback from street centreline 22 m

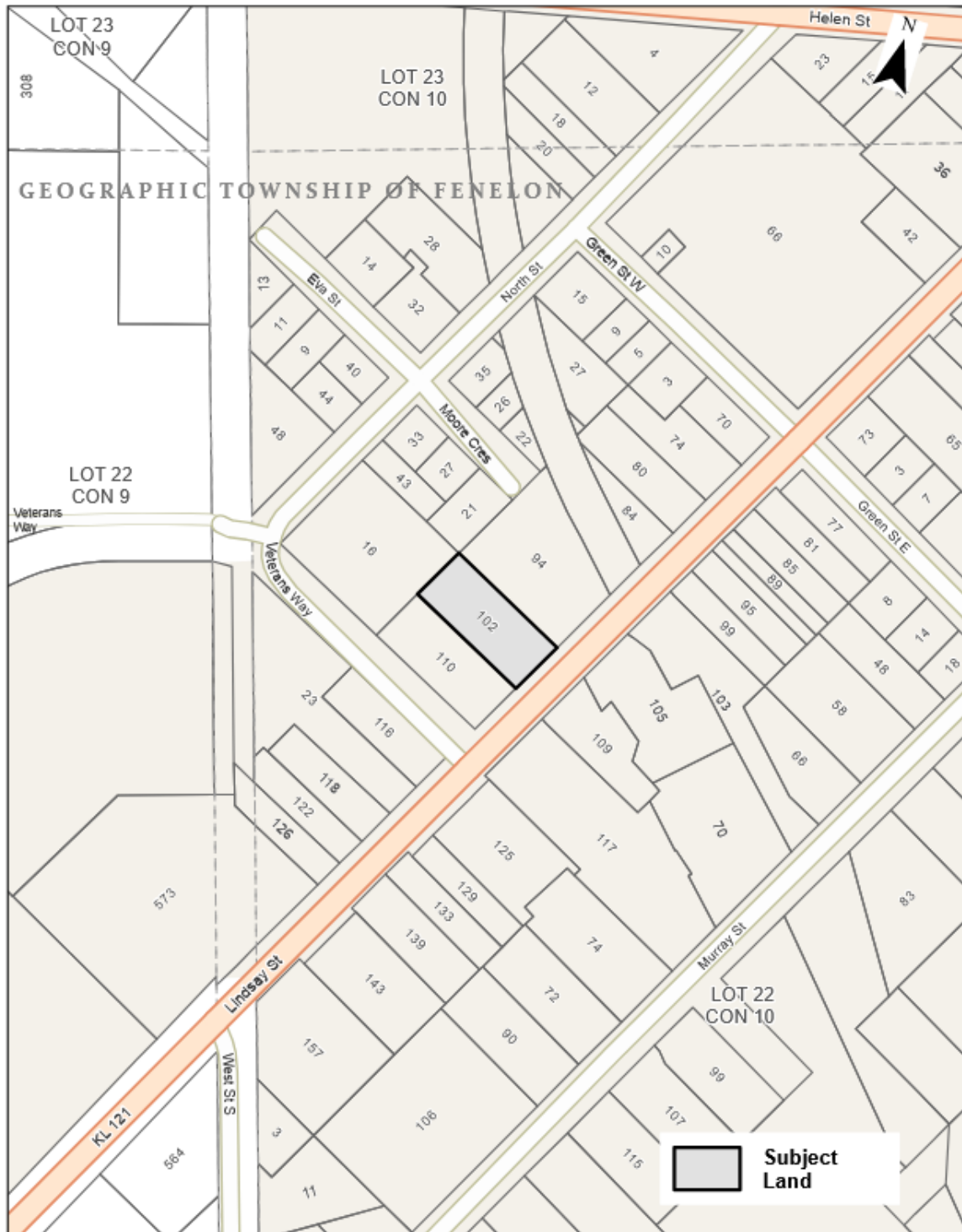
to

REPORT COA2025-081

FILE NO: D20-2025-041

LOCATION MAP

D20-2025-041



to

REPORT COA2025-081

FILE NO: D20-2025-041

AERIAL PHOTO



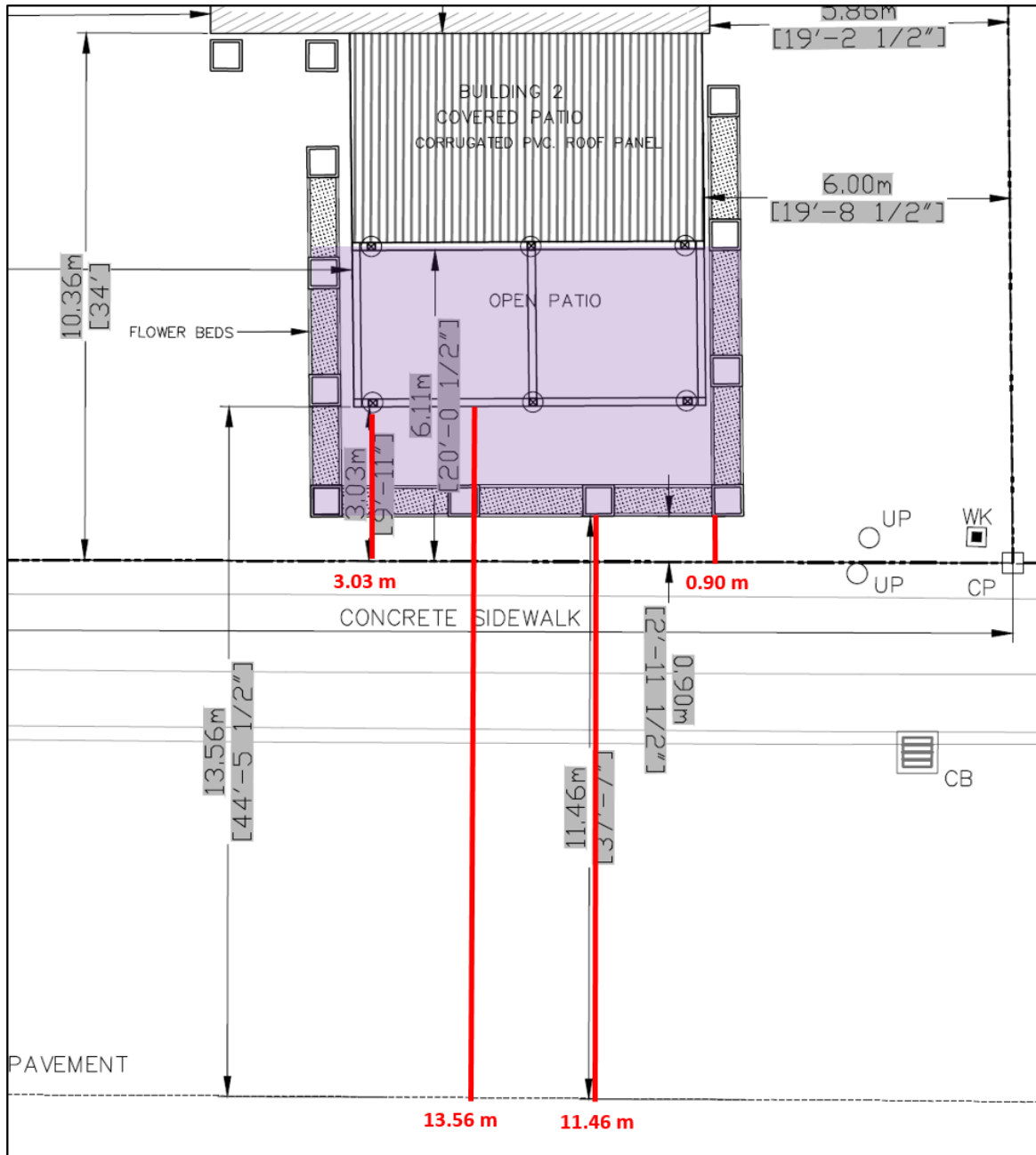
Subject Property

to

REPORT COA2025-081

FILE NO: D20-2025-041

APPLICANT'S SKETCH



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – 208564 Ontario Inc.
Report Number COA2025-082

Public Meeting

Meeting Date: August 28, 2025

Time: 1:00 pm

Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 6 – Former Village of Omemee

Subject: The purpose and effect is to facilitate the severance of the property to create one (1) new residential building lot.

Relief sought:

1. Section 8.2.1.1.b. of the Zoning By-law requires a minimum lot area of 830 square metres, the proposed lot areas are 813.3 square metres (retained) and 748.4 square metres (severed);
2. Section 8.2.1.3.a. of the Zoning By-law requires a minimum 7.5 metre front yard setback, the proposed front yard setback on the severed lot is 5.2 metres; and,
3. Section 8.2.1.3.c. of the Zoning By-law requires a minimum 4.5 metre exterior side yard setback, the proposed exterior side yard setback on the retained lot is 1.3 metres (proposed deck) and 2.5 metres (proposed dwelling).

The variance is requested at **Queen Street North, Lot 1 to 2 South Side of Wood Street, Plan 109** (File D20-2025-067).

Author: Ahmad Shahid, Planner II

Signature:



Recommendations

That Report COA2025-082 – 208564 Ontario Inc., be received;

That minor variance application D20-2025-067 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

- 1) **That** development related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report

COA2025-082, which shall be attached to and form part of the Committee's Decision; and,

- 2) **That** development related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2025-082. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Facilitate the severance of the property to create one (1) new residential building lot. The Minor Variance is being processed as a result of a condition pertaining to Consent application D03-2023-064.
Owners:	208564 Ontario Inc.
Applicant:	TD Consulting Inc.
Legal Description:	Queen Street North, Lot 1 to 2 South Side of Wood Street, Plan 109
Official Plan ¹ :	Urban Settlement Area (City of Kawartha Lakes Official Plan, 2012)
Secondary Plan ¹ :	Residential (Omemee Secondary Plan, 2024)
Zone ² :	Residential Type One (R1) Zone (Village of Omemee Zoning By-Law 1993-15)
Site Size:	Total: 1,561.70 square metres (16,810.0 square feet) Severed: 748.4 square metres (8,055.7 square feet) Retained: 813.3 square metres (8,754.3 square feet)
Site Access:	Year-round maintained street
Site Servicing:	Municipal sanitary sewers and private individual well
Existing Uses:	Vacant
Adjacent Uses:	Residential

¹ See Schedule 1

² See Schedule 1

Rationale

The variance is desirable for the appropriate development or use of the land, building or structure.

The subject property is located in a well-established residential community, with access from Queen Street North. Based on data from the Municipal Property Assessment Corporation (MPAC), the area is comprised of residential buildings in the form of single detached dwellings, as well as commercial uses along King Street East.

The proposal seeks to create one (1) new residential building lot with frontage onto Queen Street North for low-density residential uses. The proposed severed lot is 748.4 square metres with 20.12 metres of frontage onto Queen Street North. The proposed severed lot is to contain a future single detached dwelling. The proposed retained lot is 813.3 square metres with 20.12 metres of frontage onto Queen Street North and is also to contain a single detached dwelling. The Minor Variance is being processed as a result of a condition pertaining to Consent application D03-2023-064. Through the Minor Variance, relief is sought to address the proposed lot frontage of the lot to be severed as well as deficient setbacks for the proposed dwellings.

In terms of character of the surrounding lot fabric, the surrounding lots are generally rectangular in shape with varying lot frontages and area. In the immediate context, lot areas start at around 720 square metres. The proposed lot areas align with the existing lot fabric of the neighbourhood.

The Province of Ontario has launched the 'More Homes, More Choice: Ontario's Housing Supply Action Plan' (2019), the goal of which is to build 1.5 million homes by 2031 to address the housing supply crisis in Ontario and to encourage the development of housing that meets the needs and budgets of all Ontarians. As per the Municipal Housing Pledge, the Province has established a housing target in the City of Kawartha Lakes of 6500 new housing units by 2031, and the City has committed to work to achieve this target locally. Through the severance of the property and the construction of the new dwellings, this proposal can contribute to meeting the City's housing target.

Given the above analysis, the variance is considered desirable and appropriate for the use of land.

The variance maintains the general intent and purpose of the Official Plan.

The subject property is designated Urban Settlement Area under the City of Kawartha Lakes Official Plan. The Urban Settlement Area designation aims to provide general broad policies that are applicable to all urban settlements within the City. The Omeme Secondary Plan provides more specific policies directed towards the former Village of Omeme. Under the Secondary Plan, the property is designated Residential. This designation permits a variety of dwelling types and two levels of residential density.

The permitted density is based on the availability of services, compatibility with surrounding uses and locational factors. The proposal would be considered low density residential development, which includes single detached dwellings, semi-detached dwellings, duplex dwellings and similar low-profile residential buildings not exceeding 2.5 storeys in height. The Secondary Plan states that low density residential areas shall be developed from a minimum density of 15 dwelling units per net hectare of land to a maximum density of 25 dwelling units per net hectare of land. The resulting density is approximately 13 units per net hectare bringing it into closer conformity with the density targets for low density residential development under the Secondary Plan. In comparison, existing density on the subject property is approximately 6.4 units per net hectare.

Therefore, the variance is considered to maintain the general intent and purpose of the Official Plan.

The variance maintains the general intent and purpose of the Zoning By-law.

The subject property is zoned Residential Type One (R1) Zone under the Village of Omemee Zoning By-law 1993-15. A single detached dwelling as well as accessory buildings and structures are permitted within this zone. Relief is required from the minimum lot area of both the proposed severed and retained lots, the minimum exterior side yard setback for the proposed dwelling on the retained lot, and minimum front yard setback for the proposed dwelling on the severed lot.

Section 8.2.1.1.b. of the Zoning By-law requires a minimum lot area of 830 square metres, the proposed lot areas are 813.3 square metres (retained) and 748.4 square metres (severed). The intent of the minimum lot area requirement is to ensure lots are appropriately sized to accommodate development while ensuring there is adequate space for amenity uses, private services (e.g. septic system if required), and stormwater infiltration. Additionally, minimum lot sizes help aid in creating a structured and coherent neighbourhood fabric.

The proposed lot areas provide an adequate building envelope to allow for compliance with maximum coverage while also meeting the minimum gross floor area for a dwelling unit. Sufficient amenity space is provided in the compliant proposed rear and interior side yards. Moreover, as municipal sewers are present and available, additional space is not required for a private septic system. Lastly, based on lot size data collected from the Municipal Property Assessment Corporation (MPAC), the proposed lot areas remain consistent with the size of the surrounding lots in the immediate area.

Section 8.2.1.3.a. of the Zoning By-law requires a minimum 7.5 metre front yard setback, the proposed front yard setback on the severed lot is 5.2 metres. The intent of the minimum front yard setback is to ensure adequate spatial separation between built form and the travelled portion of the road and to maintain features such as the character of the streetscape. The provision aims to ensure the property is cohesive with surrounding properties and area.

The built form proposed on both the severed and retained lots are in-line with one another from the road, but it is solely the severed lot that requires relief for its front yard setback in order to accommodate a mandatory road widening as per the

Consent application. Although deficient in its front yard, the proposed dwelling on the severed lot remains visually consistent with that on the proposed retained lot, and a larger rear yard is provided.

Section 8.2.1.3.c. of the Zoning By-law requires a minimum 4.5 metre exterior side yard setback, the proposed exterior side yard setback on the retained lot is 1.3 metres (proposed deck) and 2.5 metres (proposed dwelling). Similar to the front yard setback, the intention of the exterior side yard setback requirement is to regulate the distance between a building or structure and the property line abutting a street, maintaining the existing streetscape, preventing overshadowing issues and creating a buffer between the street and built form to avoid land use conflicts. The proposed retained lot abuts an unopened road allowance that is heavily buffered by existing vegetation. Furthermore, there is no existing streetscape and/or nearby abutting dwellings to the exterior yard. The Public Works – Road Operations department have also indicated that there are no existing plans to open the road allowance at this time.

Therefore, the variance is considered to maintain the general intent and purpose of the Zoning By-Law.

The variance is minor in nature.

There are no anticipated impacts on environmental features; neighbouring properties; or, the function of the municipal right-of-way with respect to access, drainage, or streetscaping and maintenance.

Other Alternatives Considered:

No alternatives considered.

Consultation Summary

Notice of this application was circulated in accordance with the requirements of the Planning Act.

Agency Comments:

No comments received as of the writing of the staff report.

Public Comments:

No comments received as of the writing of the staff report.

Attachments

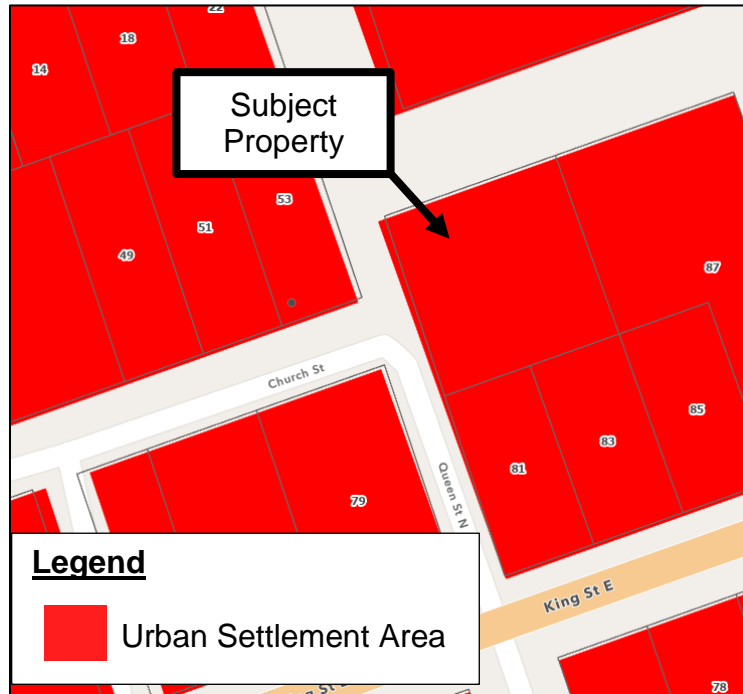
Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch

Phone: 705-324-9411 extension 1367
E-Mail: ashahid@kawarthalakes.ca
Department Head: Leah Barrie, Director of Development Services
Division File: D20-2025-067

Schedule 1

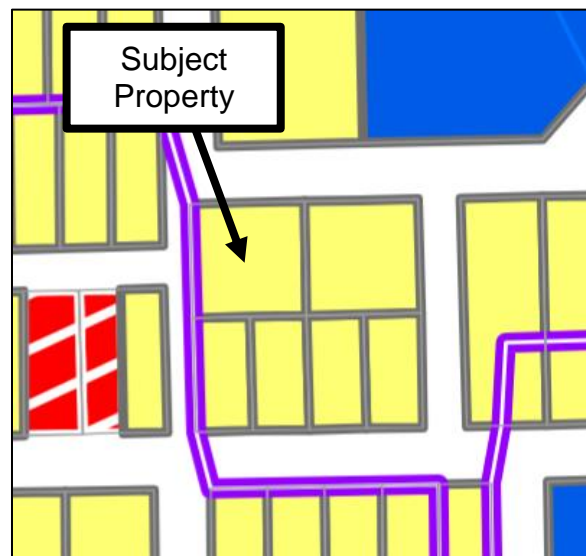
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan (2012)



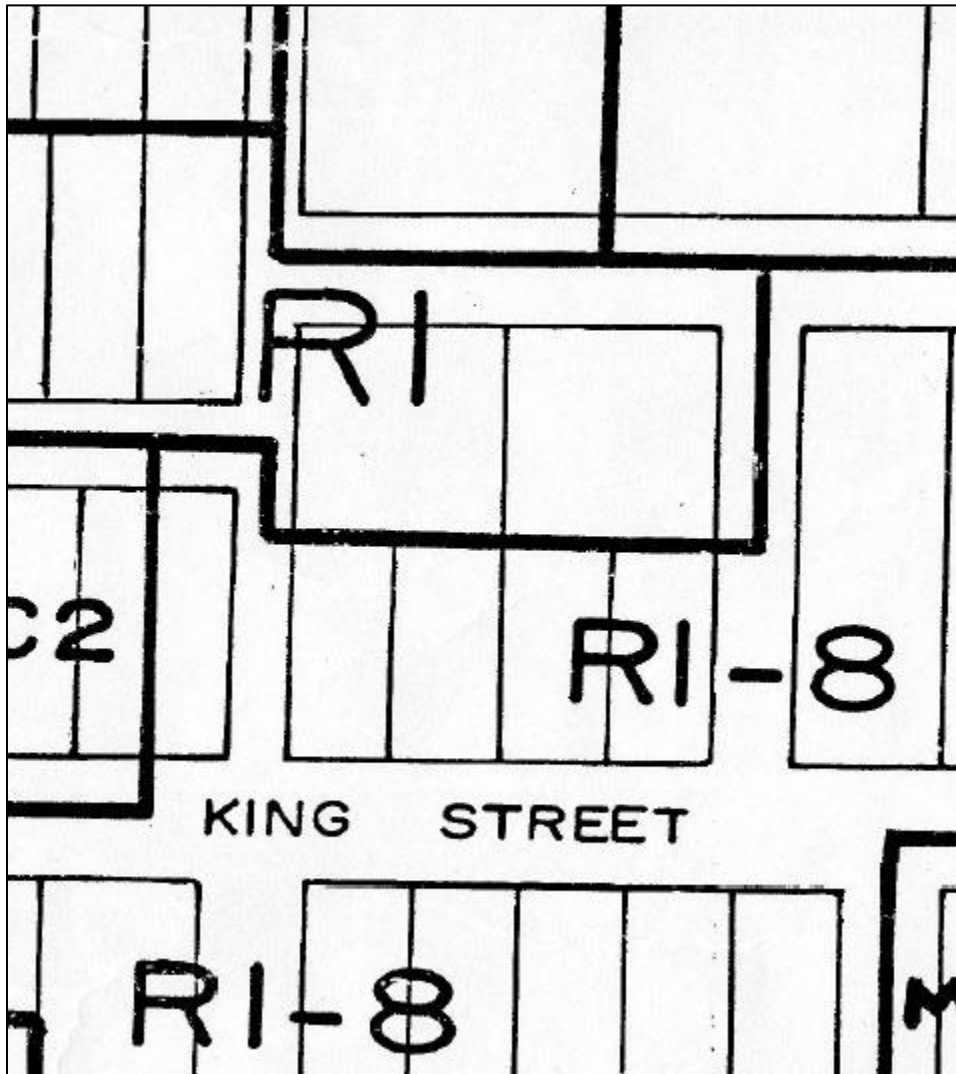
Section 18. Urban Settlement Designation

Omemee Secondary Plan (2024)



Section 31.5.3.1 Residential

Village of Omemee Zoning By-Law 1993-15



Part 8. Residential Type One (R1) Zone

to

LOCATION MAP

REPORT COA2025-082

FILE NO: D20-2025-067

D20-2025-067



to

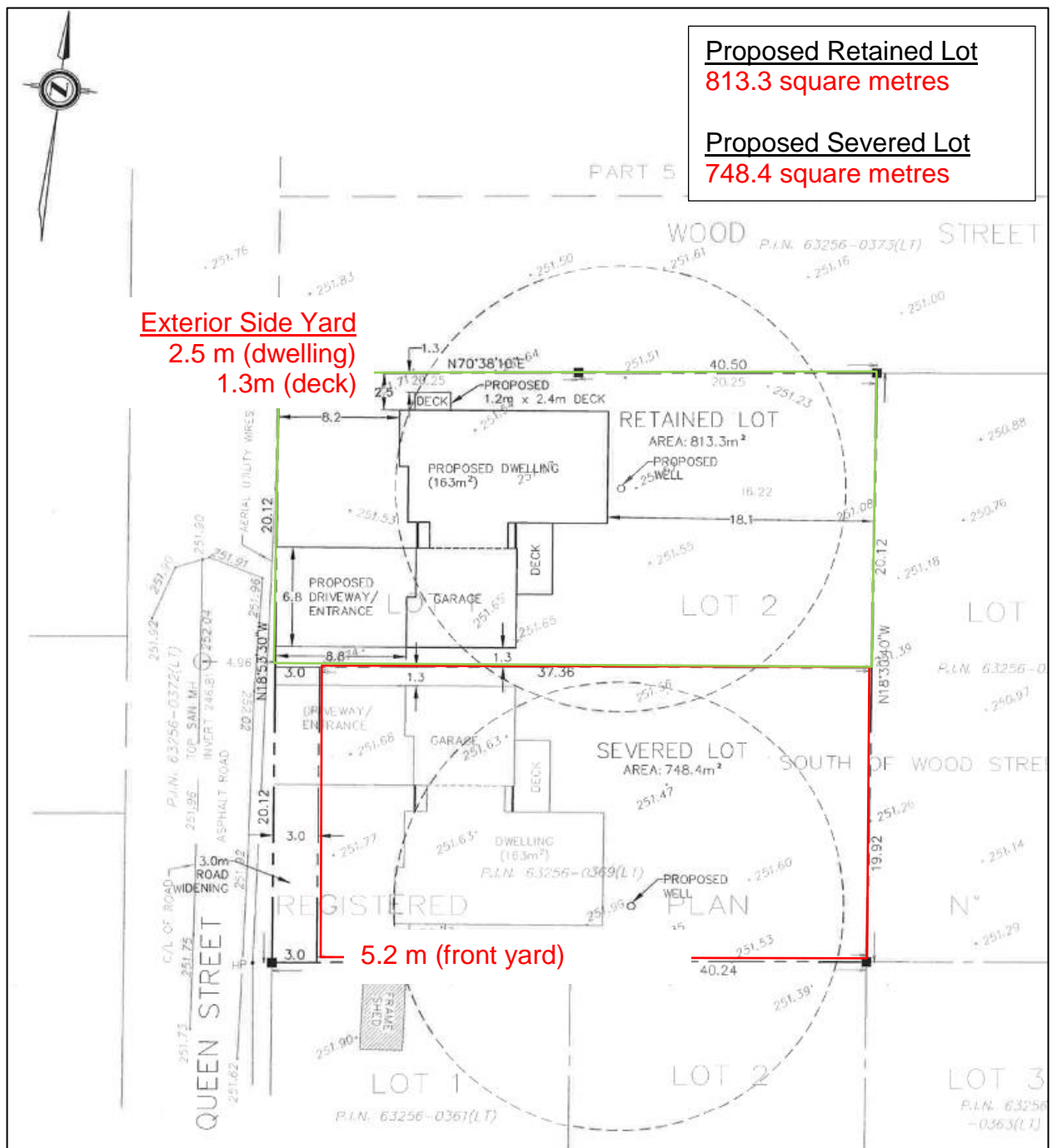
REPORT COA2025-082

FILE NO: D20-2025-067

AERIAL PHOTO (2023)



APPLICANT'S SKETCH



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – McCausland
Report Number COA2025-083

Public Meeting

Meeting Date: August 28, 2025

Time: 1:00 pm

Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 6 – Geographic Township of Ops


Subject: The purpose and effect is to facilitate the construction of a new primary dwelling and the recognition of the existing dwelling as an Additional Residential Unit (ARU)

Relief sought:

1. Section 16.2 of the Zoning By-law requires a minimum exterior side yard setback of 15 metres. The exterior side yard setback for the existing dwelling (to be converted as an ARU) is 11.2 metres.

The variance is requested at **465 Cheese Factory Road** (File D20-2025-069).

Author: Cathy Lu, Planning Summer Student

Signature: 

Recommendations

That Report COA2025-083 – McCausland, be received;

That minor variance application D20-2025-069 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

- 1) **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-083 which shall be attached to and form part of the Committee's Decision; and,

- 2) **That** building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2025-083. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Construction of a new primary dwelling and to recognize the existing dwelling as an ARU
Owners:	Douglas and Elizabeth McCausland
Applicant:	TD Consulting Inc.
Legal Description:	Part Lot 26, Concession 11
Official Plan ¹ :	Prime Agriculture, Environmental Protection (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Agricultural (A) Zone (Township of Ops Zoning By-law 93-30)
Site Size:	49 ha. (121 ac.)
Site Access:	Year round municipal road
Site Servicing:	Individual private well and septic system
Existing Uses:	Agriculture, Residential
Adjacent Uses:	Agriculture, Residential

Rationale

The variance is desirable for the appropriate development or use of the land, building or structure.

The property is located in an area characterized primarily by agricultural lands. The surrounding uses include agricultural and residential. The property currently contains a single detached dwelling constructed in 1905 (according to Municipal Property Assessment Corporation), a barn, a hay storage structure, and three

¹ See Schedule 1

² See Schedule 1

sheds. The property is accessible via an existing driveway off of Cheese Factory Road.

The proposal is to construct a new primary residential dwelling and to recognize the existing dwelling as an Additional Residential Unit (ARU). The Province of Ontario has launched the 'More Homes, More Choice: Ontario's Housing Supply Action Plan' (2019), the goal of which is to build 1.5 million homes by 2031 to address the housing supply crisis in Ontario and to encourage the development of housing that meets the needs and budgets of all Ontarians. As per the Municipal Housing Pledge, the Province has established a housing target in the City of Kawartha Lakes to provide 6,500 new housing units by 2031, and the City has committed to work to achieve this target locally. Through the construction of the new dwelling and the recognition of the existing dwelling as an ARU, this proposal can contribute to meeting the City's housing target.

The properties in the immediate vicinity of similar lot size have residential dwellings greater in size than the existing dwelling. A new larger primary dwelling on this lot would maintain consistency with the established built form in the area. Given the ample lot size, a larger dwelling would have minimal impact on the agricultural use of the property while providing for additional living space.

Given the above analysis, the variance is considered desirable and appropriate for the use of land.

The variance maintains the general intent and purpose of the Official Plan.

The subject property is designated Prime Agricultural and Environmental Protection under the City of Kawartha Lakes Official Plan. Low-density residential uses and buildings or structures accessory to agriculture or agriculture-related uses are permitted within the Prime Agricultural designation. All the existing and proposed structures are outside of the Environmental Protection Designation.

An ARU is permitted as of right, in addition to the primary residential unit, in single detached, semi-detached or townhouse dwellings as well as in accessory buildings or structures on lots associated with these dwelling types.

Therefore, the variance is considered to maintain the general intent and purpose of the Official Plan.

The variance maintains the general intent and purpose of the Zoning By-law.

The subject property is zoned Agricultural (A) Zone under the Township of Ops Zoning By-law 93-30. A single-detached dwelling is a permitted residential use within this zone. The proposed primary dwelling complies with all the provisions from Section 16.2 of the Zoning By-law. The proposal complies with all provisions of the Zoning By-law with the exception of the minimum exterior side yard setback for the existing dwelling that is to be converted into an ARU. Section 2.29 of the By-law states that ARU are permitted in all zones that permit single detached, semi-detached, or townhouse dwelling units.

Section 16.2 of the Zoning By-law require a minimum exterior side yard setback of 15.0 metres. Relief is required from the minimum exterior side yard setback for the existing dwelling that is going to be converted to an ARU. The intention of the required setback from an exterior lot line is to provide adequate spatial separation between a road allowance and an abutting residential use to avoid land use conflicts between the traffic and residential uses, to provide sufficient spatial buffering between the residential use and any road maintenance works, to prevent impacts to sightlines, and not to impede to snow storage.

The existing dwelling (ARU) and the location of proposed primary dwelling are both buffered by vegetation on the exterior side yard, which screens it from Cheese Factory Road. Given the low-dense character and low traffic volumes on Cheese Factory Road, impacts to traffic flow are not anticipated and the existing 11.2 metre setback from the lot line does not impede sightlines. Adequate separation between the ARU and the road is maintained.

Additionally, the dwelling that is to be converted to an ARU has existed in this location since 1905 and has not resulted in any known impacts. In order for the Building and Septic Division to facilitate the registration of a dwelling as an ARU, zone compliance is required. As such, the Minor Variance is needed to recognize the existing deficient setback to allow the dwelling to be registered as an ARU.

Therefore, the variance is considered to maintain the general intent and purpose of the Zoning By-Law.

The variance is minor in nature.

There are no anticipated impacts on environmental features; neighbouring properties; or, the function of the municipal right-of-way with respect to access, drainage, or streetscaping and maintenance.

Other Alternatives Considered:

No alternatives considered.

Consultation Summary

Notice of this application was circulated in accordance with the requirements of the Planning Act.

Agency Comments:

No comments received as of the writing of the staff report.

Public Comments:

No comments received as of the writing of the staff report.

Attachments

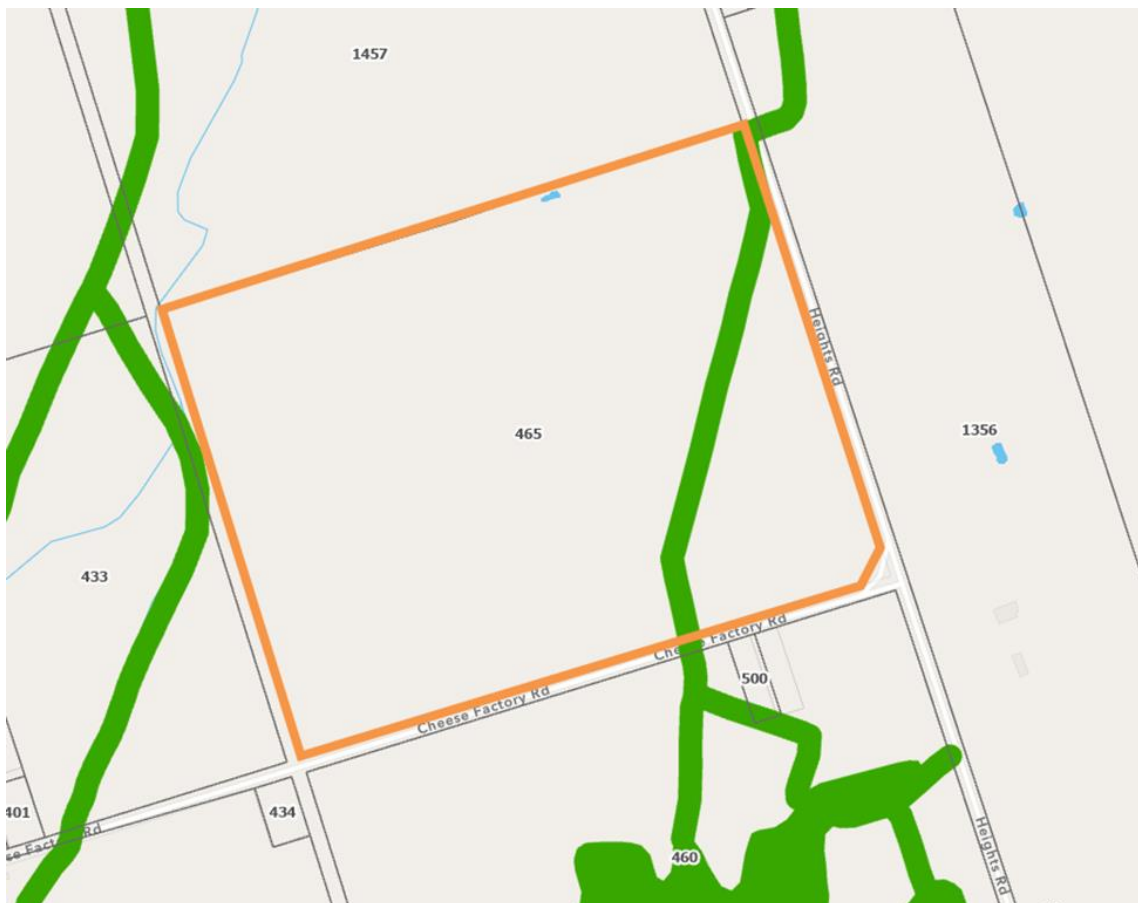
Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch

Phone:	705-324-9411
E-Mail:	clu@kawarthalakes.ca
Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-069

Schedule 1

Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



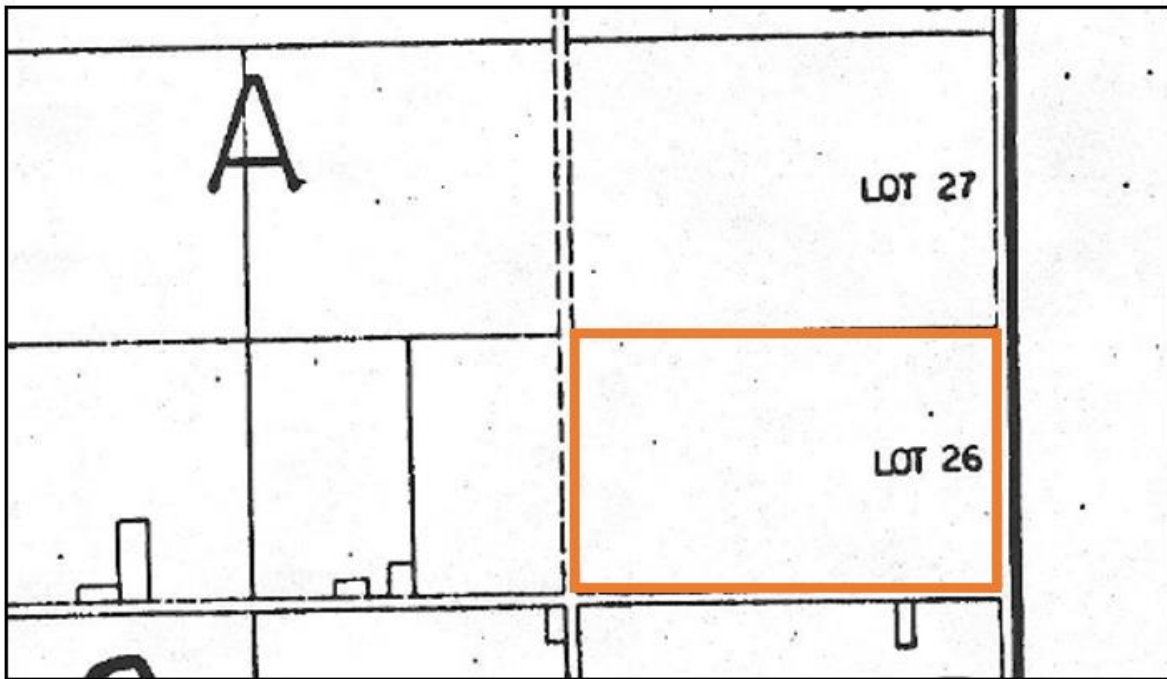
 Prime Agriculture

 Environmental Protection

15. Prime Agricultural Designation

17. Environmental Protection Designation

Township of Ops Zoning By-law 93-30



Agricultural (A) Zone

16.1 Uses Permitted

16.2 Zone Provisions

Exterior Side Yard (minimum)

15 m

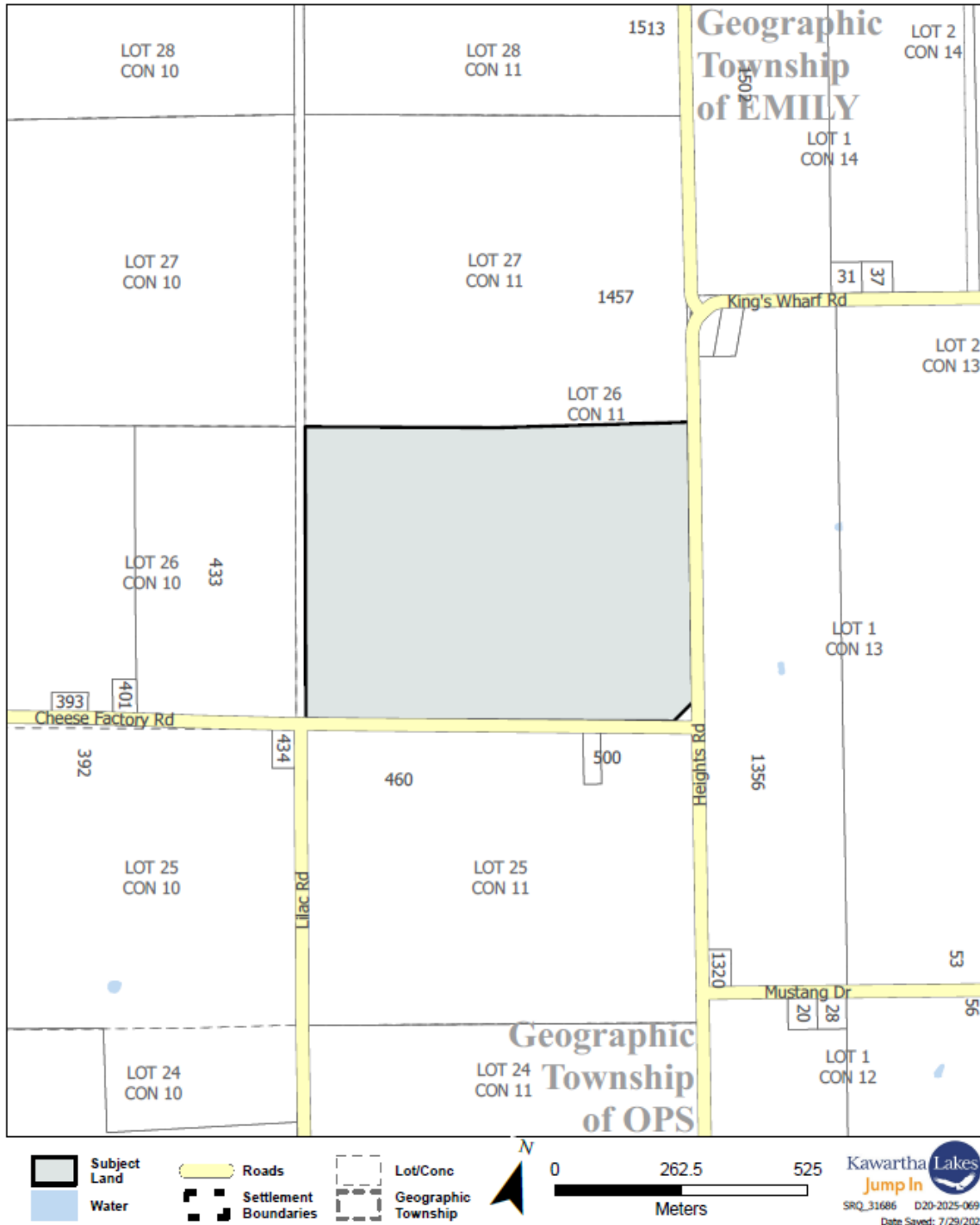
to

REPORT COA2025-083

FILE NO: D20-2025-069

LOCATION MAP

D20-2025-069

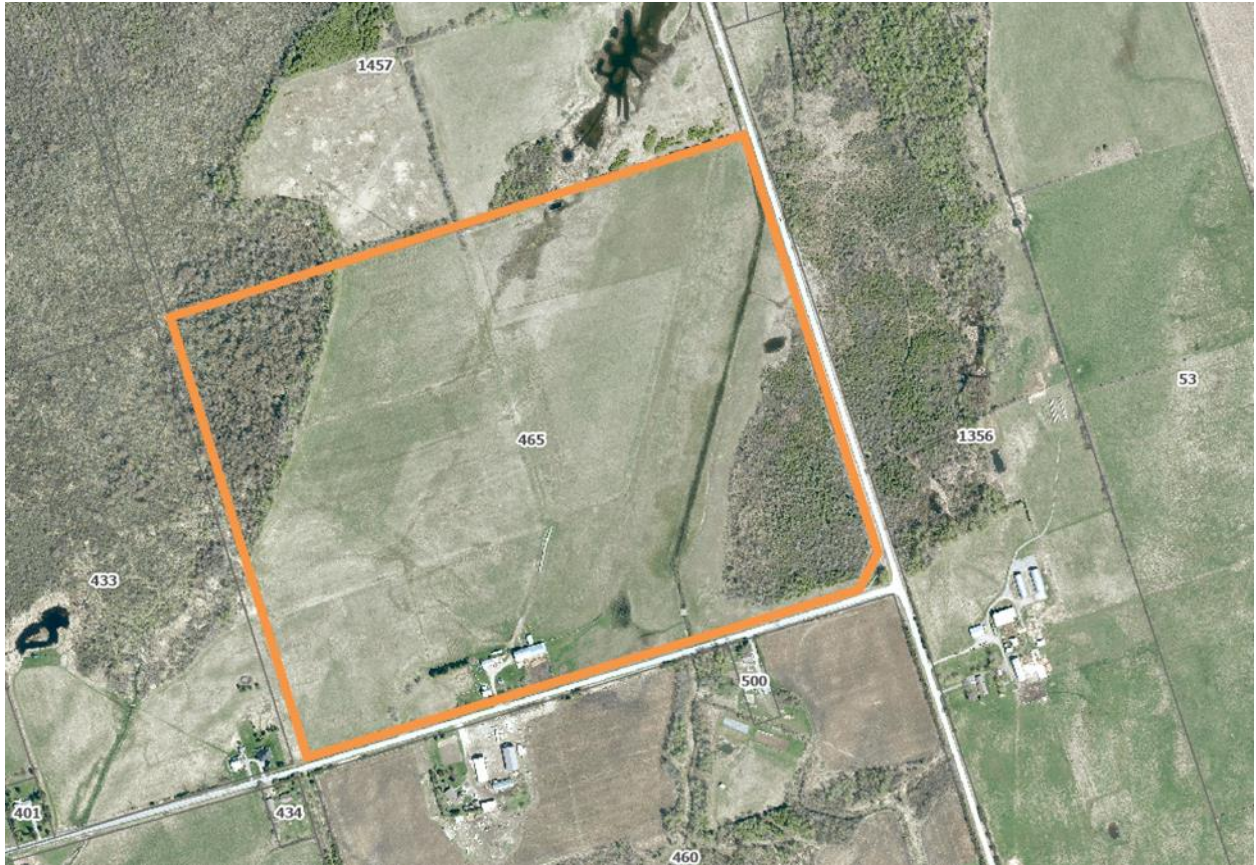


to

REPORT COA2025-083

FILE NO: D20-2025-069

AERIAL PHOTO

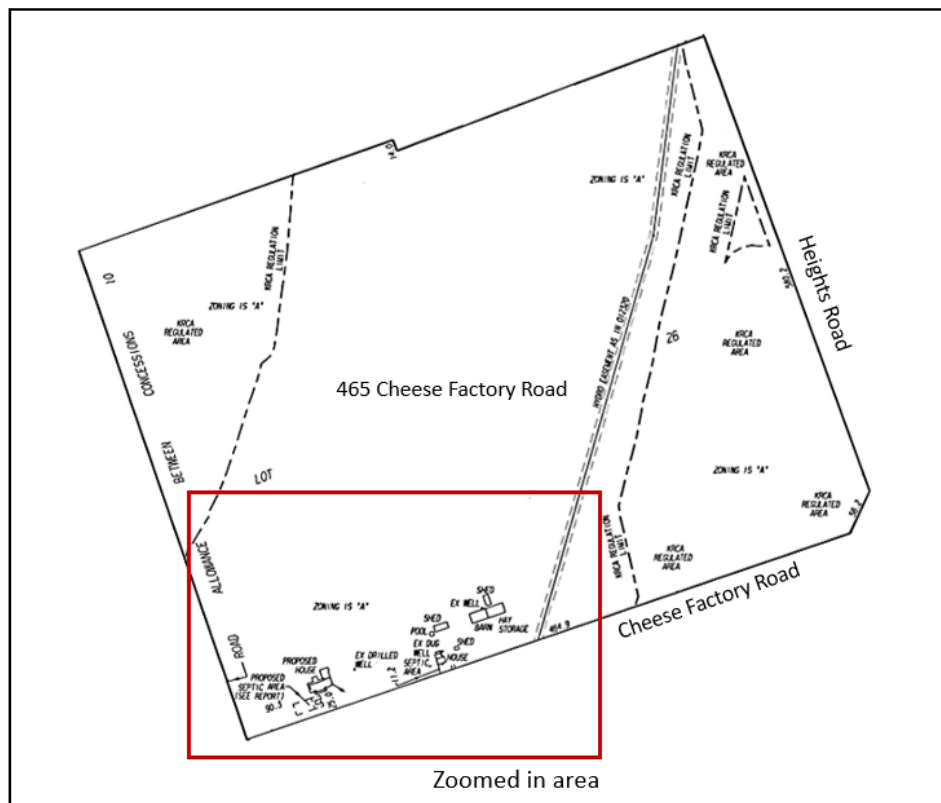
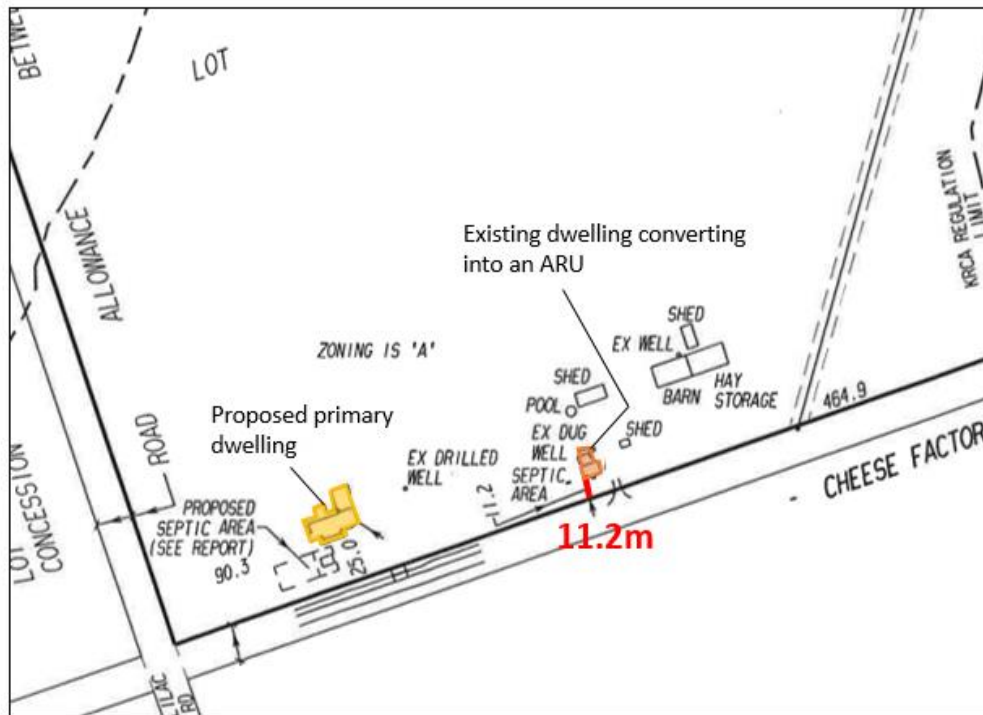


to

APPLICANT'S SKETCH

REPORT COA2025-083

FILE NO: D20-2025-069



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Vanuden and Sneyd

Report Number COA2025-084

Public Meeting

Meeting Date: August 28, 2025

Time: 1:00 pm

Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 4 – Geographic Township of Mariposa

Subject: The purpose and effect is to facilitate the construction of an Additional Residential Unit (ARU).

Relief sought:

1. Section 3.1.2.1 of the Zoning By-law, which requires an accessory structure, or building to be located within the rear or interior yard; the proposed structure is to be located in the front yard.

The variance is requested at **19 Pleasant Point Road** (File D20-2025-070).

Author: Shayan Okhowat, Planner II

Signature: 

Recommendations

That Report COA2025-084 – Vanuden and Sneyd, be received;

That minor variance application D20-2025-070 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

- 1) **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-084, which shall be attached to and form part of the Committee's Decision; and,
- 2) **That** building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This

condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2025-084. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	The construction of an Additional Residential Unit (ARU).
Owners:	Jeff Vanuden, Ashley Vanuden, James Sneyd, and Sherry Sneyd
Applicant:	Jeff and Ashley Vanuden
Legal Description:	Lot 1, Plan 553, Part Lot 7, Concession A
Official Plan ¹ :	Prime Agricultural (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Agricultural (A1) Zone (Township of Mariposa Zoning By-law 94-07)
Site Size:	20,322.54 Square Metres
Site Access:	Year round municipal road
Site Servicing:	Private Individual Well and Septic System
Existing Uses:	Residential
Adjacent Uses:	Residential and Agricultural

Rationale

The variance is desirable for the appropriate development or use of the land, building or structure.

The property is situated in the geographic Township of Mariposa near a waterfront community with access from Pleasant Point Road. There are no directly abutting structures from other properties.

The property currently contains a single detached dwelling, a detached garage, and a detached shed. The proposal seeks to facilitate the construction of an Additional Residential Unit (ARU) in the front yard. The additional residential unit

¹ See Schedule 1

² See Schedule 1

respects the existing scale and design of surrounding homes, ensuring an appropriate fit within the community.

The Province of Ontario has launched the 'More Homes, More Choice: Ontario's Housing Supply Action Plan' (2019), the goal of which is to build 1.5 million homes by 2031 to address the housing supply crisis in Ontario and to encourage the development of housing that meets the needs and budgets of all Ontarians. As per the Municipal Housing Pledge, the Province has established a housing target in the City of Kawartha Lakes to provide 6,500 new housing units by 2031, and the City has committed to work to achieve this target locally. Through the construction of the ARU, this proposal can contribute to meeting the City's housing target through the addition of a new dwelling to the housing inventory.

Given the above analysis, the variance is considered desirable and appropriate for the use of land.

The variance maintains the general intent and purpose of the Official Plan.

The subject property is designated Prime Agricultural under the City of Kawartha Lakes Official Plan (2012). Low-density residential uses and buildings or structures accessory to residential uses are permitted within the designation. Performance and siting criteria is implemented through the Zoning By-law.

In 2020, the Official Plan (2012) was amended to address the requirements of the Planning Act, and conform to Provincial Policies and establish new land use policies for Additional Residential Units (ARU). An ARU is permitted as-of-right, in addition to the primary residential unit, in single detached, semi-detached or townhouse dwellings as well as in accessory buildings or structures on lots associated with these dwelling types, provided they are in accordance with this policy and the applicable zoning by-law provisions. Furthermore, the proposed ARU is compatible with and maintains the established character of the area.

Therefore, the variance is considered to maintain the general intent and purpose of the Official Plan.

The variance maintains the general intent and purpose of the Zoning By-law.

The property is zoned Agricultural (A1) within the Township of Mariposa Zoning by-law 94-07. The A1 permits a single detached dwelling and accessory structures. Relief is required for the location of the structure.

Section 3.1.2.1 of Zoning By-law requires any accessory structure or building to be located within the rear or interior side yard. The proposed structure is located in the front yard. The intent of limiting the location of accessory structures to the interior side or rear yard is to ensure accessory uses remain subordinate to the primary use by being located in less visible areas on the property. Locating accessory structures in the interior side or rear yard also ensures there is adequate amenity space in the front yard, and the property is in keeping with the character of the rest of the neighbourhood.

The property contains mature trees and vegetation that provide privacy and visual screening for the proposed structure. Furthermore, the proposed location of the ARU will not be in close proximity to nearby structures and it to have a front yard setback of 30.1 metres. The proposed ARU is consistent with the existing built form, supporting a unified and compatible streetscape.

Therefore, the variance is considered to maintain the general intent and purpose of the Zoning By-Law.

The variance is minor in nature.

There are no anticipated impacts on environmental features; neighbouring properties; or, the function of the municipal right-of-way with respect to access, drainage, or streetscaping and maintenance.

Other Alternatives Considered:

No alternatives considered.

Consultation Summary

Notice of this application was circulated in accordance with the requirements of the Planning Act.

Agency Comments:

No comments received as of the writing of the staff report.

Public Comments:

No comments received as of the writing of the staff report.

Attachments

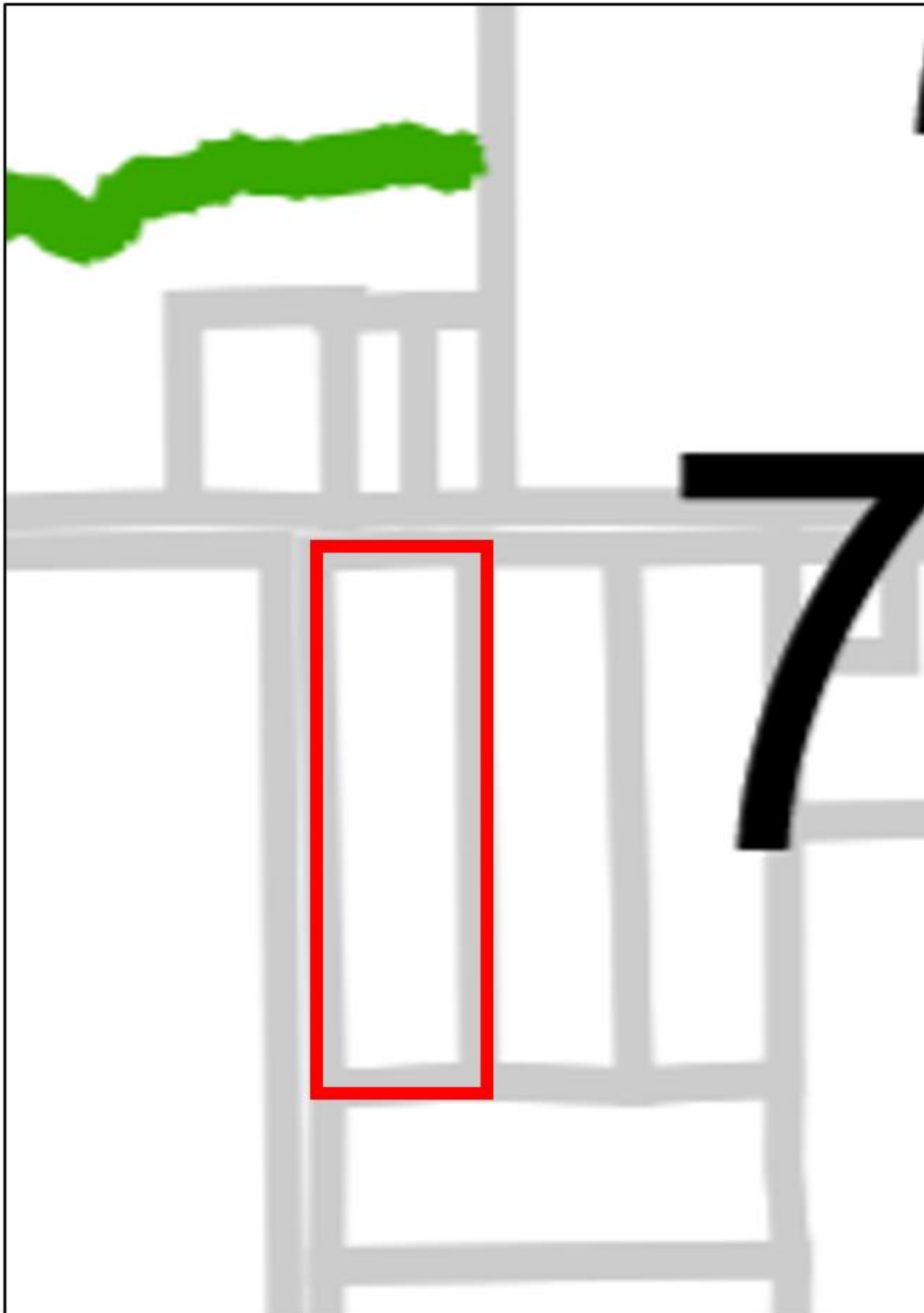
Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch

Phone:	705-324-9411 extension 2156
E-Mail:	sokhowat@kawarthalakes.ca
Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-070

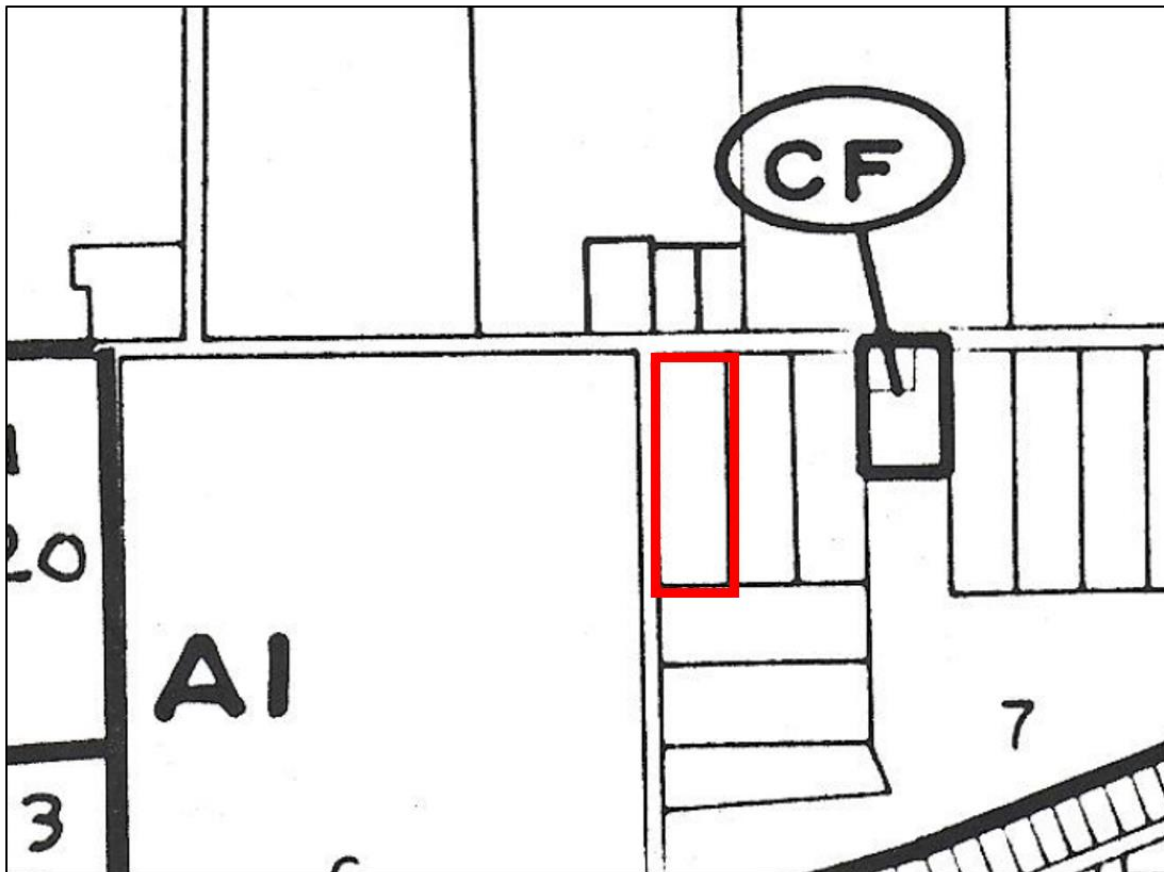
Schedule 1

Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



Township of Mariposa Zoning By-law 94-07

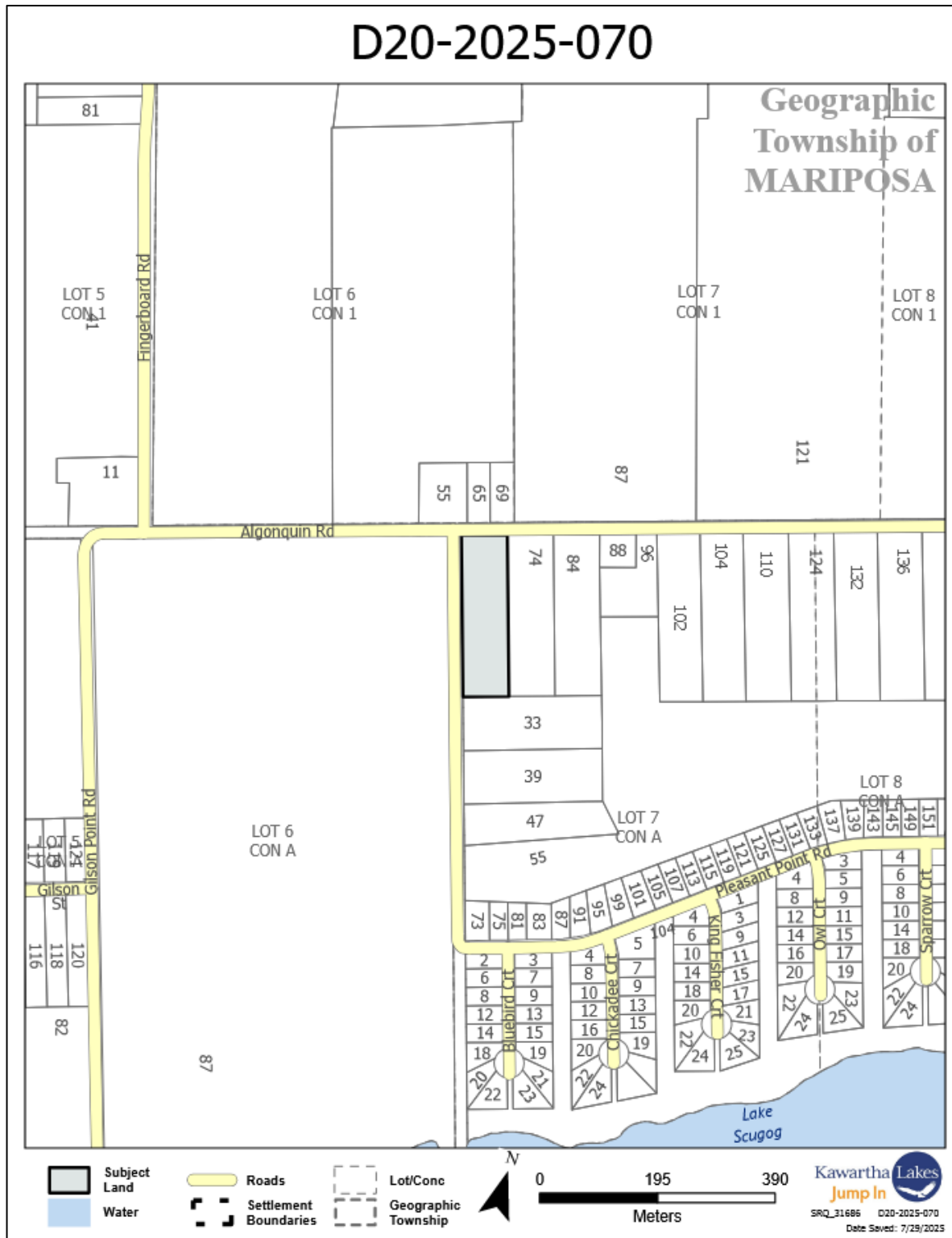


to

LOCATION MAP

REPORT COA2025-084

FILE NO: D20-2025-070

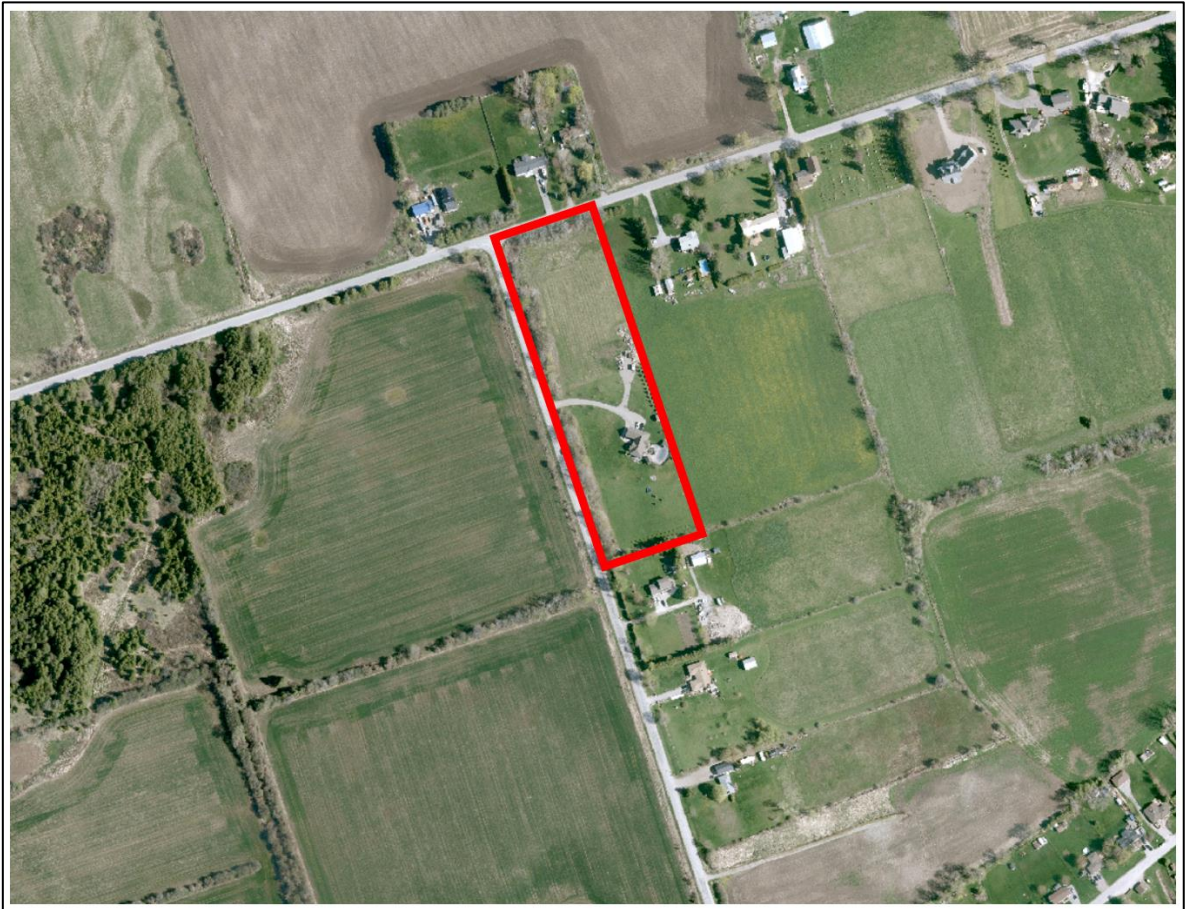


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REPORT COA2025-084

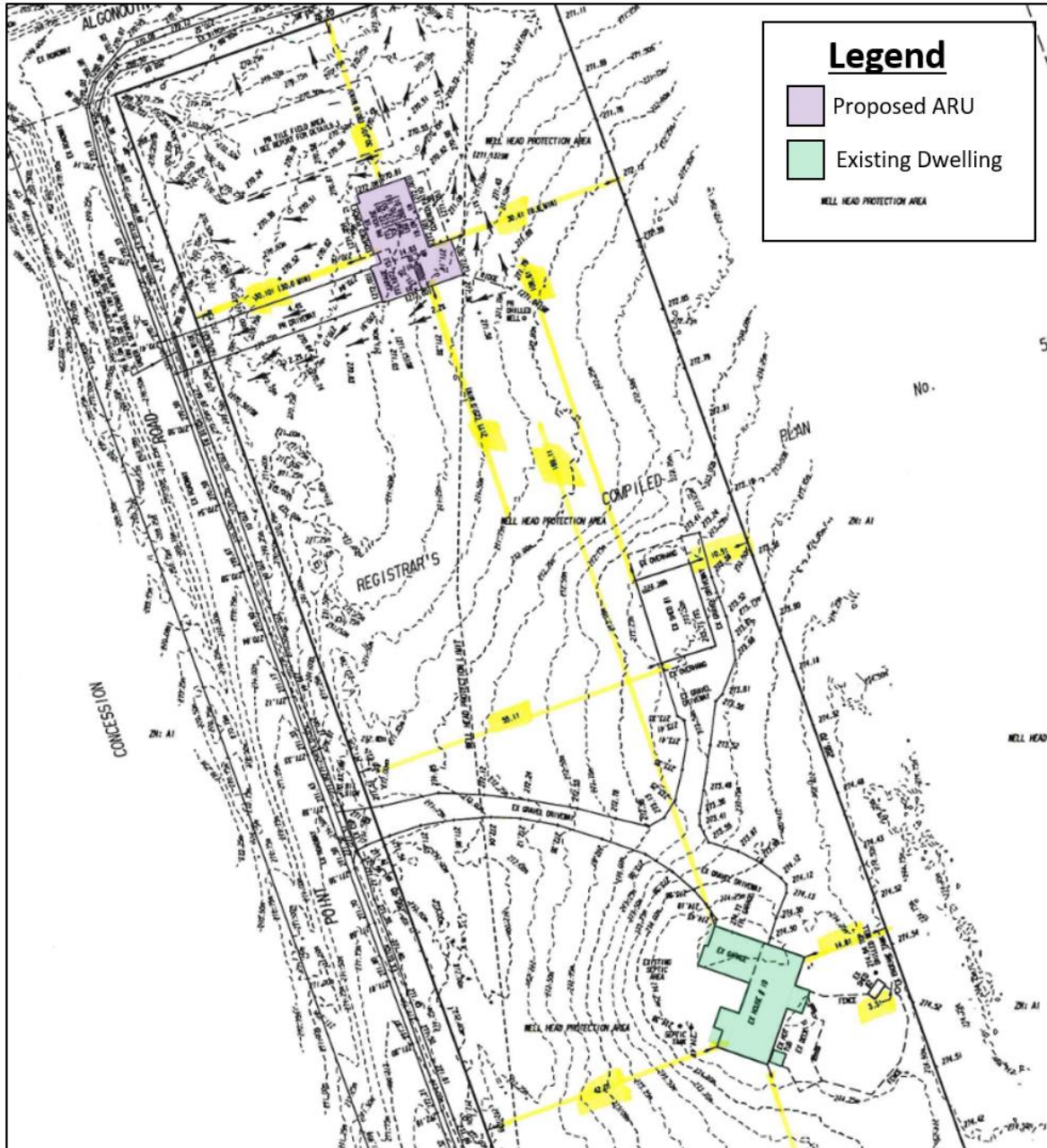
FILE NO: D20-2025-070

AERIAL PHOTO



to

APPLICANT'S SKETCH

REPORT COA2025-084FILE NO: D20-2025-070

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Lamanna
Report Number COA2025-085

Public Meeting

Meeting Date: August 28, 2025
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 2 – Former Village of Bobcaygeon

Subject: The purpose and effect is to facilitate the recognition of an existing attached rear deck.

Relief sought:

1. Section 5.2.e. of the Zoning By-law requires a minimum 7.5 metre rear yard setback; the existing setback is 5.01 metres.

The variance is requested at **3 South Harbour Drive** (File D20-2025-071).

Author: Ahmad Shahid, Planner II

Signature:



Recommendations

That Report COA2025-085 – Lamanna, be received;

That minor variance application D20-2025-071 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

- 1) **That** this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-085, which shall be attached to and form part of the Committee's Decision; and,
- 2) **That** this approval shall be in effect a period of eight (8) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2025-085. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Recognition of an existing attached rear deck.
Owners:	Lisa and Rick Lamanna
Applicant:	Rick Lamanna
Legal Description:	Lot 74, Plan 632
Official Plan ¹ :	Urban Settlement Area (City of Kawartha Lakes Official Plan, 2012)
Secondary Plan ¹ :	Residential (Bobcaygeon Secondary Plan, 2024)
Zone ² :	Urban Residential Type One Exception One (R1-S1) Zone (Village of Bobcaygeon Zoning By-Law 16-78)
Site Size:	840 square metres (9,041.68 square feet)
Site Access:	Year-round maintained road
Site Servicing:	Full municipal servicing
Existing Uses:	Residential
Adjacent Uses:	Residential

Rationale

The variance is desirable for the appropriate development or use of the land, building or structure.

The subject property is situated in the former Village of Bobcaygeon, near the intersection of Mill Street and Marina Drive. The neighbourhood is comprised of low-density residential uses in the form of single detached dwellings and various accessory structures.

The subject property currently contains a one-storey detached dwelling with an attached garage, solarium and rear deck. The proposal seeks to recognize the existing attached rear deck. The existing rear deck provides uncovered above-ground amenity space for the property owners.

The existing structure is compatible with surrounding land uses and existing built form. Many of the neighbouring properties have similar rear yard decks and sunrooms in terms of both dimensions and design.

¹ See Schedule 1

² See Schedule 1

Given the above analysis, the variance is considered desirable and appropriate for the use of land.

The variance maintains the general intent and purpose of the Official Plan.

The subject property is designated Urban Settlement Area under the City of Kawartha Lakes Official Plan. The Urban Settlement Area designation aims to provide general broad policies that are applicable to all urban settlements within the City. The Bobcaygeon Secondary Plan provides more specific policies directed towards the former Village of Bobcaygeon. Under the Secondary Plan, the property is designated Residential. The property would be considered low density residential, which includes single detached dwellings, semi-detached dwellings, duplex dwellings and similar low-profile residential buildings not exceeding 2.5 storeys in height.

Therefore, the variance is considered to maintain the general intent and purpose of the Official Plan.

The variance maintains the general intent and purpose of the Zoning By-law.

The subject property is zoned Urban Residential Type One Exception One (R1-S1) Zone under the Village of Bobcaygeon Zoning By-Law 16-78. The R1-S1 Zone permits a single-detached dwelling and accessory structures/uses. Relief is required from the minimum required rear yard setback.

Section 5.2.e. of the Zoning By-law requires a minimum 7.5 metre rear yard setback; the existing setback is 5.01 metres. The intention of a rear yard setback is to ensure adequate amenity space and buffering from neighbouring residential uses to avoid land use and privacy conflicts with abutting rear yards. The existing rear deck is in line with the existing solarium, both of which encroach into the rear yard. The rear deck is located approximately 2.7 metres above-grade, allowing amenity space to continue being used at-grade. Furthermore, the property can be considered a thorough lot, as it abuts a road at both its front and rear lot lines. As such, the subject property does not directly abut any neighbouring residential property at its rear mitigating any potential impacts to privacy.

Therefore, the variance is considered to maintain the general intent and purpose of the Zoning By-Law.

The variance is minor in nature.

There are no anticipated impacts on environmental features; neighbouring properties; or, the function of the municipal right-of-way with respect to access, drainage, or streetscaping and maintenance.

Other Alternatives Considered:

No alternatives considered.

Consultation Summary

Notice of this application was circulated in accordance with the requirements of the Planning Act.

Agency Comments:

No comments received as of the writing of the staff report.

Public Comments:

No comments received as of the writing of the staff report.

Attachments

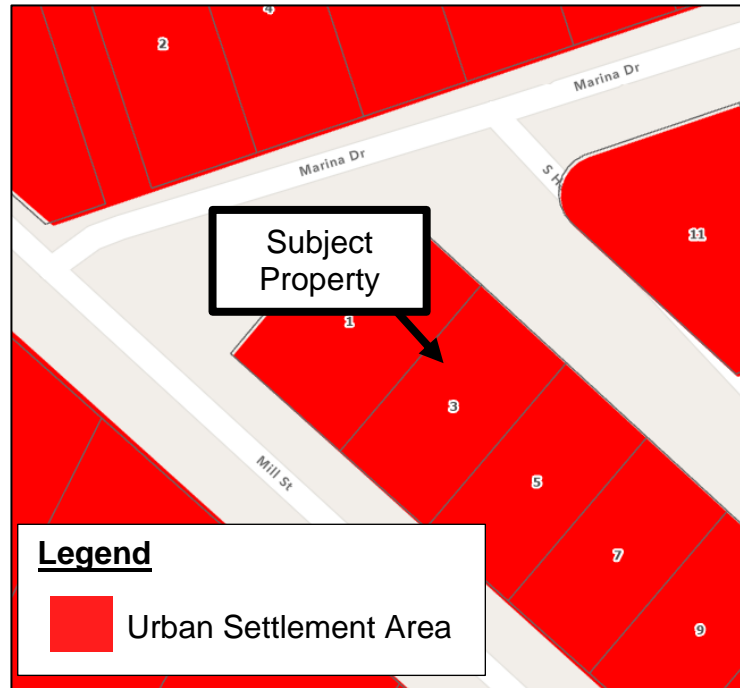
Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch

Phone:	705-324-9411 extension 1367
E-Mail:	ashahid@kawarthalakes.ca
Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-071

Schedule 1

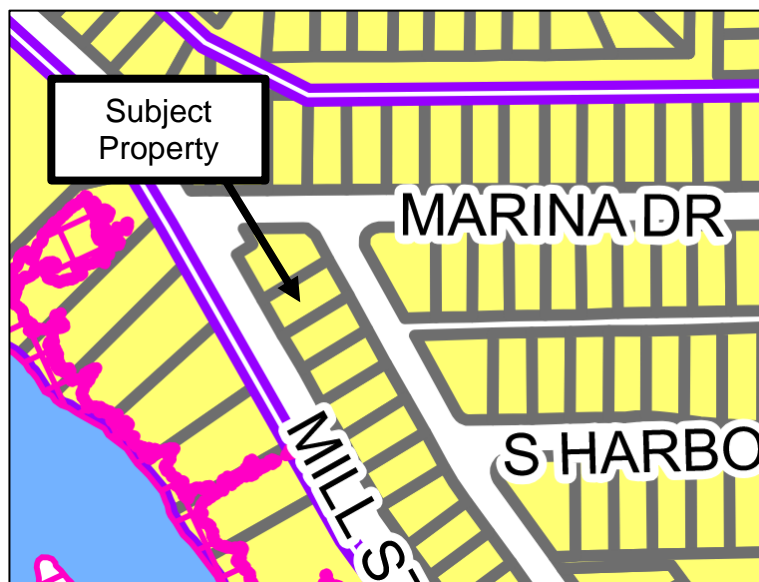
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan (2012)



Section 18. Urban Settlement Designation

Bobcaygeon Secondary Plan (2024)



Section 31.3.3.1. Residential

Village of Bobcaygeon Zoning By-Law 16-78



Section 5.1 Urban Residential Type One (One) Zone
Section 5.3.a. R1 Special Requirements

to

REPORT COA2025-085

FILE NO: D20-2025-071

LOCATION MAP

D20-2025-071

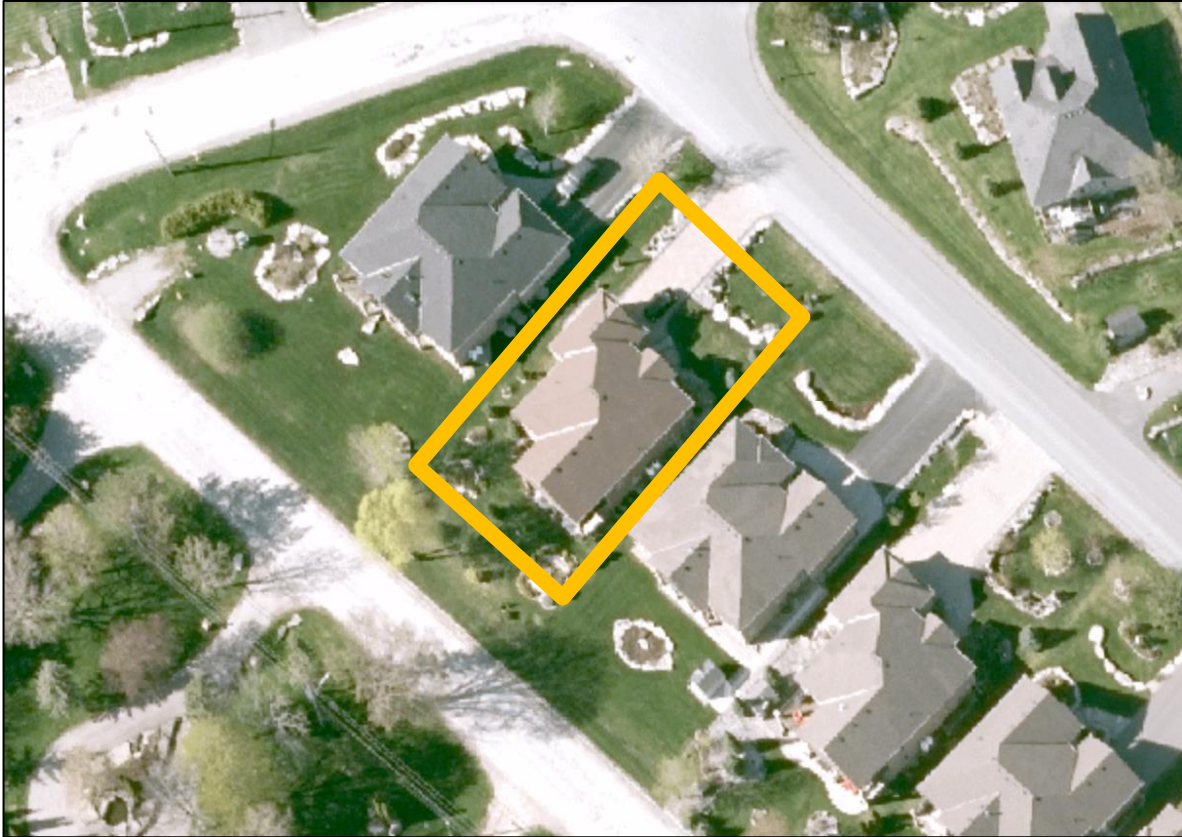


to

REPORT COA2025-085

FILE NO: D20-2025-071

AERIAL PHOTO (2023)

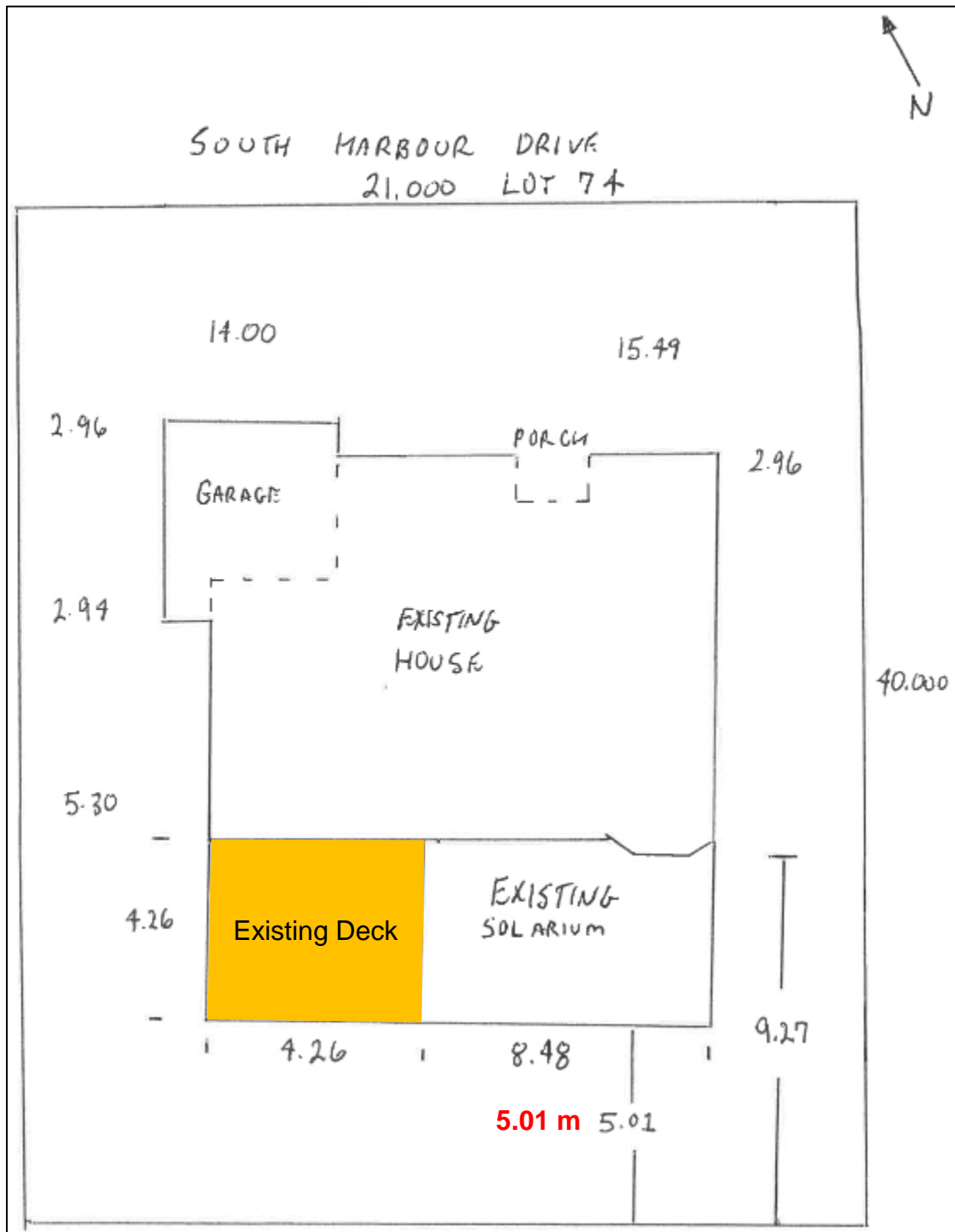


to

REPORT COA2025-085

FILE NO: D20-2025-071

APPLICANT'S SKETCH



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Way
Report Number COA2025-086

Public Meeting

Meeting Date: August 28, 2025

Time: 1:00 pm

Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 2 – Geographic Township of Somerville

Subject: The purpose and effect is to facilitate the construction of a cabin.

Relief sought:

1. Section 18.1.6.a. of the Zoning By-law states that a cabin may be permitted, provided the subject lot conforms to the minimum lot area and frontage requirements of the zone. The required minimum lot area and frontage of the applicable zone is 2,000 square metres and 30 metres, respectively. The subject property is 1,719.10 square metres in size and 30.48 metres in frontage along Woodworth Drive.

The variance is requested at **107 Woodworth Drive** (File D20-2025-072).

Author: Ahmad Shahid, Planner II **Signature:**



Recommendations

That Report COA2025-086 – Way, be received;

That minor variance application D20-2025-072 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

- 1) **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-086, which shall be attached to and form part of the Committee's Decision;
- 2) **That** the shed identified in Appendix C, submitted as part of Report COA2025-086, be removed prior to the issuance of a building permit. This condition will be considered fulfilled upon the owner providing photographic

evidence to the Planning Administration (cofa@kawarthalakes.ca) and Secretary-Treasurer; and,

- 3) **That** building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2025-086. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Construction of a cabin
Owners:	Adolfine and Keith Way
Applicant:	Stuart Way
Legal Description:	Part of Lot 14, Concession 9 (being Lot 6 of Plan 363)
Official Plan ¹ :	Waterfront and Four Mile Lake – Specific Lake Policy Area’ (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Limited Service Residential (LSR) Zone (Township of Somerville Zoning By-Law 78-45)
Site Size:	1,719.10 square metres (18,504.24 square feet)
Site Access:	Unmaintained road
Site Servicing:	Individual septic system and lake drawn water
Existing Uses:	Residential
Adjacent Uses:	Residential

Rationale

The variance is desirable for the appropriate development or use of the land, building or structure.

The subject property is situated on the shoreline of Four Mile Lake, with access from Woodworth Drive (unmaintained road). The area is primarily characterized by

¹ See Schedule 1

² See Schedule 1

single detached dwellings and assorted accessory structures, mainly for seasonal residential use (according to the Municipal Property Assessment Corporation).

The subject property currently contains a single detached dwelling and three sheds. The proposal seeks to facilitate the construction of a cabin. Additionally, one of the sheds is to be removed prior to the issuance of a building permit.

The application does not alter the property's use (residential) or conflict with surrounding land uses and built form. Considering the seasonal nature of the area, the proposed accessory structures are typical and support the reasonable use of the property. On seasonal properties, cabins are commonly used to increase habitable floor space and accommodate guests. The existing dwelling was constructed in 1964 and is 80 square metres in gross floor area. The owner has indicated that the cabin will provide extra habitable space for the owners and their family to enjoy. These types of structures are consistent with the character and function of the area.

Given the above analysis, the variance is considered desirable and appropriate for the use of land.

The variance maintains the general intent and purpose of the Official Plan.

The subject property is designated Waterfront under the City of Kawartha Lakes Official Plan (2012). The objective of the Waterfront designation is to recognize low density residential development as the primary land use. As such, single detached dwellings and accessory uses are permitted within the designation. Performance and siting criteria are implemented through the Zoning By-law.

Additionally, the property is located within the 'Four Mile Lake – Specific Lake Policy Area'. The Four Mile Lake Waterfront designation aims to preserve the unique character of Four Mile Lake. This designation allows for single detached dwellings and accessory structures. Additionally, the proposed cabin complies with the minimum water setback and is not anticipated to impact the lake.

Therefore, the variance is considered to maintain the general intent and purpose of the Official Plan.

The variance maintains the general intent and purpose of the Zoning By-law.

The subject property is zoned Limited Service Residential (LSR) Zone under Township of Somerville Zoning By-Law 78-45. The LSR Zone permits various uses including a cabin as an accessory structure to a permitted dwelling.

Section 18.1.6.a. of the Zoning By-law provides that a cabin is permitted provided the lot complies with the minimum lot area and frontage requirements. As per Section 5.2.a. of the Zoning By-law, the required minimum lot area of the LSR Zone is 2,000 square metres and the subject property is 1,719.10 square metres in size. The intention of this provision is to ensure properties have sufficient space to support an additional accessory structure without causing overcrowding or negatively impacting the surrounding environment.

The variance avoids overcrowding as it complies with the total permitted lot coverage and accessory structure lot coverage. As a shed is being removed as

part of the proposal, the total number of accessory structures is not being increased and impacts to lot drainage and infiltration are not anticipated drainage. Furthermore, although the lot is undersized it is in keeping with the surrounding lot fabric.

Therefore, the variance is considered to maintain the general intent and purpose of the Zoning By-Law.

The variance is minor in nature.

There are no anticipated impacts on environmental features; neighbouring properties; or, the function of the municipal right-of-way with respect to access, drainage, or streetscaping and maintenance.

Other Alternatives Considered:

No alternatives considered.

Consultation Summary

Notice of this application was circulated in accordance with the requirements of the Planning Act.

Agency Comments:

No comments received as of the writing of the staff report.

Public Comments:

No comments received as of the writing of the staff report.

Attachments

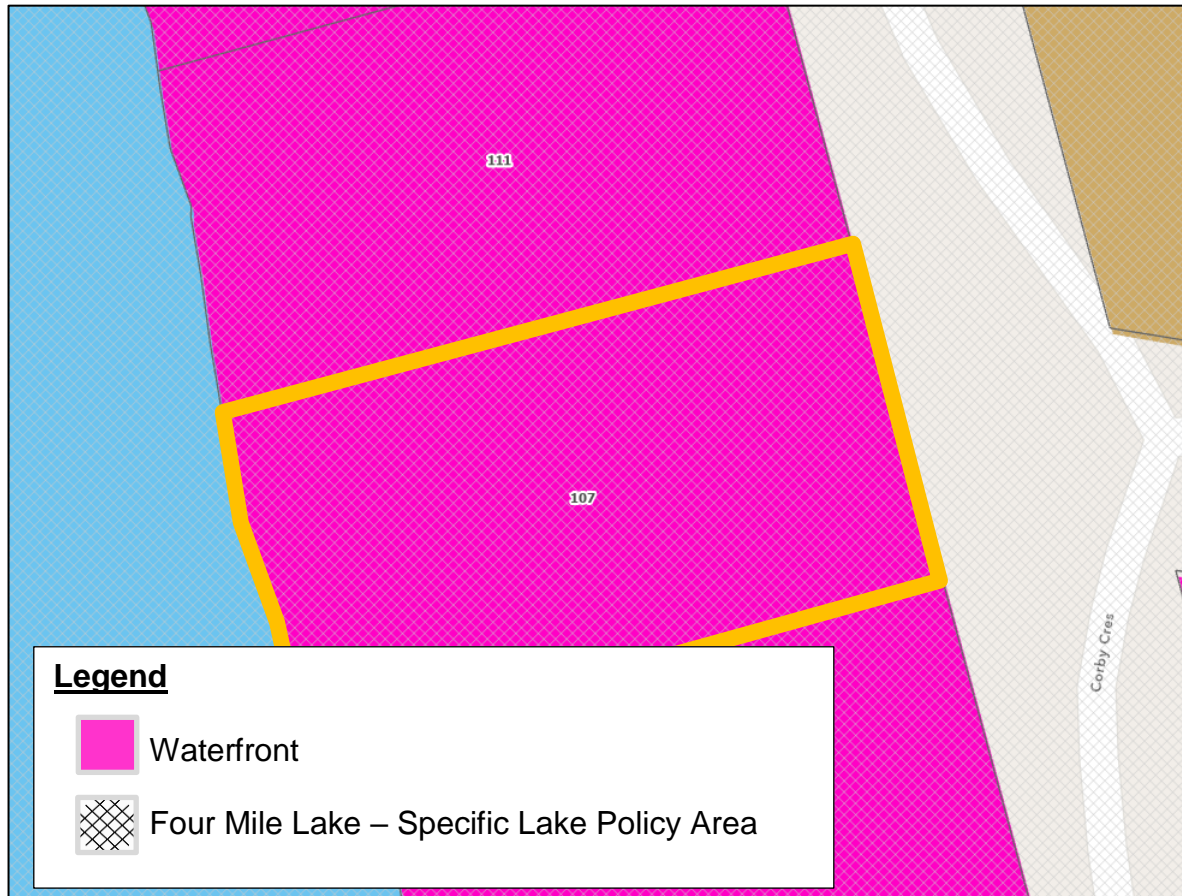
Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch

Phone:	705-324-9411 extension 1367
E-Mail:	ashahid@kawarthalakes.ca
Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-072

Schedule 1

Relevant Planning Policies and Provisions

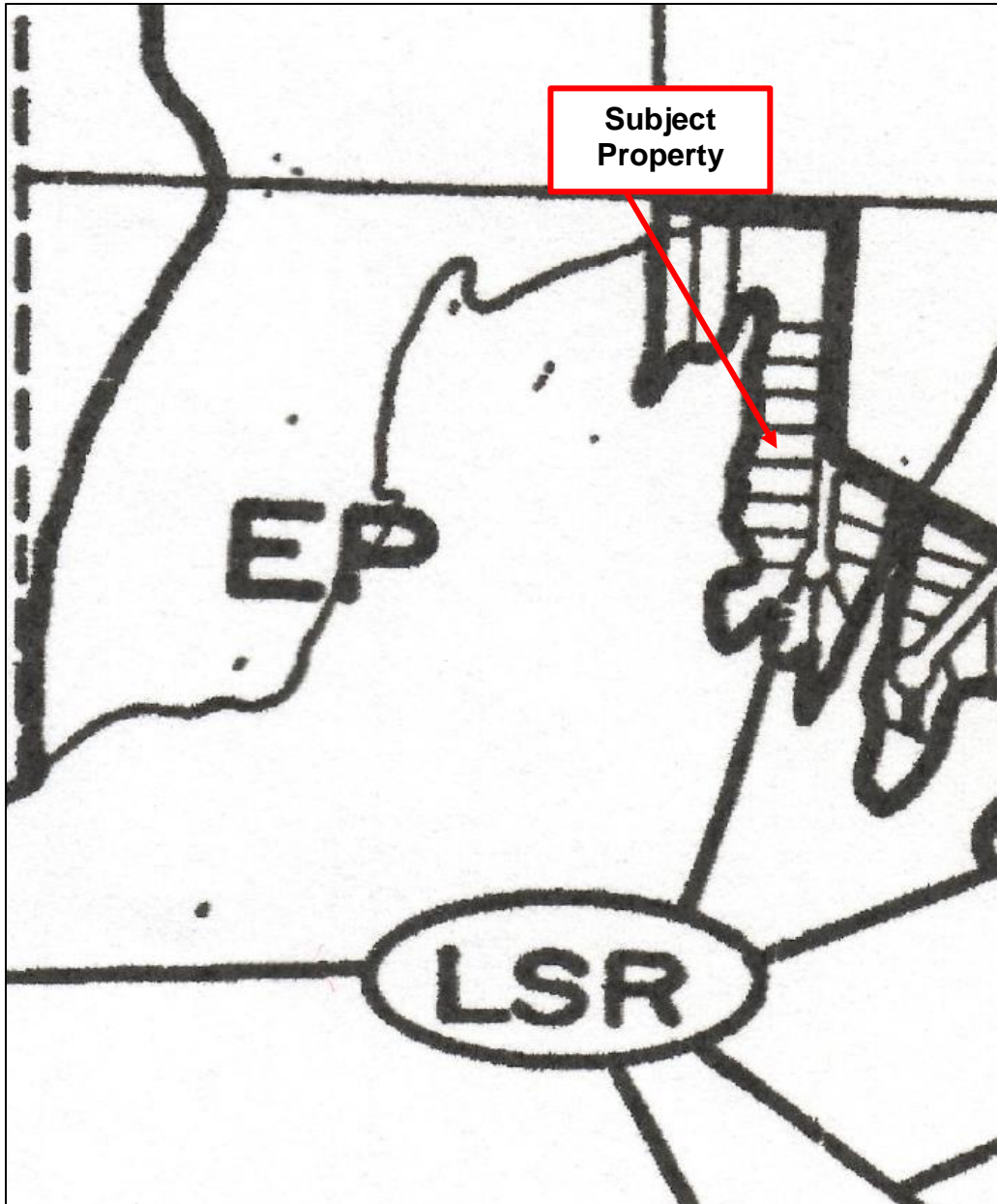
City of Kawartha Lakes Official Plan



Section 20. Waterfront Designation

Section 31.3. Four Mile Lake – Specific Lake Policy Area

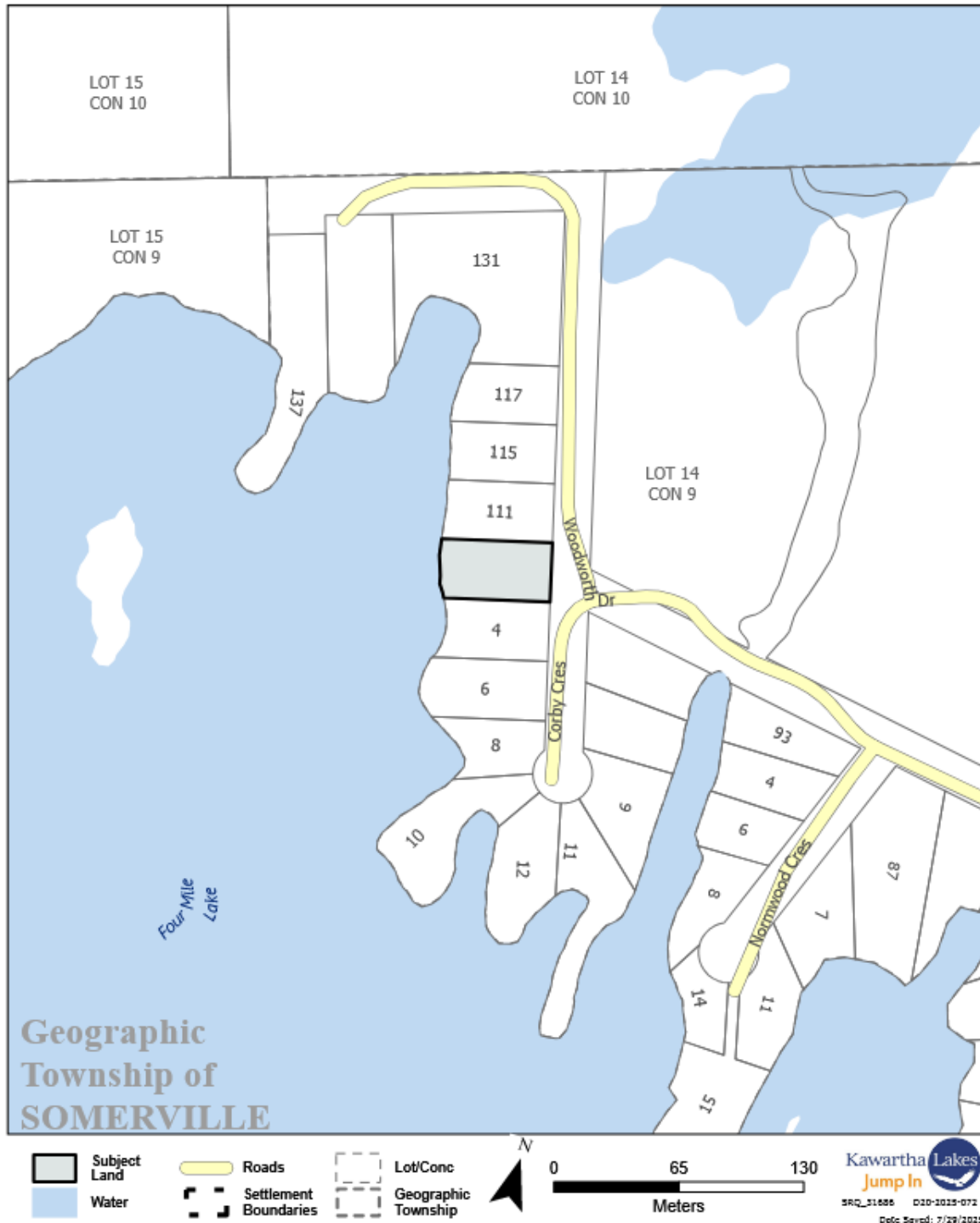
Township of Somerville Zoning By-law 78-45



Section 5. Limited Service Residential (LSR) Zone
Section 18. General Provisions

LOCATION MAP

D20-2025-072



to

REPORT COA2025-086

FILE NO: D20-2025-072

AERIAL PHOTO (2023)

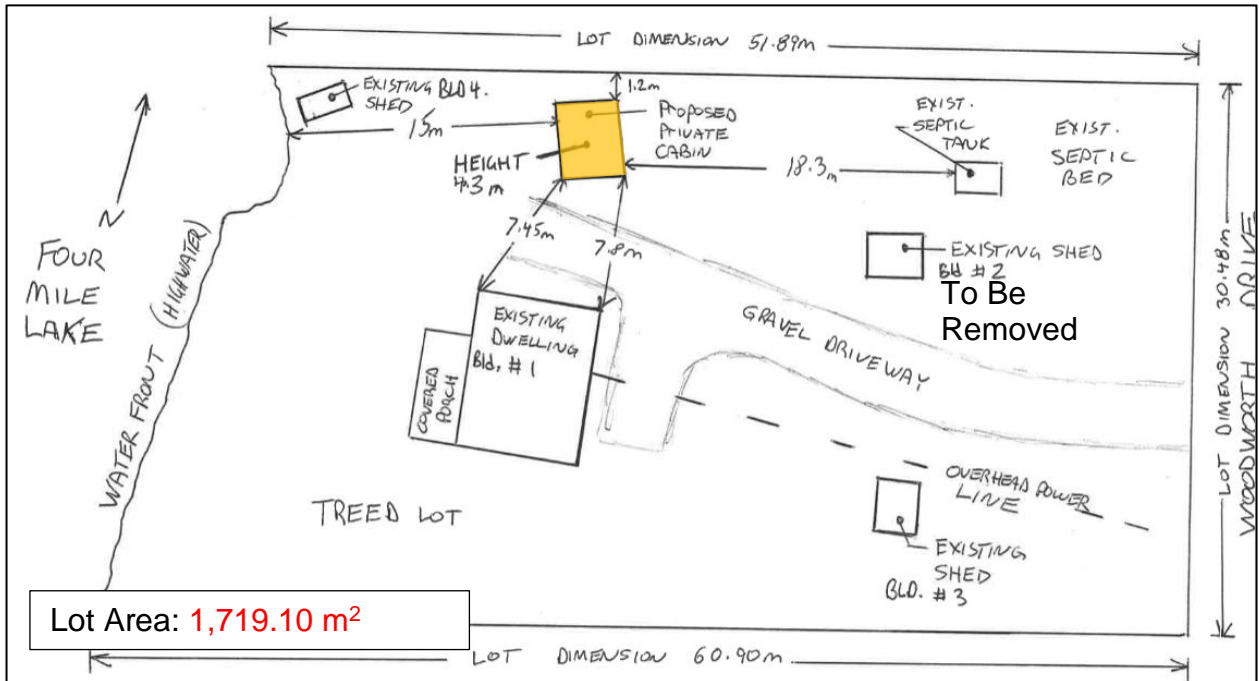


to

REPORT COA2025-086

FILE NO: D20-2025-072

APPLICANT'S SKETCH



The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Baldesarra
Report Number COA2025-087

Public Meeting

Meeting Date: August 28, 2025
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 2 – Geographic Township of Somerville

Subject: The purpose and effect is to facilitate the reconstruction of an attached deck.

Relief sought:

1. Section 5.2.f of the Zoning By-law, which requires a 15 metre water setback; the proposed water setback is 8.54 metres.

The variance is requested at **115 Fell Station Drive** (File D20-2025-073).

Author: Shayan Okhowat, Planner II

Signature: 

Recommendations

That Report COA2025-087 – Baldesarra, be received;

That minor variance application D20-2025-073 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

- 1) **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-087, which shall be attached to and form part of the Committee's Decision; and,
- 2) **That** building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This

condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2025-087. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	To facilitate the reconstruction of an attached deck.
Owners:	Mike and Kim Baldesarra
Applicant:	Aditya Srinivas
Legal Description:	Part Lot 19, Concession 1
Official Plan ¹ :	Environmental Protection (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Limited Service Residential – Flood Plain (LSR (F)) Zone (Township of Somerville Zoning By-law 78-45)
Site Size:	1,686 Square Metres (18,147.95 Square Feet)
Site Access:	Private Road
Site Servicing:	Private Individual Well and Septic System
Existing Uses:	Residential
Adjacent Uses:	Residential

Rationale

The variance is desirable for the appropriate development or use of the land, building or structure.

The property is situated along the Burnt River with access from Fell Station Drive. The property currently contains a single detached dwelling, built in 1987, and a detached garage, built in 1988 according the data from Municipal Property Assessment Corporation (MPAC). The proposal is to facilitate the reconstruction of an attached deck that encroaches within the water setback. Over time, it is reasonable to anticipate that property owners will enhance existing structures to maximize the quality and functionality of their lots. Furthermore, the reconstruction

¹ See Schedule 1

² See Schedule 1

respects the existing scale and design of surrounding homes, ensuring an appropriate fit within the community.

Given the above analysis, the variance is considered desirable and appropriate for the use of land.

The variance maintains the general intent and purpose of the Official Plan.

The property is designated as Environmental Protection under the City of Kawartha Lakes Official Plan (2012).

As per policy 34.1 of the Official Plan, nothing in the Official Plan or the implementing Zoning By-law shall prevent the use of any land, building or structure for a purpose prohibited by the is Plan, if the land, building or structure was lawfully used for that purpose on the date this Plan was adopted by Council. The City may recognize the existing use of land in an implementing zoning by law. The property is zoned to permit residential uses and accessory structures, and the residential use has been established since at least 1987. The proposed reconstruction of the deck is an expansion to a lawfully established residential use.

Therefore, the variance is considered to maintain the general intent and purpose of the Official Plan.

The variance maintains the general intent and purpose of the Zoning By-law.

The property is zoned Limited Service Residential – Flood Plain (LSR (F)) Zone under the Township of Somerville Zoning By-law 78-45. The LSR permits a single detached dwelling and accessory structures. Relief is required from the water setback.

Section 5.2.f of the Zoning By-law requires a 15 metre water setback. The proposal seeks an 8.54 metre setback. The purpose of a water setback is to provide separation between maintain buildings and natural hazards and to protect and enhance the ecological function of waterbodies by providing a buffer zone that allows for the growth of vegetation between development and the water. The proposed deck shares the same water setback as the existing house, therefore, the proposed encroachment is not anticipated to further impede on existing impacts. Additionally, the proposed deck is to replace an existing deck, so no new use is being introduced into the water setback.

Based on the above, the variance is considered to maintain the general intent and purpose of the Zoning By-Law.

The variance is minor in nature.

There are no anticipated impacts on environmental features; neighbouring properties; or, the function of the municipal right-of-way with respect to access, drainage, or streetscaping and maintenance.

Other Alternatives Considered:

No alternatives considered.

Consultation Summary

Notice of this application was circulated in accordance with the requirements of the Planning Act.

Agency Comments:

No comments received as of the writing of the staff report.

Public Comments:

No comments received as of the writing of the staff report.

Attachments

Appendix A – Location Map

Appendix B – Aerial Photo

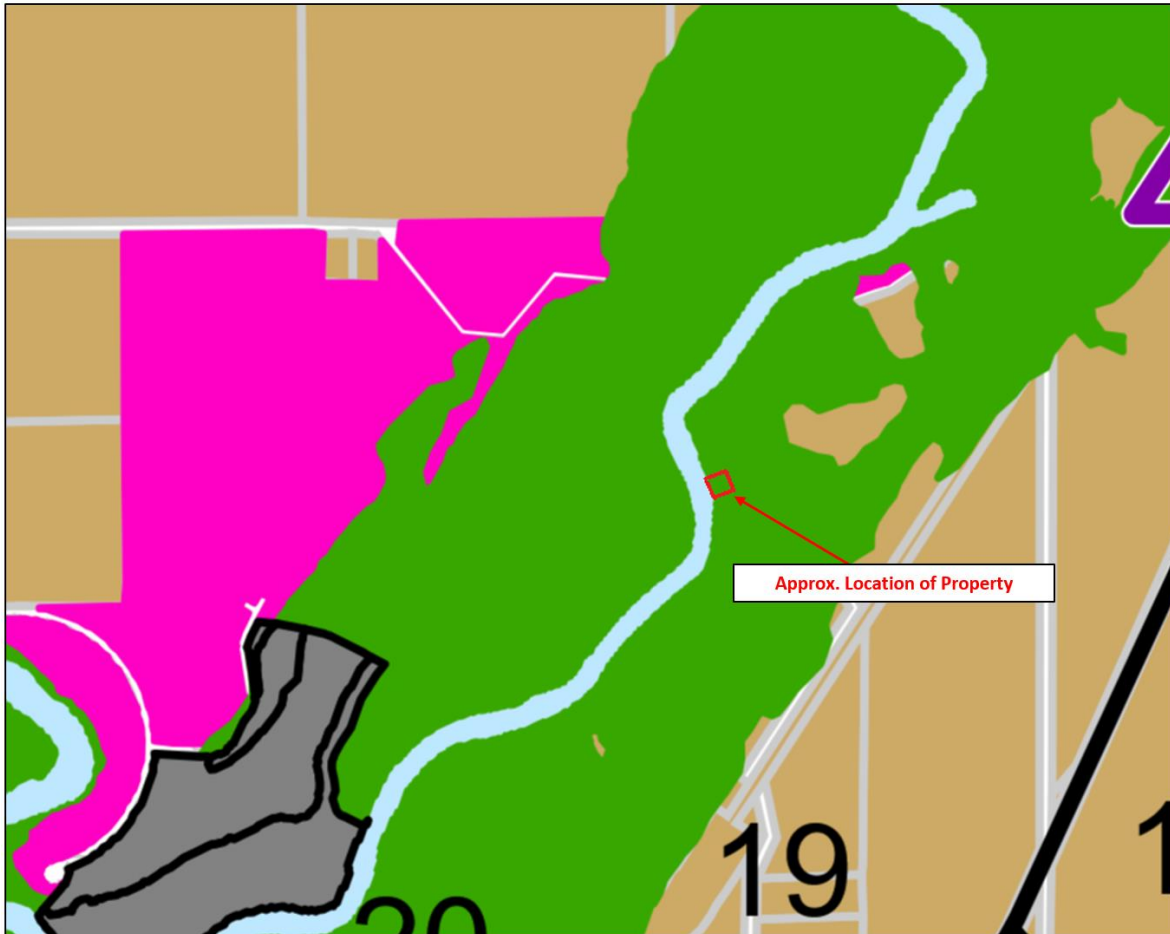
Appendix C – Applicant's Sketch

Phone:	705-324-9411 extension 2156
E-Mail:	sokhowat@kawarthalakes.ca
Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-073

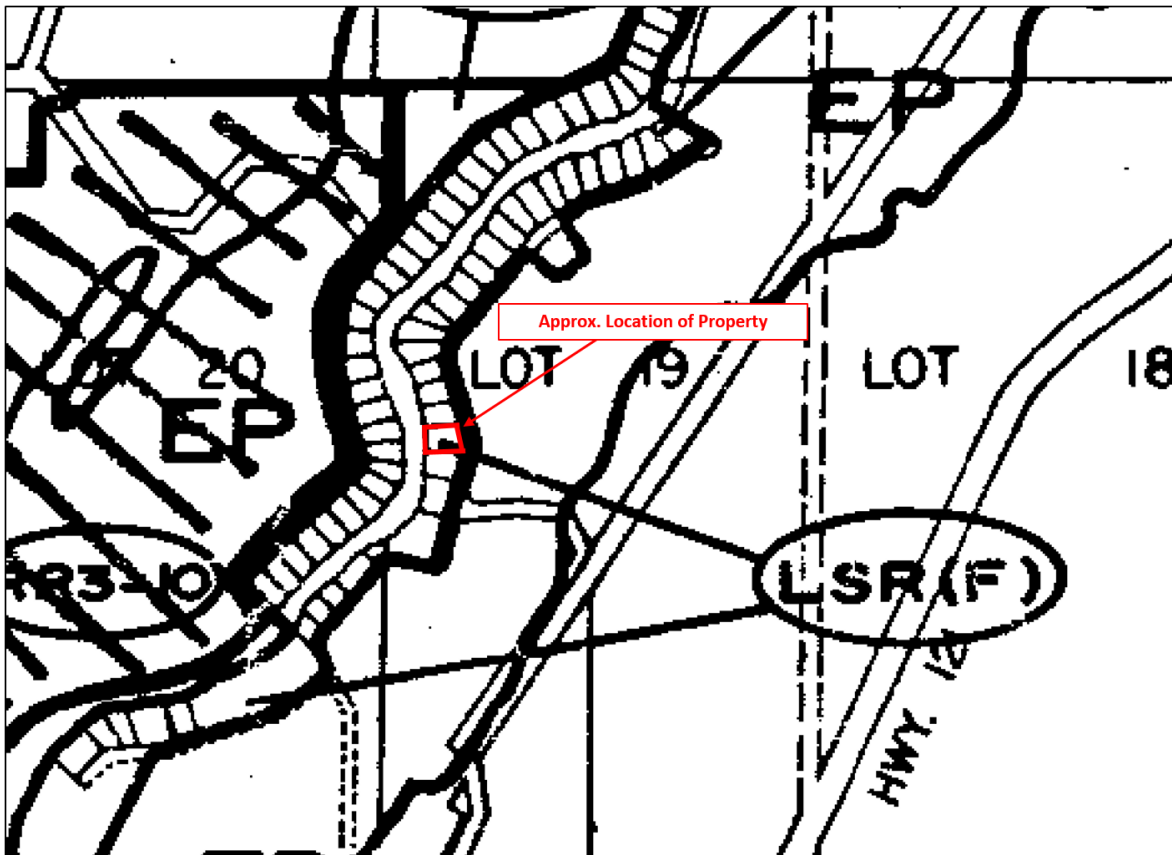
Schedule 1

Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



Township of Somerville Zoning By-law 78-45

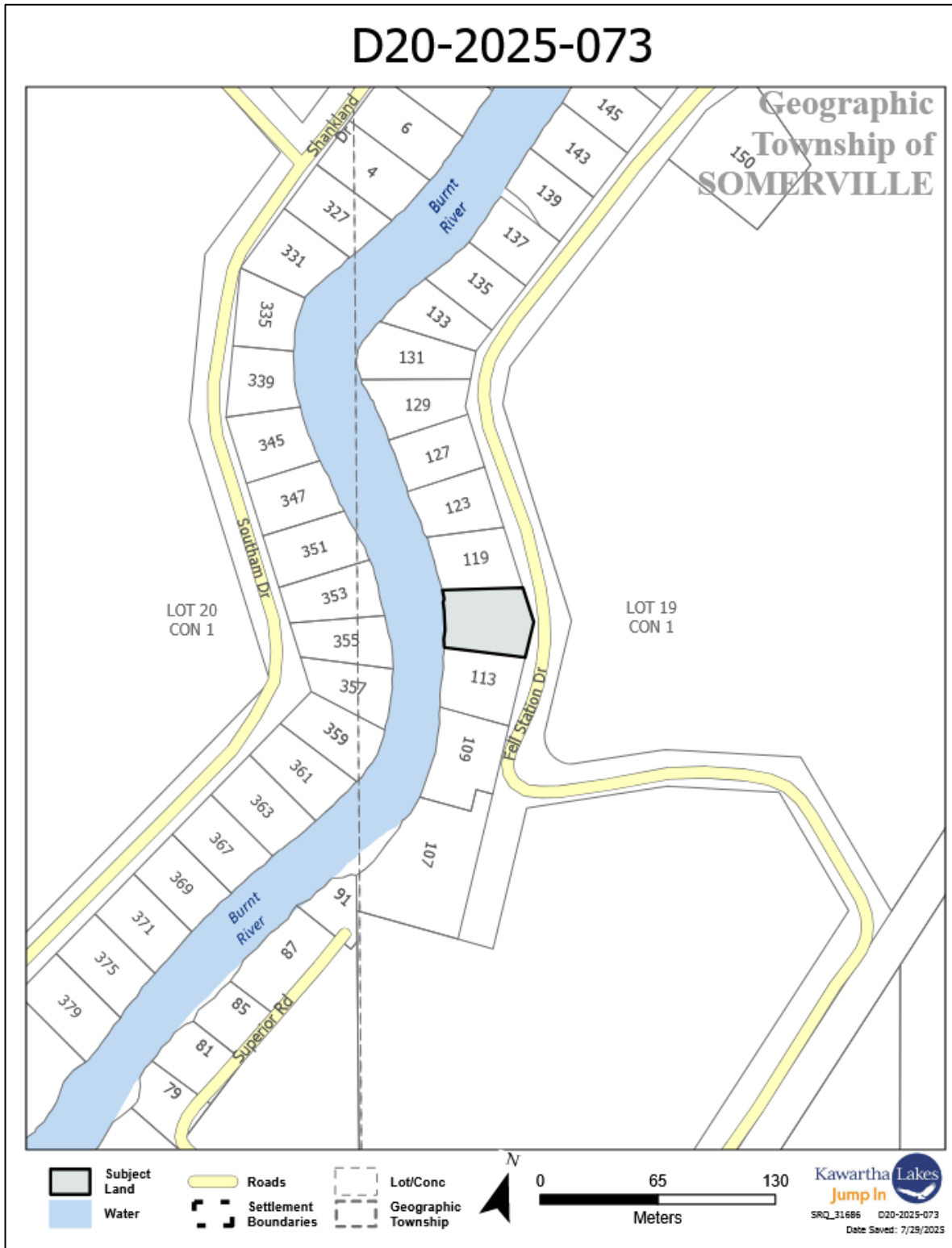


to

REPORT COA2025-087

FILE NO: D20-2025-073

LOCATION MAP



to

REPORT COA2025-087

FILE NO: D20-2025-073

AERIAL PHOTO

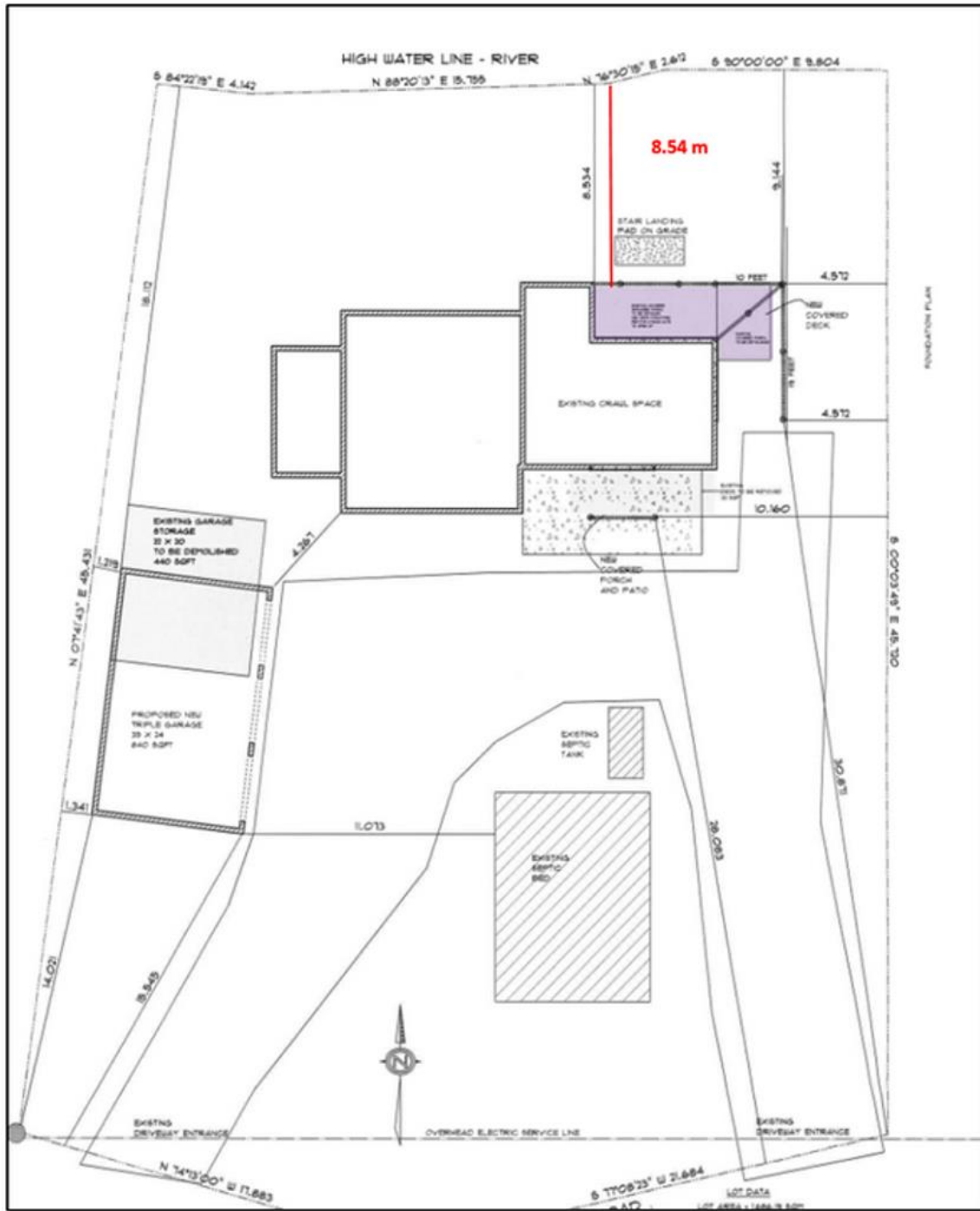


to

REPORT COA2025-087

FILE NO: D20-2025-073

APPLICANT'S SKETCH



The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Fell

Report Number COA2025-088

Public Meeting

Meeting Date: August 28, 2025

Time: 1:00 pm

Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 2 – Geographic Township of Somerville

Subject: The purpose and effect is to facilitate the construction of a new primary dwelling, the conversion of the existing dwelling into an Additional Residential Unit (ARU), and the construction of a new detached garage.

Relief sought:

1. Section 18.1.3.a of the Zoning By-law permits a maximum lot coverage for accessory structures of 8% of the lot area or a maximum of 225 square metres; the proposed lot coverage is 235.34 square metres; and,
2. Section 18.1.3.b of the Zoning By-law permits a maximum height of 5 metres for accessory structures; the proposed garage has a height of 5.5 metres.

The variance is requested at **359 Bury's Green Road** (File D20-2025-074).

Author: Shayan Okhowat, Planner II

Signature: 

Recommendations

That Report COA2025-088 – Fell, be received;

That minor variance application D20-2025-074 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

- 1) **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-088, which shall be attached to and form part of the Committee's Decision; and,
- 2) **That** building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2025-088. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	To construct a new primary dwelling, convert the existing dwelling into an Additional Residential Unit (ARU), and to construct a new detached garage.
Owners:	Darlene and Dave Fell
Applicant:	Catherine DeNardis
Legal Description:	Part Lot 13, Concession 1
Official Plan ¹ :	Rural and Environmental Protection (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Rural General (RG) Zone (Township of Somerville Zoning By-law 78-45)
Site Size:	218.5 Hectares (540 acres)
Site Access:	Year round municipal road
Site Servicing:	Private Individual Septic System and Well
Existing Uses:	Agricultural and Residential
Adjacent Uses:	Agricultural and Community Facility

¹ See Schedule 1

² See Schedule 1

Rationale

The variance is desirable for the appropriate development or use of the land, building or structure.

The subject property, located in the geographic Township of Somerville with access from Bury's Green Road, is surrounded primarily by agricultural land. The property's primary use is a farm and the existing dwelling was built in 1875. The proposed development is to construct a new primary dwelling, convert the existing dwelling into an Additional Residential Unit (ARU), and to construct a new detached garage.

The existing buildings and structures are situated more inland of the property, while the proposed new dwelling and garage will be located closer to the road at the southwest corner of the property. As a result, the two dwellings would be positioned a significant distance apart. Given the size of the property and the distance between both dwellings, the residential use will remain subordinate to the primary (agricultural) use. The proposed new dwelling and garage are compatible with the existing use of the property, and are not anticipated to disturb neighbouring properties or conflict with the character of the surrounding area. Furthermore, the existing dwelling that will be converted into an ARU will not be altered.

Based on the above analysis, the variance is considered desirable and appropriate for the use of land.

The variance maintains the general intent and purpose of the Official Plan.

The subject property is designated Rural and Environmental Protection under the City of Kawartha Lakes Official Plan. Low-density residential uses and buildings or structures accessory to residential uses are permitted within the Rural designation. Performance and siting criteria is implemented through the Zoning By-law.

Furthermore, no development is proposed within or near land that is designated as Environmental Protection.

Therefore, the variance is considered to maintain the general intent and purpose of the Official Plan.

The variance maintains the general intent and purpose of the Zoning By-law.

The property is zoned Rural General (RG) Zone under the Township of Somerville Zoning By-law 78-45. The RG zone permits a single detached dwelling and accessory uses. Relief is requested from the maximum lot coverage for accessory structures and the maximum height for an accessory structure.

Section 18.1.3.a of the Zoning By-law permits a maximum lot coverage of 8% of the lot area or 225 square metres for accessory structures. The proposal is for a lot coverage of 235.34 square metres. The intent of this provision is to ensure accessory structures remain subordinate to the main use and allow for sufficient

open space. The proposed 235.34 square metres lot coverage is a minor increase and does not compromise the use or character of the property. Furthermore, a substantial portion of the property will remain as open space, ensuring the preservation of existing vegetation and contributing to the overall natural character of the site.

Section 18.1.3.b of the Zoning By-law which permits a maximum height of 5 metres for accessory structures to a residential use. The proposed height of the detached garage is 5.5 metres. The intent of this provision is to regulate the vertical dimension of accessory structures while preserving the visual character of an area and preventing structures from overshadowing neighbouring properties. The garage is positioned behind the proposed dwelling and is located in an area that is away from any neighbouring properties. Therefore, the proposed garage is consistent with the established visual character of the area. Additionally, the subject property and the surrounding area is primarily zoned agricultural, where it would be typical to find structures that exceed 5 metres in height. As such, the proposal is not considered to be out of character with the surrounding area.

Based on the above, the variance is considered to maintain the general intent and purpose of the Zoning By-Law.

The variance is minor in nature.

There are no anticipated impacts on environmental features; neighbouring properties; or, the function of the municipal right-of-way with respect to access, drainage, or streetscaping and maintenance.

Other Alternatives Considered:

No alternatives considered.

Consultation Summary

Notice of this application was circulated in accordance with the requirements of the Planning Act.

Agency Comments:

No comments received as of the writing of the staff report.

Public Comments:

No comments received as of the writing of the staff report.

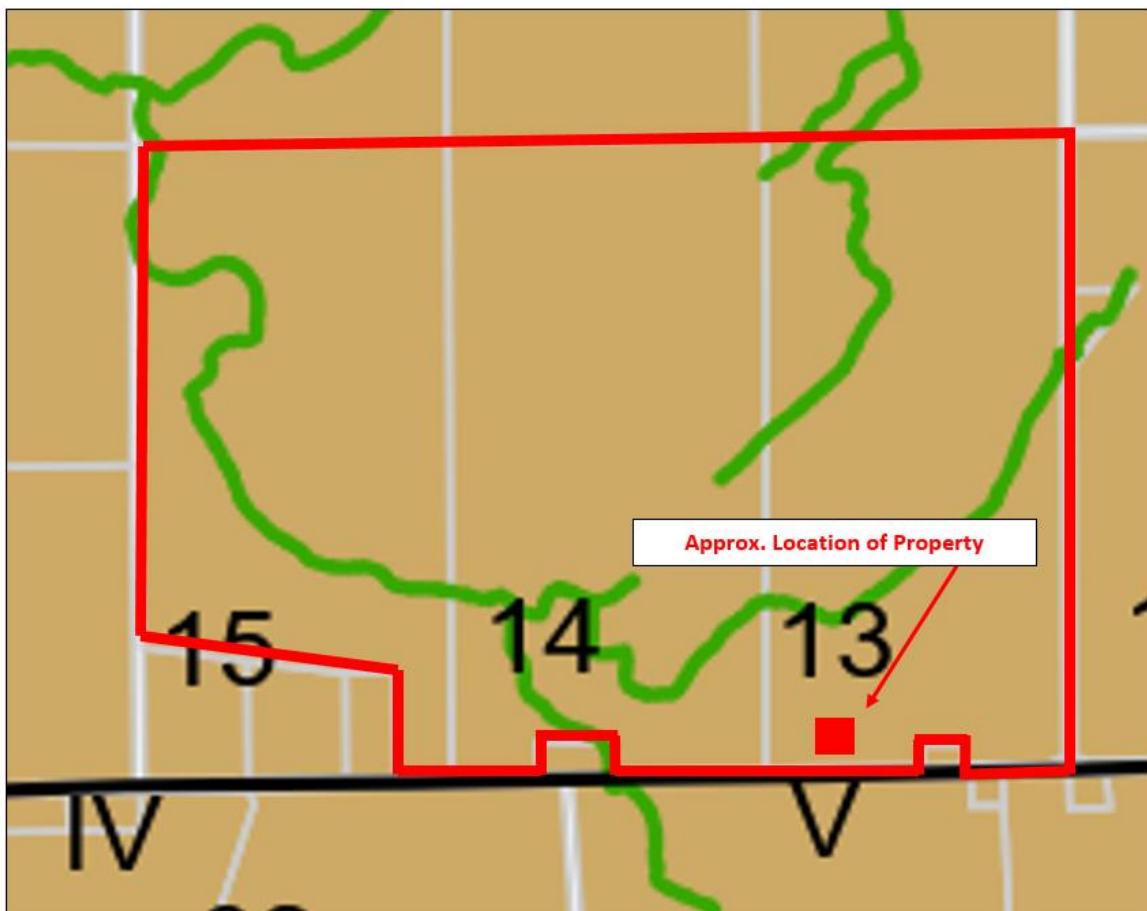
Attachments

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch

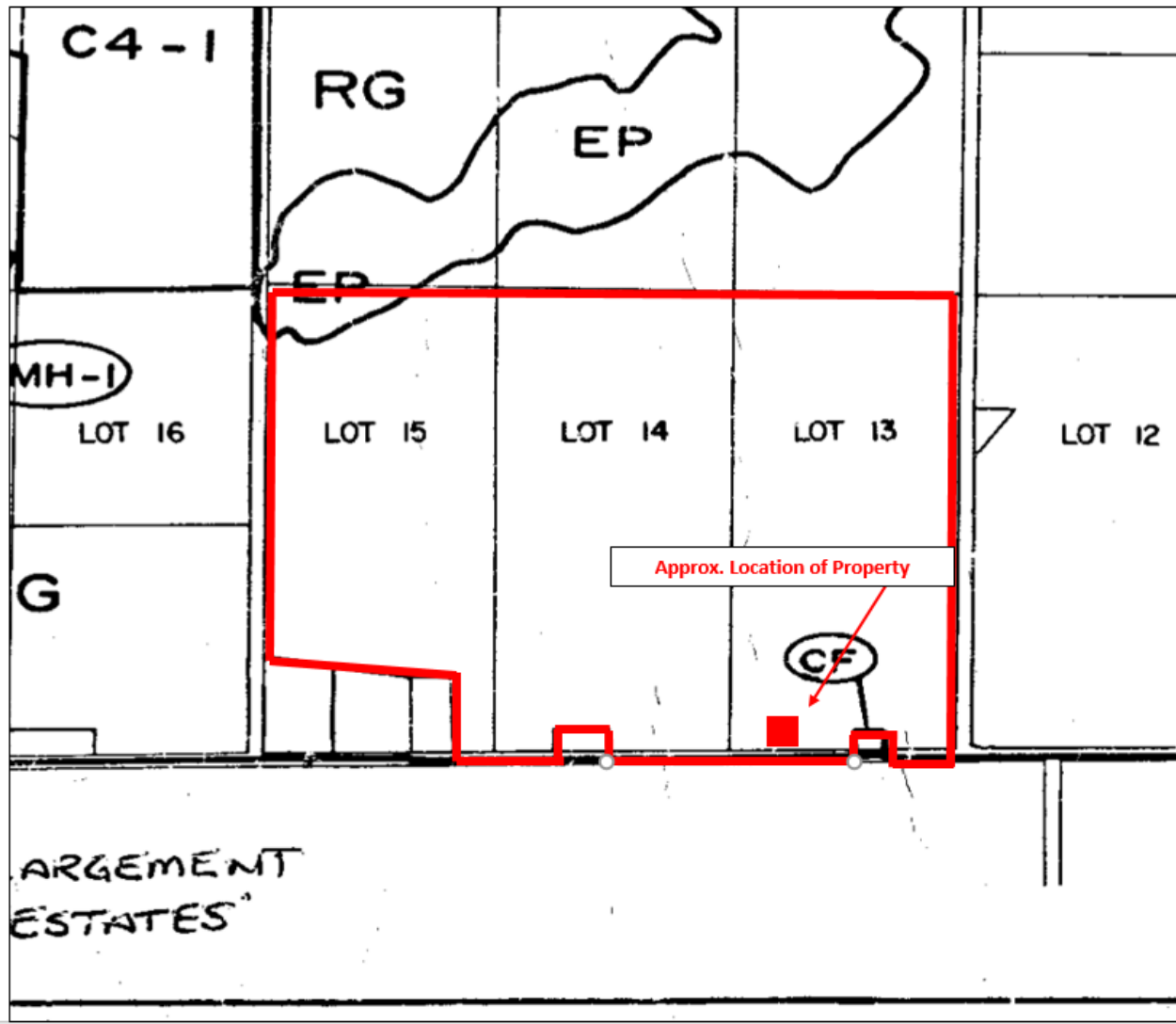
Phone: 705-324-9411 extension 2156
E-Mail: sokhowat@kawarthalakes.ca
Department Head: Leah Barrie, Director of Development Services
Division File: D20-2025-074

Schedule 1
Relevant Planning Policies and Provisions

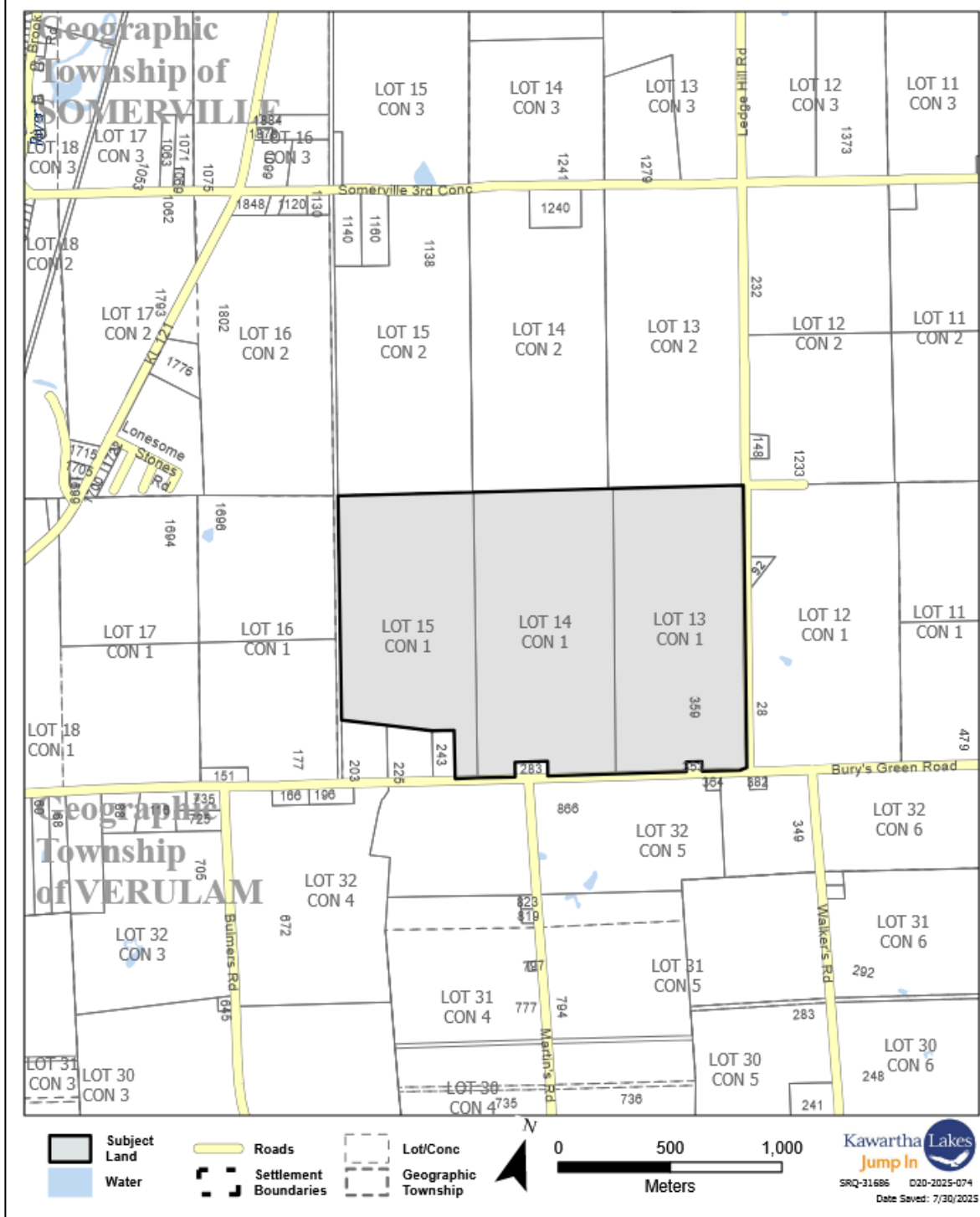
City of Kawartha Lakes Official Plan



Township of Somerville Zoning By-law 78-45



D20-2025-074

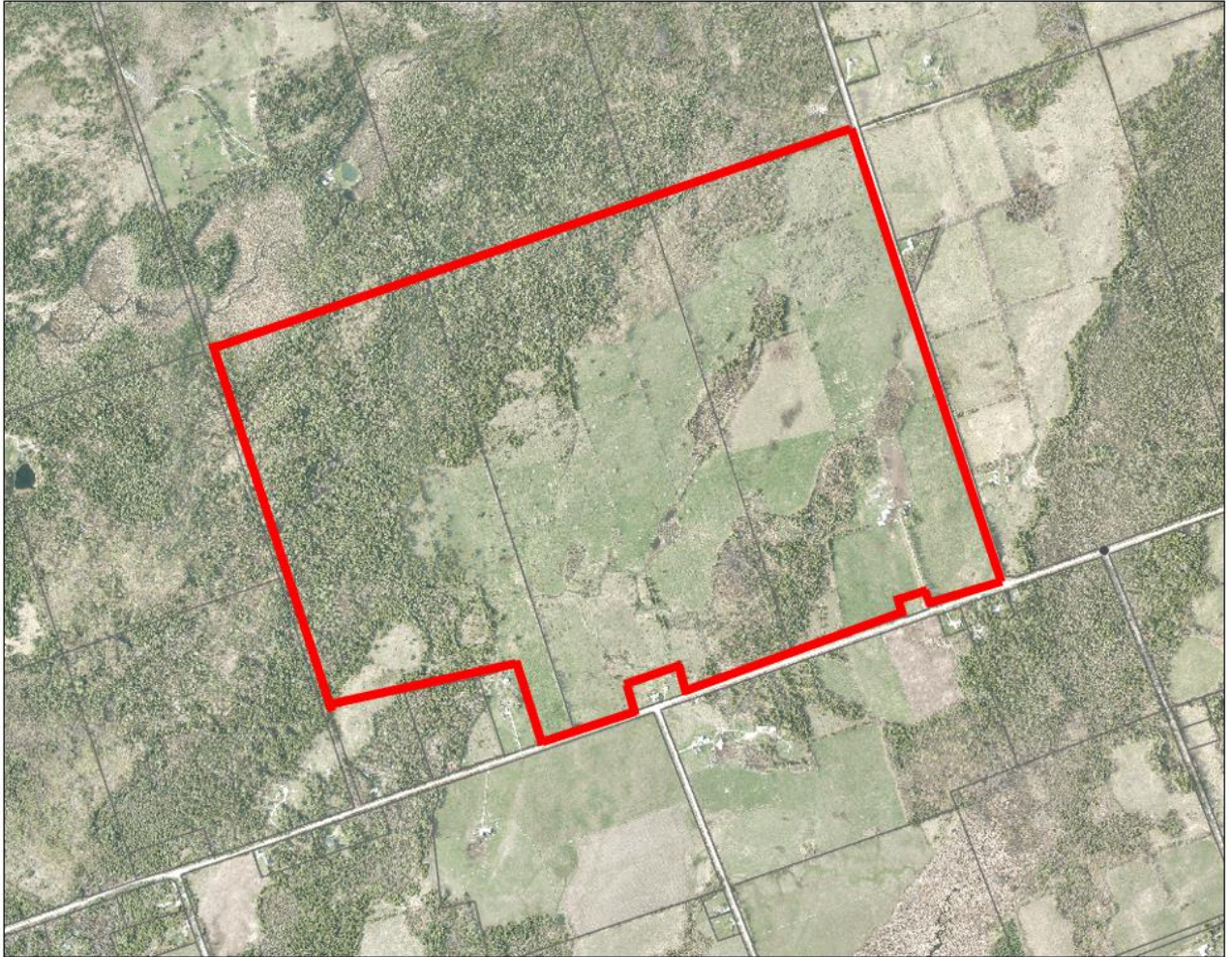


to

REPORT COA2025-088

FILE NO: D20-2025-074

AERIAL PHOTO

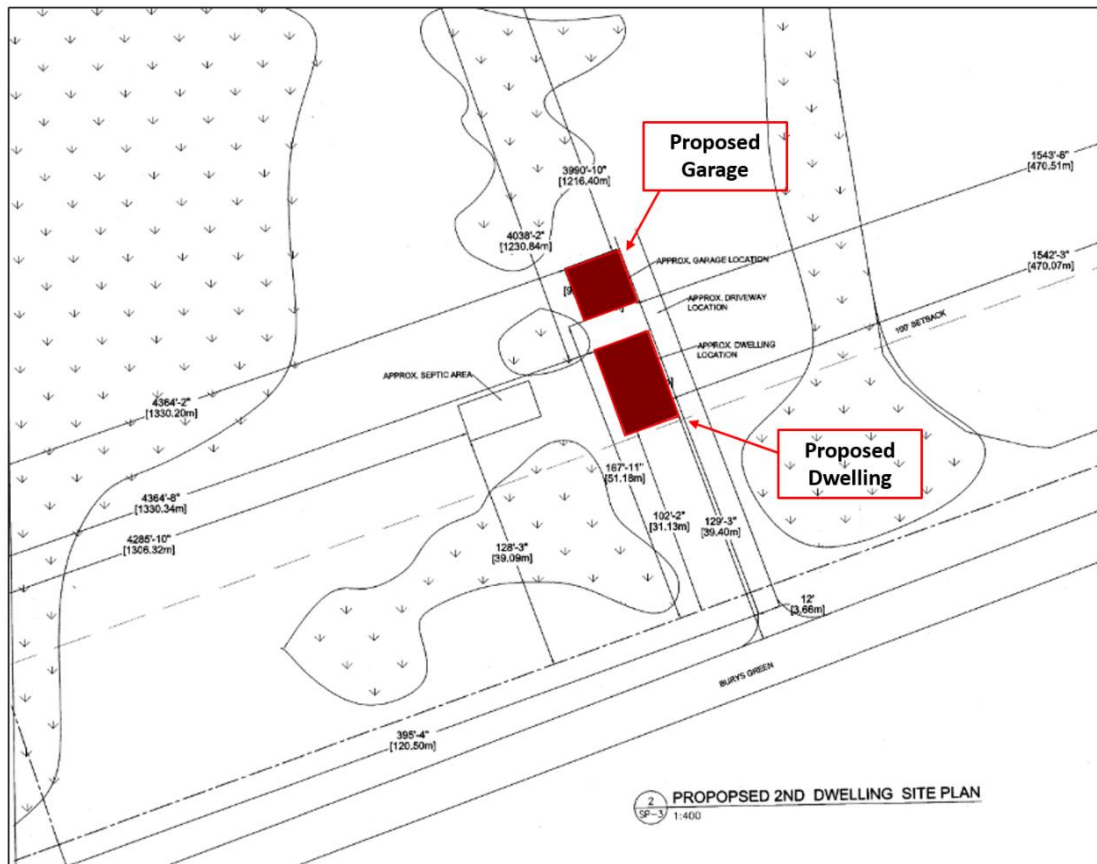
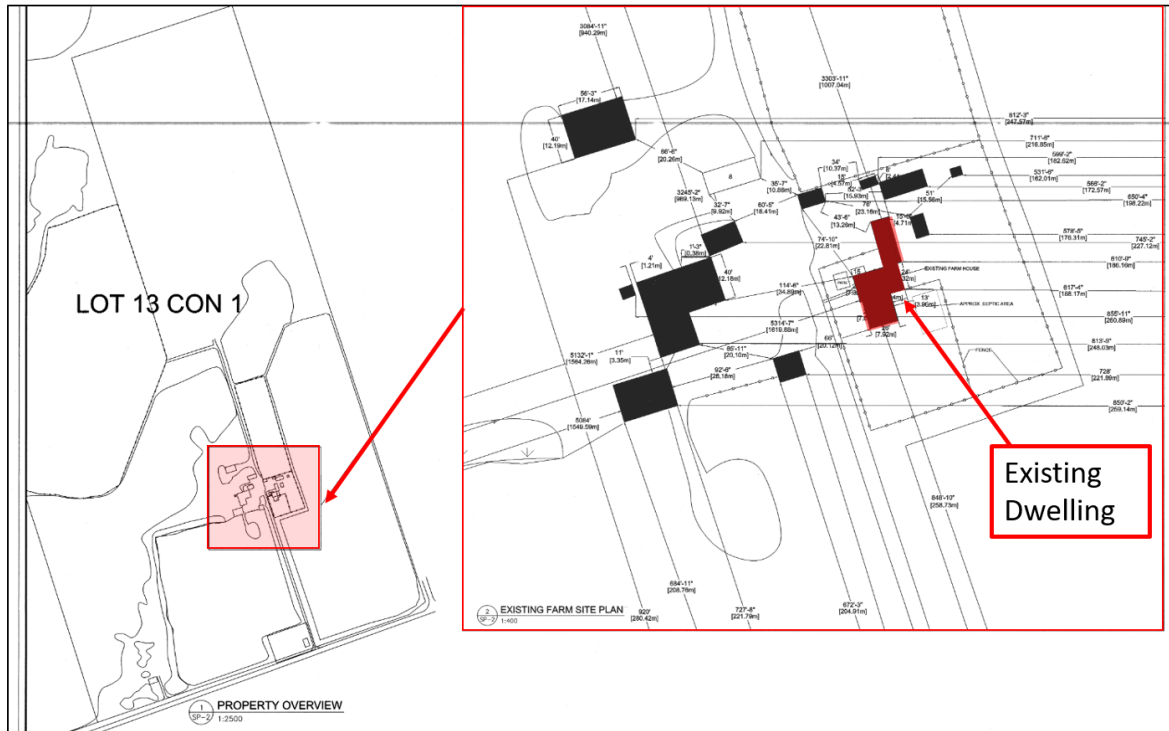


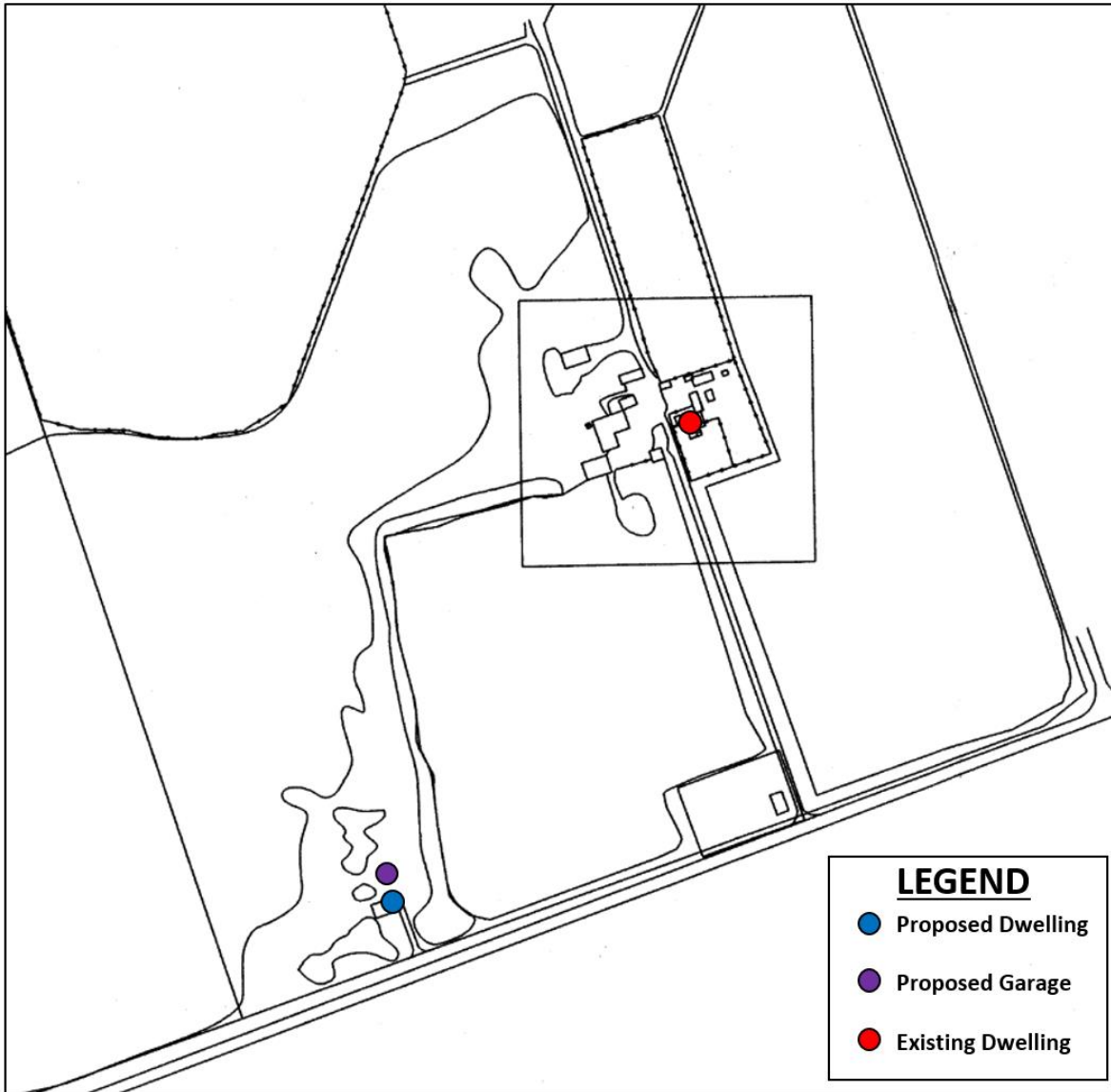
to

REPORT COA2025-088

FILE NO: D20-2025-074

APPLICANT’S SKETCH





The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Malcolm
Report Number COA2025-089

Public Meeting

Meeting Date: August 28, 2025

Time: 1:00 pm

Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 2 – Geographic Township of Somerville

Subject: The purpose and effect is to facilitate the demolition of two existing boathouses and the construction of a new boathouse. The existing boathouses (circa 1950) hold a legal non-conforming status whereby the structures predate the Zoning By-law adopted in 1978, that zones the location of the existing boathouses and the proposed location of the new boathouse as Environmental Protection (EP) Zone, and Section 7.1 does not otherwise permit buildings or structures.

The variance is requested at **8 Delamere Island** (File D20-2025-075).

Author: Ahmad Shahid, Planner II

Signature:



Recommendations

That Report COA2025-089 – Malcolm, be received;

That minor variance application D20-2025-075 be GRANTED, as the application meets the tests set out in Section 45(2) of the Planning Act.

Conditions

- 1) **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-089, which shall be attached to and form part of the Committee's Decision; and,
- 2) **That** building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2025-089. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Demolition of two existing boathouses and the construction of a new boathouse.
Owners:	Joshua Malcolm
Applicant:	Joan Phillips
Legal Description:	Part 1, Island
Official Plan ¹ :	Prime Agricultural (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Limited Service Residential Exception One (LSR-1) Zone (Township of Somerville Zoning By-Law 78-45)
Site Size:	4,653.885 square metres (1.15 acres)
Site Access:	Water access
Site Servicing:	Lake drawn water and individual septic system
Existing Uses:	Residential
Adjacent Uses:	

Rationale

Legal non-conforming rights

Section 34 of the Planning Act authorizes municipalities to pass zoning by-laws to regulate buildings, structures and land use. Section 34(9) of the Act prevents the retroactive use of a zoning by-law. This section sets out the principle prohibiting zoning by-laws from interfering with the ability to prevent the continued use of lands. These land uses are referred to as legal non-conforming.

This section states:

*34(9) No by-law passed under this section applies,
(a) to prevent the use of any land, building or structure for any
purpose prohibited by the by-law if such land, building or structure*

¹ See Schedule 1

² See Schedule 1

was lawfully used for such purpose on the day of the passing of the by-law, so long as it continues to be used for that purpose.

The application satisfies the provisions of the Planning Act

The extension and/or enlargement of a legal non-conforming use requires an application under Section 45(2) of the Act. Section 45(2)(a)(i) grants power to the Committee to grant permission for the extension or enlargement of legal non-conforming uses. This section states:

45(2) In addition to its powers under subsection (1), the committee, upon any such application,

(a) where any land, building or structure, on the day the by-law was passed, was lawfully used for a purpose prohibited by the by-law, may permit,

(i) the enlargement or extension of the building or structure, if the use that was made of the building or structure on the day the by-law was passed, or a use permitted under subclause (ii) continued until the date of the application to the committee, but no permission may be given to enlarge or extend the building or structure beyond the limits of the land owned and used in connection therewith on the day the by-law was passed.

The Township of Somerville Zoning By-Law 78-45 was passed in the year 1978. The applicant has indicated that the existing boathouses, located in the Environmental Protection (EP) Zone, have existed on the property since the 1950s. This has also been substantiated by data from the Municipal Property Assessment Corporation (MPAC). The EP Zone permits various uses including but not limited to structures associated erosion or flood control or a dock. Therefore, the EP Zone does not permit the use of a boathouse. As such, the boathouses predate the current Zoning By-law and are a legal non-conforming use. The applicant is proposing a building enlargement and extension of use to the existing legal non-conforming boathouses.

Evaluation of Impact (Boathouse)

The subject property is located on Delamere Island in the former Township of Somerville, accessible only by water. Two existing boathouses extend beyond the shoreline and are in poor condition, with one largely submerged. Both will be removed and replaced with a single one-storey boathouse. The existing boathouses have a combined floor area of approximately 51 m² and a height of 4.57 m, while the proposed boathouse will measure 69 m² with a height of 4.5 m.

The location of the proposed boathouse will remain compliant with the Zoning By-law's permitted setbacks, distance from the main dwelling, and height requirements. As a result, the continuation and minor enlargement of the boathouse beyond what exists today is not anticipated to impact the abutting neighbouring properties. The Kawartha Region Conservation Authority has already issued a permit for the proposed work, which addressed the matters related to

development within/to shorelines and watercourses. The applicant and property owner have also received permits from the Trent Severn Waterway (TSW).

The surrounding lots on Delamere Island are used for seasonal residential purposes. All but one of the lots on the Island contains a boathouse. Considering the lots is an island lot only accessibly by water access, a boathouse is considered an appropriate and useful structure on these lots.

Overall, the proposed boathouse reconstruction/expansion is considered desirable as it provides an upgraded newer structure for the owners. Upgrading the structure will improve the view of the property from the shoreline. Additionally, while the proposed boathouse is larger than what exists on the property today, the proposal will reduce the number of boathouses from two to one, resulting in an overall decrease in number of structures and contributing to a less built-up island shoreline.

Other Alternatives Considered:

No alternatives considered.

Consultation Summary

Notice of this application was circulated in accordance with the requirements of the Planning Act.

Agency Comments:

No comments received as of the writing of the staff report.

Public Comments:

No comments received as of the writing of the staff report.

Attachments

Appendix A – Location Map

Appendix B – Aerial Photo

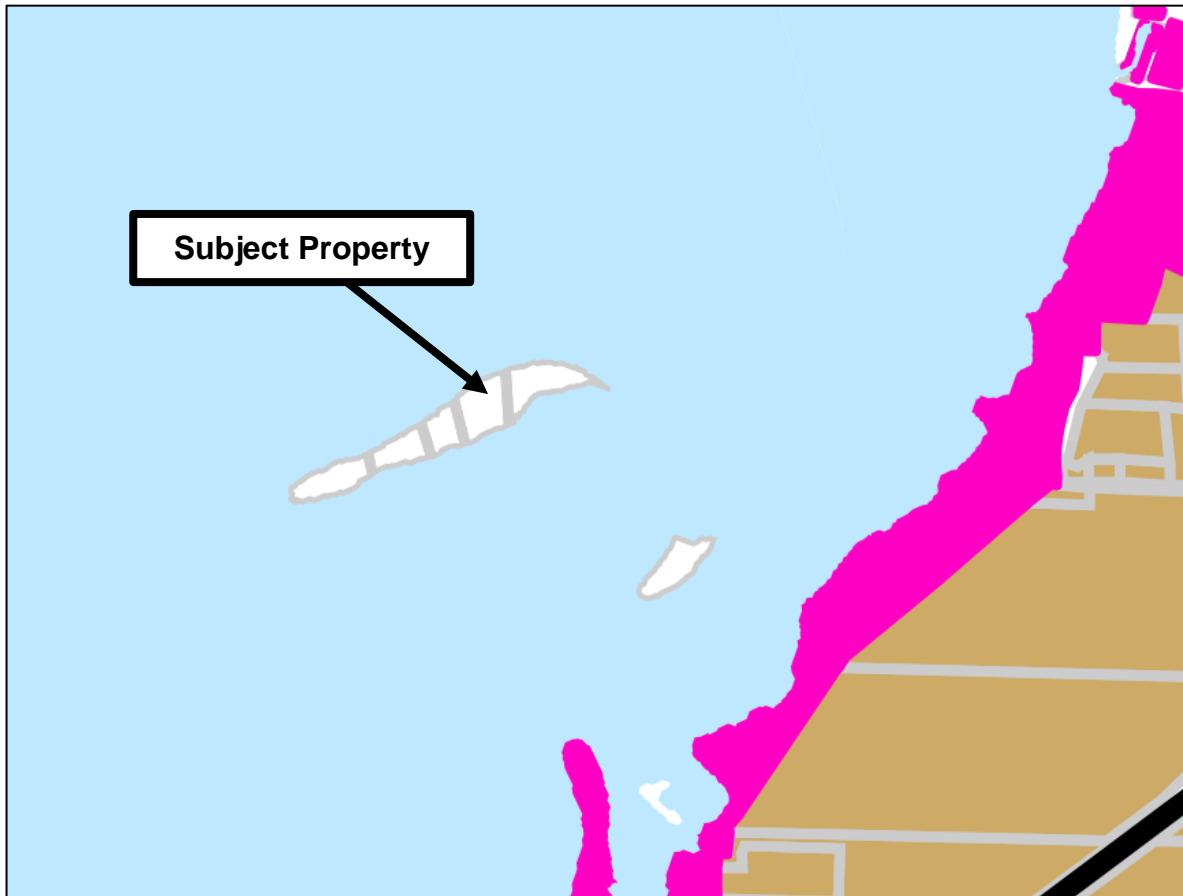
Appendix C – Applicant's Sketch

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Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-075

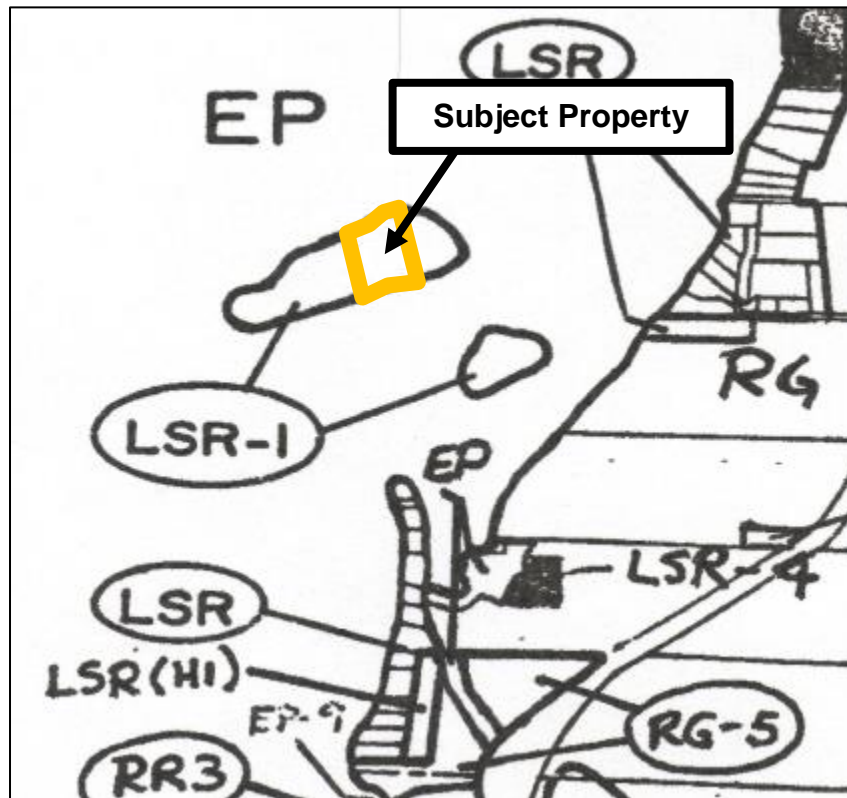
Schedule 1

Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



Township of Somerville Zoning By-Law 78-45



Section 5. Limited Service Residential (LSR) Zone

Section 5.3.1. Limited Service Exception One (LSR-1) Zone

Section 7. Environmental Protection (EP) Zone

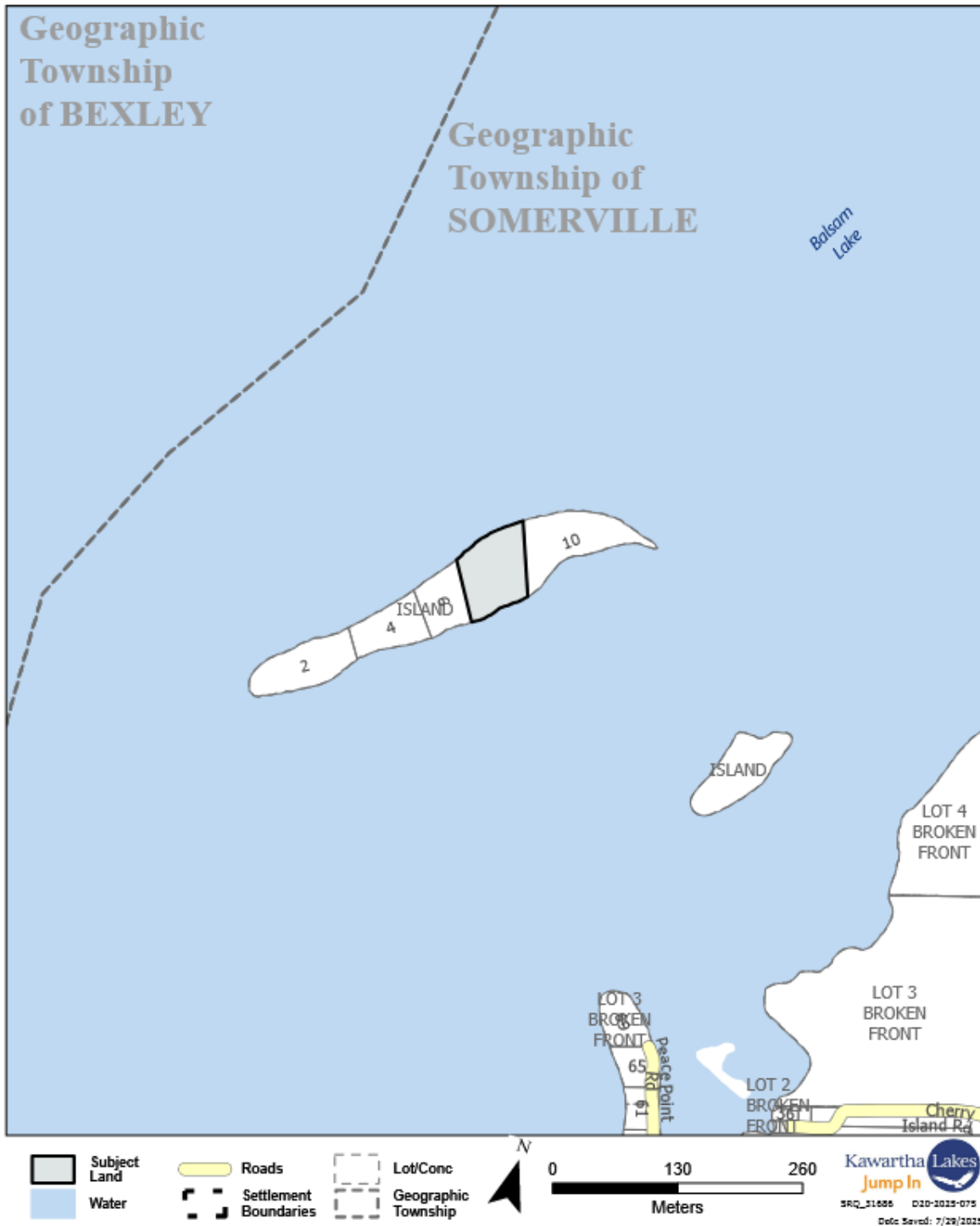
to

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LOCATION MAP

D20-2025-075



to

REPORT COA2025-089

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AERIAL PHOTO (2023)



to

REPORT COA2025-089

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APPLICANT'S SKETCH

