

# The Corporation of the City of Kawartha Lakes

## Committee of Adjustment Report – Ganesh

Report Number COA2024-069

---

### Public Meeting

**Meeting Date:** July 25, 2024

**Time:** 1:00 pm

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

---

### Ward 1 – Geographic Township of Laxton

**Subject:** The purpose and effect is to recognize an existing cabin.

#### Relief sought:

1. Section 18.1.f.i. of the Zoning By-law permits a maximum 30 square metre cabin in floor area; the existing cabin is 70.42 square metres.

The variance is requested at **52 Laxton Township 4<sup>th</sup> Line** (File D20-2024-060).

---

**Author:** Ahmad Shahid, Planner II

**Signature:**



### Recommendations

**That** Report COA2024-069 – Ganesh, be received;

**That** minor variance application D20-2024-060 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 COA2024-069, 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 COA2024-069. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

## Application Summary

Proposal:	Recognition of existing oversized cabin
Owners:	Shival Ganesh
Applicant:	Owner
Legal Description:	Part Lot 10, Concession 5, Plan 441 (Part 1 of Reference Plan 57R699)
Official Plan <sup>1</sup> :	Rural (City of Kawartha Lakes Official Plan, 2012)
Zone <sup>2</sup> :	Limited Service Residential (LSR) Zone and Open Space (O1) Zone (United Townships of Laxton, Digby and Longford Zoning By-Law 32-83)
Site Size:	2.63 acres (1.06 hectares)
Site Access:	Year-round maintained road
Site Servicing:	Private individual well and septic system
Existing Uses:	Residential
Adjacent Uses:	Residential, Cemetery

## 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 Township of Laxton on the shore of Head Lake with access from both Laxton Township 4<sup>th</sup> Line and Bailey Drive, both year-round maintained public roads. The area in which the property is located is predominately residential comprised of built-form character by low-density residential dwellings and assorted accessory structures. Based on the Municipal Property Assessment Corporation (MPAC), the majority of the dwellings in the area are for seasonal/recreational use.

The proposal seeks to facilitate the recognition of an existing cabin. The existing cabin is one-storey and contains two-bedrooms and a living room. The cabin does not contain cooking or sanitary facilities.

---

<sup>1</sup> See Schedule 1

<sup>2</sup> See Schedule 1

The subject property is larger in size and can be considered quite large for a residential property (2.63 acres), in comparison to the some of the other lots along Bailey Drive. The existing cabin provides additional habitable space, away from the shoreline. Moreover, due to the existing vegetation and topography of the lot, the existing cabin is not visible from the road, mitigating any concerns regarding the visual impact of the structure and use. Overall, given the locational context of the property along Head Lake, it is suitable for property owners to seek to the most optimal utilization of their land. The existing cabin use aligns with the recreational/seasonal character of the neighbourhood.

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 Rural under the City of Kawartha Lakes Official Plan. The subject property is designated Rural under the City of Kawartha Lakes Official Plan. The Rural designation permits the use of low-density single detached dwellings and associated accessory structures. The Official Plan defines a cabin as an accessory structure for sleeping accommodation in accessory to a permitted dwelling unit. The existing cabin does not conflict with the objectives of the Rural designation as it does not change the existing low-density residential land use, and maintains a low profile. 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 Limited Service Residential (LSR) Zone and Open Space (O1) Zone under the United Townships of Laxton, Digby and Longford Zoning By-Law 32-83. The existing cabin is wholly situated within the LSR Zone. The LSR Zone includes various uses, including but not limited to, a vacation dwelling and single detached dwelling as well as assorted accessory structures. The existing cabin is oversized and requires relief from the maximum floor area provision.

Section 18.1.f.i. of the Zoning By-law permits a maximum 30 square metre cabin in floor area. The intention of this provision is to ensure the cabin remains subordinate to the primary, generally residential, use of the property. The existing cabin is oversized at 70.42 square metres. The cabin does not contain any cooking or sanitary facilities and is in accessory to the primary dwelling. When comparing the gross floor area of the primary dwelling and cabin, the primary dwelling is much larger at 148 square metres as it contains a finished walkout basement. The topography of the lot fluctuates as it drops at the rear of the dwelling or in the rear yard. In turn, the front yard is at a higher topography than the rear yard in which the cabin is located. The dwelling is situated on the higher land and is 7.6 metres in

height when measured from its lowest finished grade. In comparison, the existing cabin is located on the lower lands is 4.8 metres in height. From the front yard, the existing cabin is largely not visible due to the change in topography and the existing vegetation. As a result, largest and most visible structure from the front lot line and front yard is the existing dwelling. Furthermore, as the lot is surrounded by an existing edge of vegetation, the existing cabin is not visible from the surrounding properties.

Overall, even given the oversizing, the existing cabin remains the subordinate use on the property as its visual impact is minimal and gross floor area is less than the primary dwelling and predominate use of the property.

Therefore, the variance maintains 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:**

**ECA – Development Engineering:** “From a Development engineering perspective, we have no comment or objection to the proposed Minor Variance.”

**Public Comments:**

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

**Attachments**

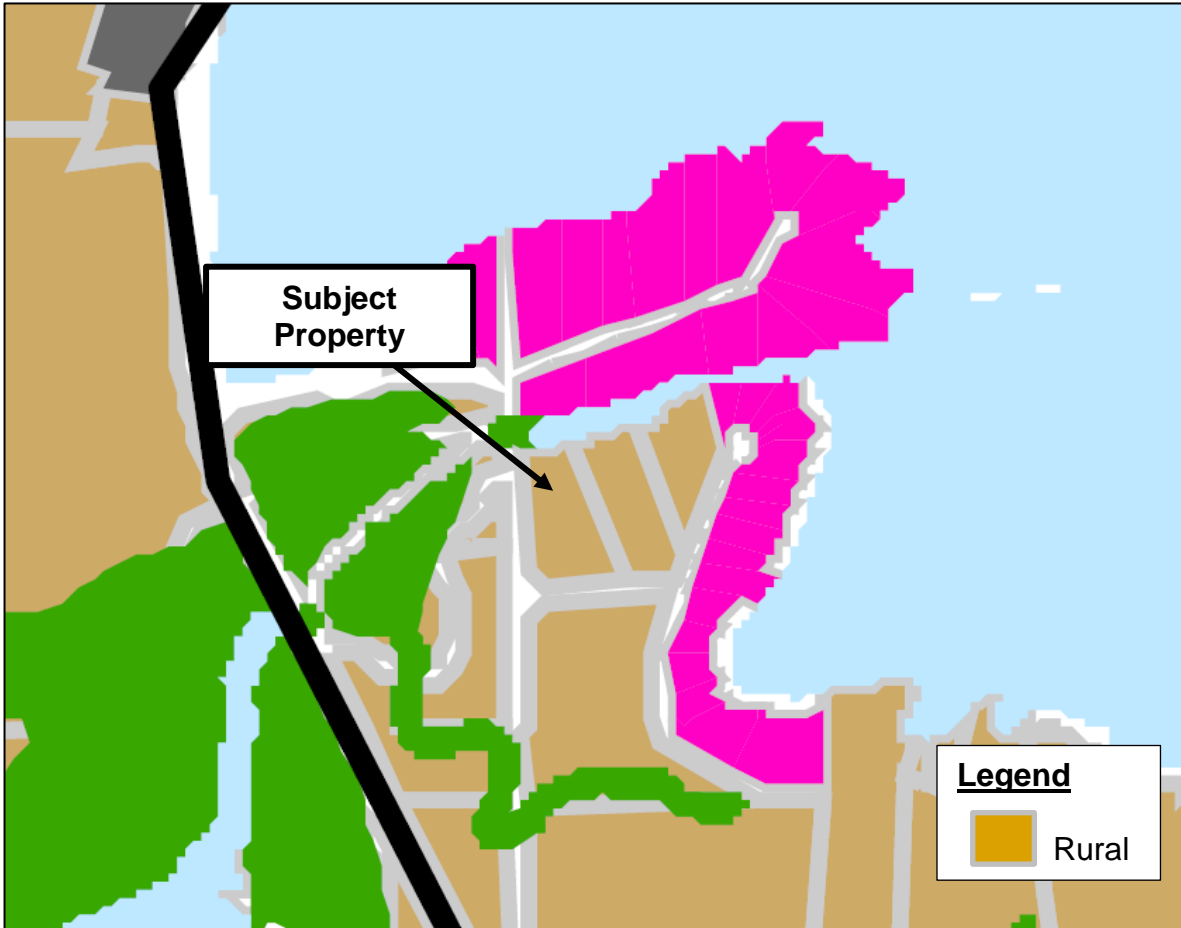
- Appendix A – Location Map
- Appendix B – Aerial Photo
- Appendix C – Applicant’s Sketch

**E-Mail:** ashahid@kawarthalakes.ca  
**Department Head:** Leah Barrie, Director of Development Services  
**Division File:** D20-2024-060

## Schedule 1 Relevant Planning Policies and Provisions

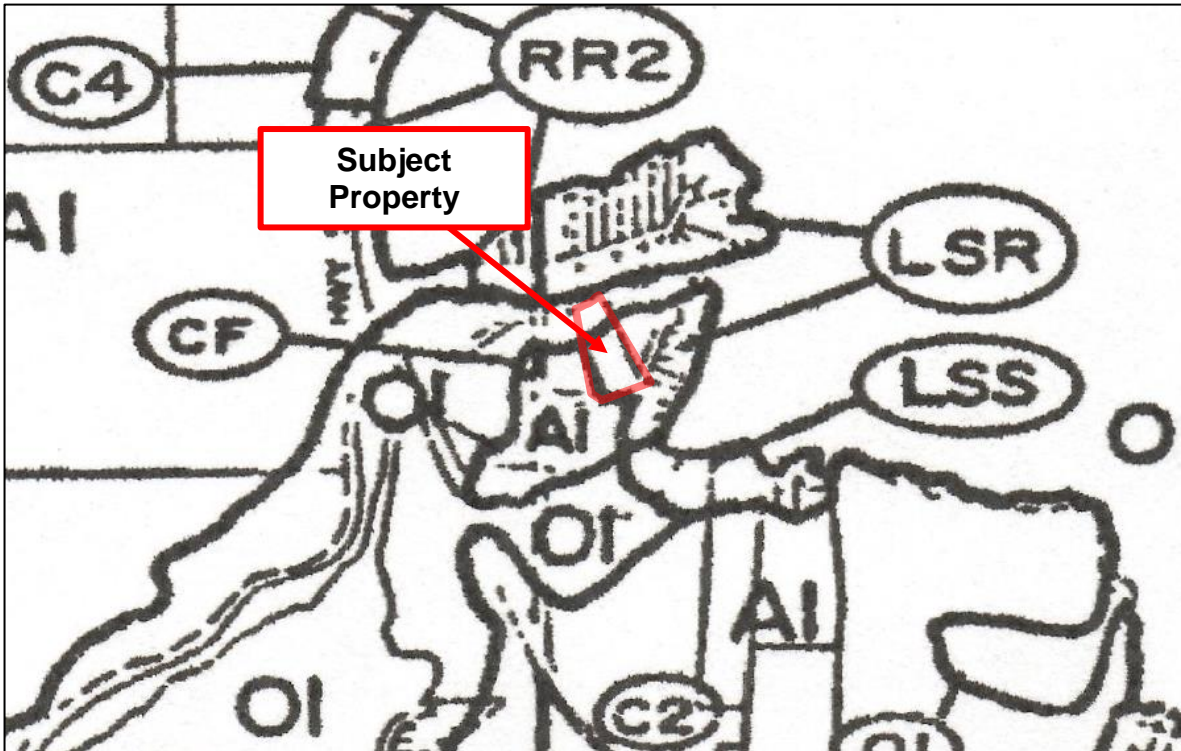
---

### City of Kawartha Lakes Official Plan



Section 16. Rural Designation

## United Townships of Laxton, Digby and Longford Zoning By-Law 32-83



### SECTION 18

#### GENERAL PROVISIONS

#### 18.1 ACCESSORY BUILDINGS, STRUCTURE AND USES

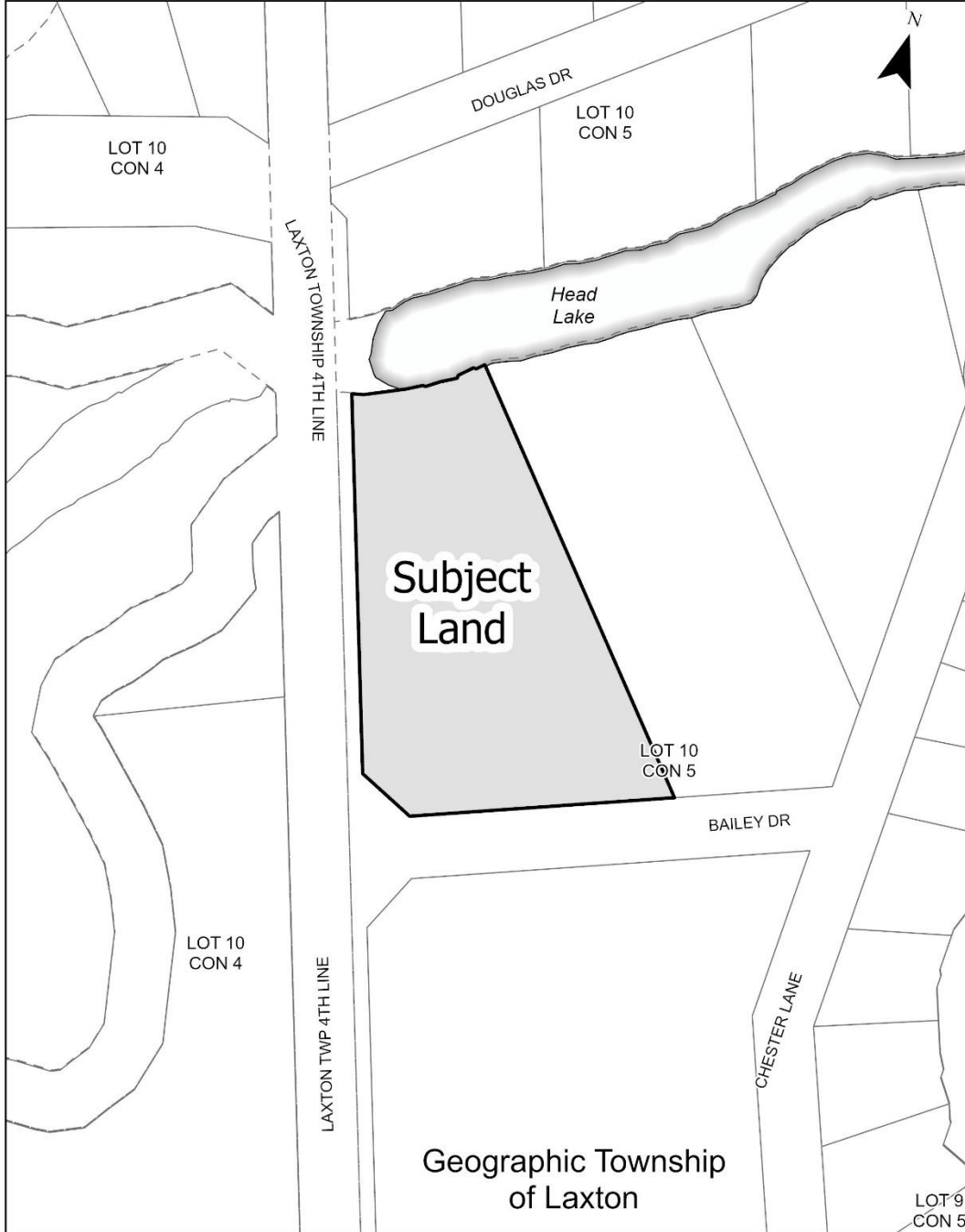
##### f. Cabins

- i. One private Cabin, having a maximum floor area of 30 square metres may be permitted as an accessory use to a permitted dwelling unit on a lot which conforms to the requirements of this By-law for lot area and lot frontage.

to

LOCATION MAP

D20-2024-060





to

REPORT COA2024-069

FILE NO: D20-2024-060

**AERIAL PHOTO**





