

# The Corporation of the City of Kawartha Lakes

## Committee of Adjustment Report – Holmes

Report Number COA2025-023

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### Public Meeting

**Meeting Date:** February 27, 2025

**Time:** 1:00 pm

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

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### Ward 2 – Former Village of Bobcaygeon

**Subject:** The purpose and effect is facilitate the severance of the property to create one (1) new residential building lot and retain a lot containing an existing single-detached dwelling. The proposed severed lot is to contain a future single detached dwelling.

### Relief sought:

1. Section 5.2.b. of the Zoning By-law which requires a minimum 15 metre lot frontage for a lot serviced by municipal water and sanitary sewers; the proposed lot frontage of the severed lot is 13.67 metres.

The variance is requested at **48 Prince Street East, Bobcaygeon** (Files D20-2025-010 and D03-2025-008).

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**Author:** Ahmad Shahid, Planner II

**Signature:** 

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### Recommendations

**That** Report COA2025-023 – **Holmes**, be received;

**That** minor variance application D20-2025-010 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**That** consent application D03-2025-008 be GRANTED, as the application represents good planning, and is in accordance with Section 53(1) of the Planning Act.

### Conditions

- 1) **That** development related to this approval shall proceed generally in accordance with the sketch in Appendix D submitted as part of Report COA2025-023, which shall be attached to and form part of the Committee's Decision;

- 2) **That** the two (2) sheds located on the proposed severed lot identified in Appendix D be removed within a period of six (6) months after the date of the Notice of Decision. This condition will be considered fulfilled upon the owner providing photographic evidence to the Planning Administration (planningadmin@kawarthalakes.ca) and including the Secretary-Treasurer that the sheds have been removed; and,
- 3) **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.

## Conditions of Provisional Consent

Refer to Appendix E for Conditions of Provisional Consent.

These approvals pertain to the application as described in report COA2025-023. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding and for the consent to be fulfilled.

## Application Summary

Proposal:	Severance of the property to create one (1) new residential lot and retain a lot containing an existing single-detached dwelling. The proposed severed lot is to contain a future single detached dwelling.
Owners:	Nick Holmes
Applicant:	TD Consulting Inc.
Legal Description:	Part Lot 9 West of Anne Street, Plan 70
Official Plan <sup>1</sup> :	Urban Settlement Area (City of Kawartha Lakes Official Plan, 2012)
Secondary Plan <sup>1</sup> :	Residential (Bobcaygeon Secondary Plan, 2024)
Zone <sup>2</sup> :	Urban Residential Two (R2) Zone (Village of Bobcaygeon Zoning By-Law 16-78)
Site Size:	Total: 1,184 square metres (12,744.47 square feet) Severed: 483 square metres (5,198.97 square feet) Retained: 701 square metres (7,545.50 square feet)

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<sup>1</sup> See Schedule 1

<sup>2</sup> See Schedule 1

Site Access: Year-round municipally maintained street

Site Servicing: Municipal water and sewer servicing

Existing Uses: Residential

Adjacent Uses: Residential

## **Rationale**

### **Provincial Planning Statement (2024)**

The Provincial Planning Statement, 2024 (PPS) is a streamlined province-wide land use planning policy framework that provides provincial policy direction on key land use planning issues that affect communities. The PPS classifies the former Village of Bobcaygeon as a settlement area. Section 2.3.1.1 states that settlement areas shall be the focus of growth and development. This direction ensures the more efficient use of land, existing urban services and infrastructure. Additionally, Section 2.3.1.3 provides that planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options. The proposal is consistent with the applicable policies of the PPS.

### **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 Prince Street East. Based on data from the Municipal Property Assessment Corporation (MPAC), the area is comprised of residential buildings in the form of single detached dwellings, duplexes, and multi-unit apartment buildings.

The property currently contains a single detached dwelling constructed in 1927 (MPAC), and two sheds. The proposal seeks to create one (1) new residential building lot with frontage onto Prince Street East for low-density residential uses. The proposed severed lot is 483 square metres with 13.67 metres of frontage onto Prince Street East. The proposed severed lot is to contain a future single detached dwelling. The proposed retained lot is 701 square metres with 20.01 metres of frontage onto Prince Street East. The proposed retained lot will maintain the use of the existing single detached dwelling. The existing sheds will be removed. Through the minor variance relief is sought to address the proposed lot frontage of the lot to be severed.

In terms of character of the surrounding lot fabric, the surrounding lots are generally rectangular in shape with varying lot frontages. In the immediate context, lot frontages range from approximately 9 metres to 30 metres. The proposed lot frontages 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 a new dwelling, 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 Bobcaygeon Secondary Plan provides more specific policies directed towards the former Village of Bobcaygeon. 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 30 dwelling units per net hectare of land. The resulting density is approximately 16 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 8 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 Urban Residential Two (R2) Zone under the Village of Bobcaygeon Zoning By-Law 16-78. The R2 Zone permits various uses, including but not limited to all uses permitted in the Urban Residential One (R1) Zone subject to the provisions therein. The R1 Zone permits a single detached dwelling. As the proposed intended development on the severed lot is a single-detached dwelling, the R1 Zone provisions apply. Relief is required from the minimum lot frontage of the proposed severed lot.

Section 5.2.b. of the Zoning By-law requires a minimum 15 metre lot frontage for a lot serviced by municipal water and sanitary sewers; the proposed lot frontage of the severed lot is 13.67 metres. The intent of the minimum lot frontage requirement is to ensure lots are large enough to accommodate development while ensuring there is adequate space for amenity uses and stormwater infiltration. The minimum

lot frontage also ensures that properties are wide enough to support a building envelope that could comply with the minimum side yard setbacks.

The proposed severed lot provides an adequate building envelope to accommodate yard requirements and maximum lot coverage, while also meeting the minimum gross floor area for a dwelling unit. Sufficient amenity space is provided in the compliant proposed yards. Stormwater infiltration issues are not anticipated as both the severed and retained lots comply with the maximum lot coverage provision.

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:**

In evaluating the need for relief for the lot frontage of the proposed severed lot, this is sought due to the existing siting of the dwelling on the proposed retained lot. In order for the dwelling to maintain a compliant side yard setback, the frontage of the proposed severed lot must be deficient.

No alternatives considered.

**Consultation Summary**

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

**Agency Comments:**

DS – Building and Septic Division: “No comments in regards Minor Variance D20-2025-010 and Consent D03-2025-008.”

ECA – Development Engineering: “From a Development engineering perspective, we have no comments for or objection to the Minor Variance or Consent application.”

Kawartha Region Conservation Authority (Resources Planner): “Kawartha Conservation has no concerns with the approval of Consent Application - D03-2025-008 and Minor Variance - D20-2025-010 is to facilitate the severance of the property to create one new residential building lot while retaining a lot with an existing single-detached dwelling, with a single-detached dwelling proposed for the severed lot, and to allow relief from Section 5.2.b of the Village of Bobcaygeon Zoning By-Law 16- 78, as amended, which requires a minimum 15m lot frontage for lots serviced by municipal water and sanitary sewers, whereas the proposed severed lot has a frontage of ±13.67m. A permit pursuant to Ontario Regulation

41/24 will be required prior to any future development on the property. Please contact our permitting department at [permits@kawarthaconservation.com](mailto:permits@kawarthaconservation.com) for more information in permits. Please note that if during any future development on the subject property, karst formations are discovered, it is strongly recommended that all development activities be halted until a qualified professional has assessed and confirmed the stability of the bedrock, ensuring it is safe for continued development.”

**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 Severance Sketch
- Appendix D – Applicant’s Minor Variance Sketch
- Appendix E – Proposed Conditions of Provisional Consent

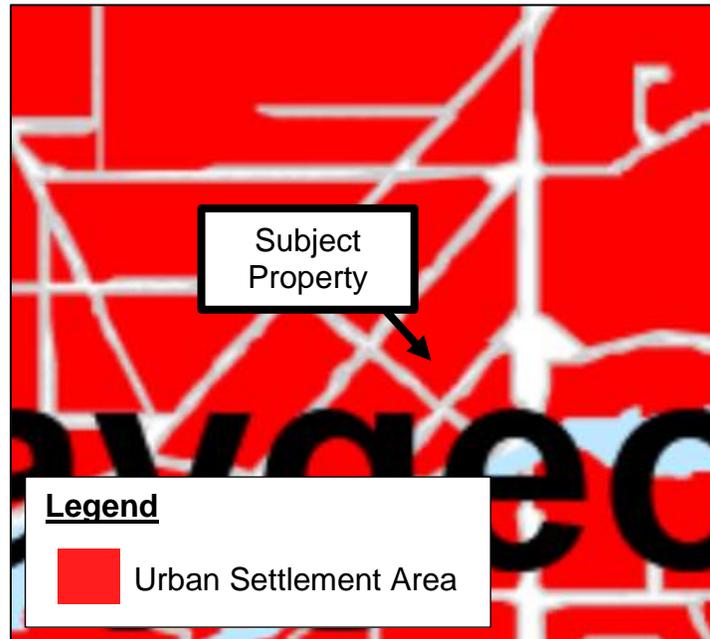
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**Phone:** 705-324-9411 extension 1367  
**E-Mail:** [ashahid@kawarthalakes.ca](mailto:ashahid@kawarthalakes.ca)  
**Department Head:** Leah Barrie, Director of Development Services  
**Division File:** D20-2025-010 and D03-2025-008

## Schedule 1 Relevant Planning Policies and Provisions

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### City of Kawartha Lakes Official Plan (2012)



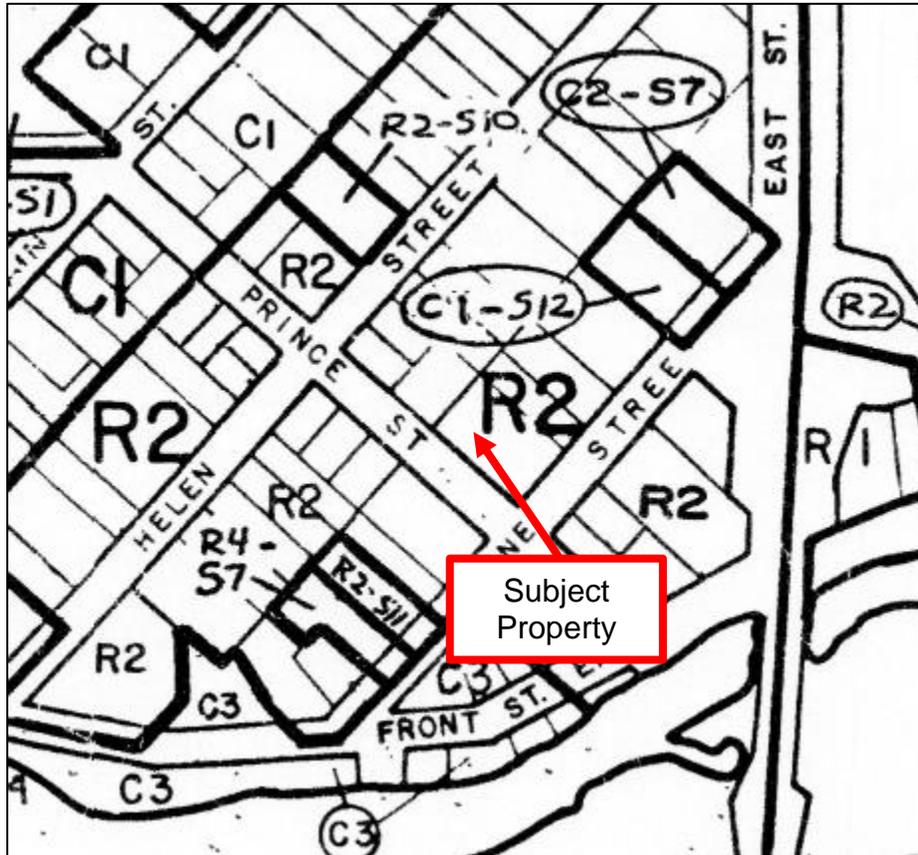
Section 18. Urban Settlement Designation

### Bobcaygeon Secondary Plan (2024)



Section 31.3.3.1. Residential

### Village of Bobcaygeon Zoning By-Law 16-78



Section 6.1 Urban Residential Type Two (R2) Zone



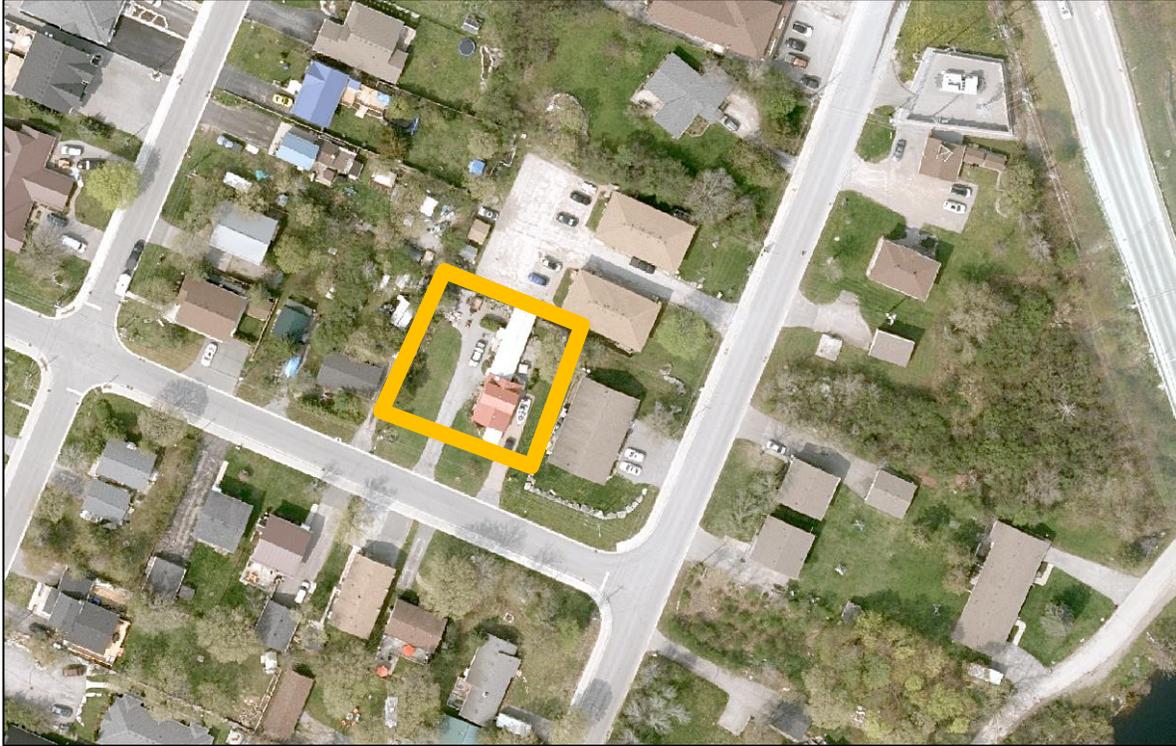
APPENDIX " B "

to

REPORT COA2025-023

FILE NO: D20-2025-010  
D03-2025-008

**AERIAL PHOTO (2023)**

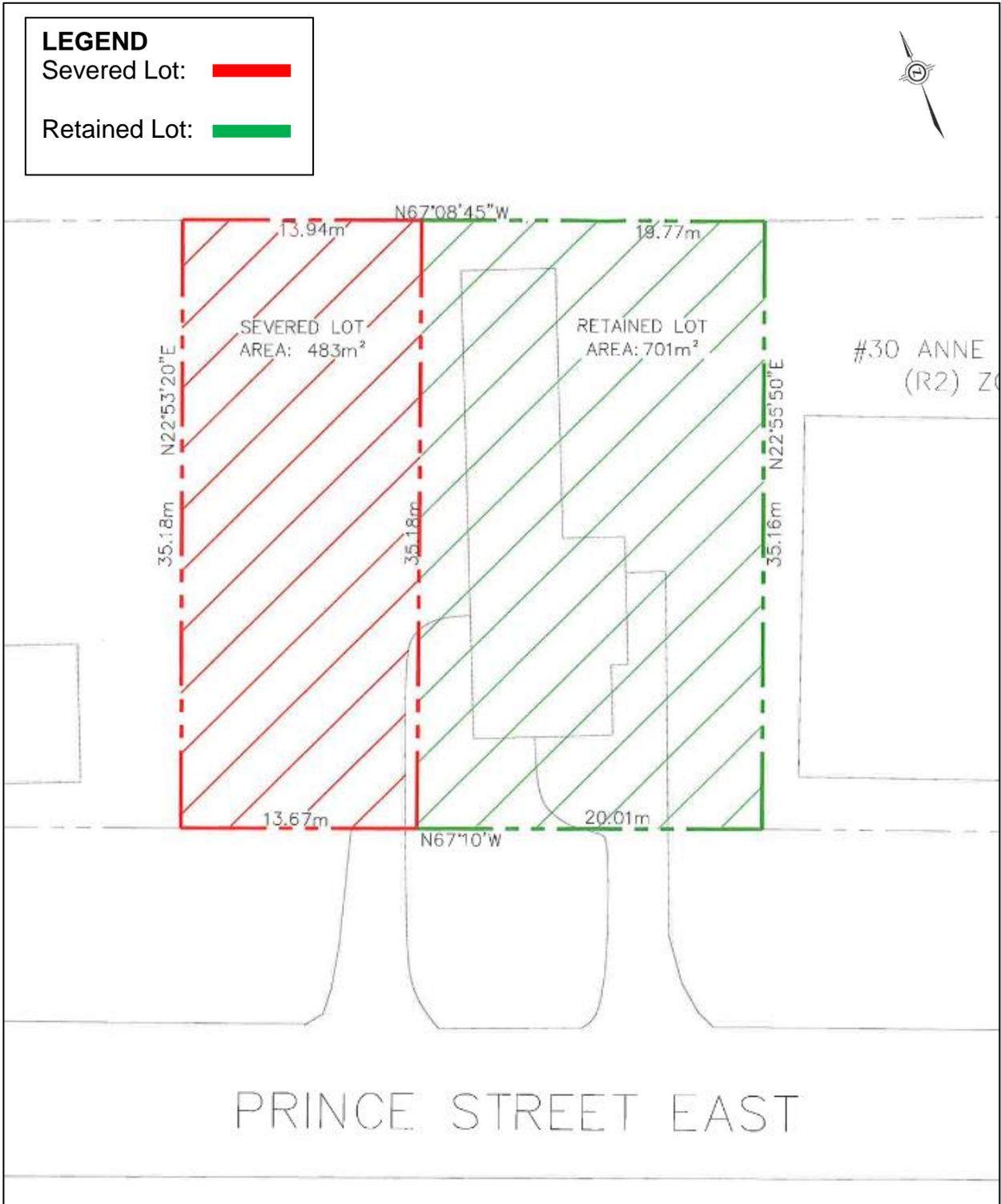


to

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D03-2025-008

**APPLICANT'S SEVERANCE SKETCH**



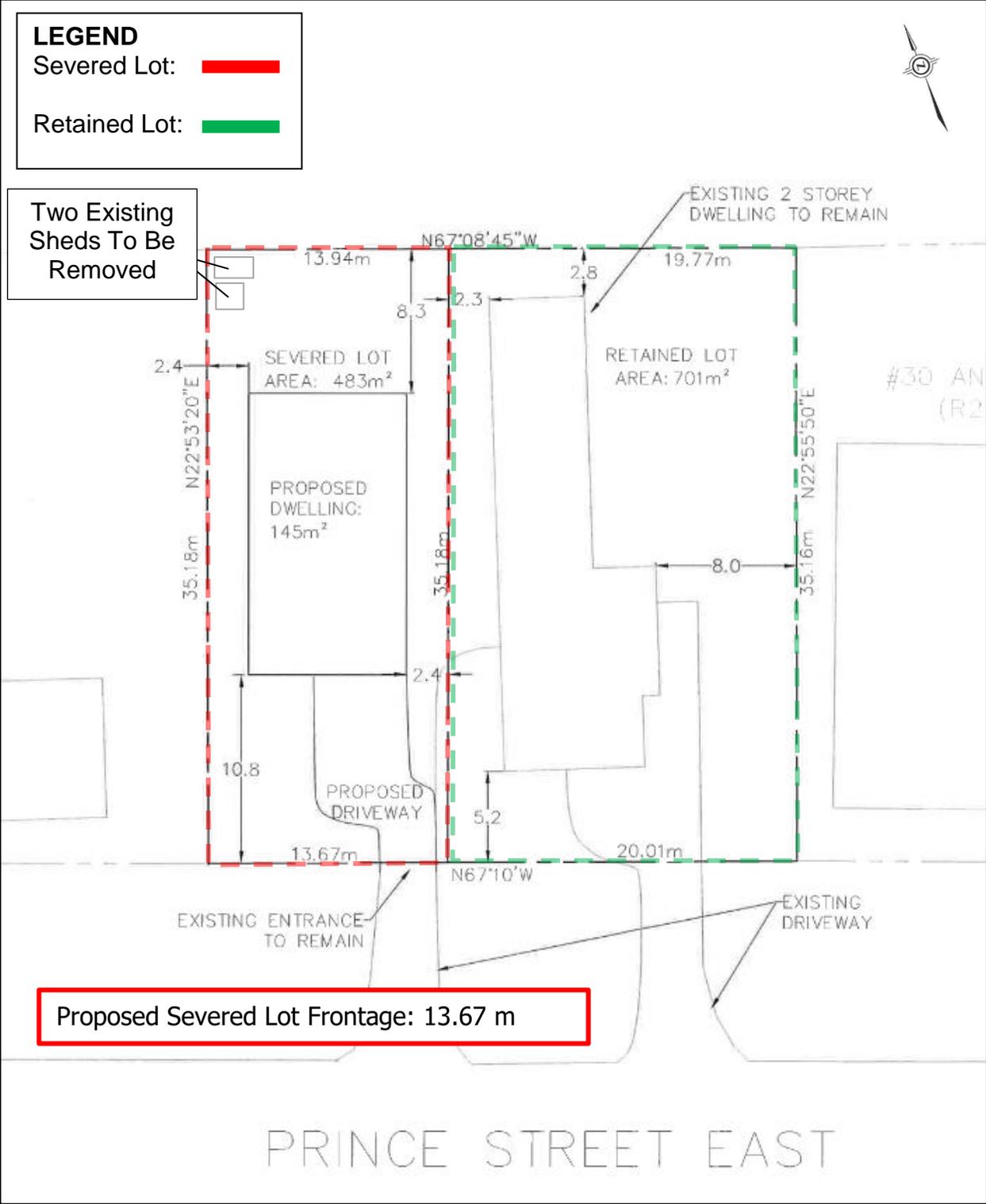
to

REPORT COA2025-023

FILE NO: D20-2025-010

D03-2025-008

**APPLICANT'S MINOR VARIANCE SKETCH**



to

REPORT COA2025-023FILE NO: D20-2025-010D03-2025-008**PROPOSED CONDITIONS OF  
PROVISIONAL CONSENT**

1. Submit to the Planning Administration ([planningadmin@kawarthalakes.ca](mailto:planningadmin@kawarthalakes.ca)) and including the Secretary-Treasurer one copy of the preliminary reference plan of survey of the lot to be severed for review and endorsement and the subsequent registered reference plan of survey; or, alternatively, the applicant's solicitor or an Ontario Land Surveyor shall provide a legal description that can be tendered for registration and meets the intent of the consent as applied for.
2. That the minor variance (D20-2025-010) be in force and in effect.
3. The owner shall apply for and pay the prescribed fee to obtain an Entrance Review Approval Letter for all existing and proposed entrances and submit it to the Secretary-Treasurer as written confirmation from the Public Works Roads Division that the entrance(s) comply with By-Law 2017-151 or that an entrance compliant with the same would be possible if one does not currently exist. Entrance applications can be completed and submitted through Permit Central from the following page on the City's website:  
<https://www.kawarthalakes.ca/en/living-here/entrance-permits.aspx>
4. Submit to the Secretary-Treasurer payment of all past due taxes and charges added to the tax roll, if any, at such time as the deeds are stamped.
5. Payment to the City of Kawartha Lakes of the stamping fee prevailing at the time the deeds are stamped, for the review and clearance of these conditions. The current fee is \$500.00. Payment shall be by certified cheque, money order, or from a lawyers trust account.
6. Payment of the cash-in-lieu of the dedication of parkland, equal to 5% of the appraised value of the land to be severed, as determined by an experienced and qualified land appraiser (CRA or AACI) as of the day before the day the provisional consent was given. The appraisal report shall accompany the cash-in-lieu payment. The City is not required to accept the appraisal report and reserves the right to peer-review the appraisal report and negotiate the cash-in-lieu payment. Payment shall be made by certified cheque, money order, or from a lawyers trust account.
7. Submit to the Secretary-Treasurer a deed in triplicate for endorsement with the certificate of consent which deed shall contain a registerable description of the parcel of land described in the decision.
8. The owner's solicitor shall provide a written undertaking to the Secretary-Treasurer confirming, pursuant to Subsection 53(43) of the Planning Act, that the deed in respect of this transaction shall be registered in the proper land registry office within six months from the date that the Secretary-Treasurer's certificate is stamped on the deed, failing which the consent shall lapse.

9. The owner's solicitor shall also undertake to provide a copy of the registered Transfer to the Secretary-Treasurer as conclusive evidence of the fulfillment of the above-noted undertaking.
10. All of these conditions shall be fulfilled within a period of two years after the giving of the Notice of Decision, failing which, pursuant to Subsection 53(41) of the Planning Act, this consent shall be deemed to be refused.