

The Corporation of the City of Kawartha Lakes

Committee of Adjustment Report – Kane

Report Number COA2025-020

Public Meeting

Meeting Date: February 27, 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 a new single detached dwelling with basement walkout, deck, and attached garage. All existing structures are to be removed.

Relief sought:

1. Section 8.2.1.3.a. of the Zoning By-law which requires a minimum 30 metre front yard setback; the proposed front yard setback is 10.36 metres.

The variance is requested at **254 Port Hoover Road** (File D20-2025-007).

Author: A. Shahid, Planner II

Signature:



Recommendations

That Report COA2025-020 – **Kane**, be received;

That minor variance application D20-2025-007 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 COA2025-020, 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 COA2025-020. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Construction of a new single detached dwelling with basement walkout, deck, and attached garage. All existing structures to be removed.
Owners:	Ryan Kane
Applicant:	Owner
Legal Description:	Part Lots 12 and 13, Concession A, Part Road Allowance
Official Plan ¹ :	Prime Agricultural and Environmental Protection (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Agricultural (A1) Zone and Environmental Protection Exception Four (EP-4) Zone (Township of Mariposa Zoning By-law 94-07)
Site Size:	37.5 acres (15.18 hectares)
Site Access:	Year-round municipally maintained road
Site Servicing:	Private individual well and septic system
Existing Uses:	Residential
Adjacent Uses:	Residential, Agricultural

Rationale

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

The subject property is situated in the geographic Township of Mariposa with shoreline onto Lake Scugog and access from Port Hoover Road. The area in which the property is located is predominately residential, comprised of built form characterized by low-density residential dwellings and assorted accessory structures. The subject property is heavily vegetated, with a dense row of trees and hedges across the front lot line.

The property currently contains a two-storey single detached dwelling constructed in 1987 (Municipal Property Assessment Corporation) with a detached garage. The

¹ See Schedule 1

² See Schedule 1

application seeks to remove all existing structures and construct a new one-storey dwelling with deck, basement walkout, and an attached garage.

The proposed development does not change the use of the land and aligns with the existing low-density residential built form character of the surrounding 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 Prime Agricultural and Environmental Protection under the City of Kawartha Lakes Official Plan (2012). The Environmental Protection designation covers the portion of the property with environmentally significant and/or sensitive features, in the form of Provincially Significant Wetlands (PSW's) and woodlands. The proposed development is located wholly within the Prime Agricultural designation, outside of the Environmental Protection designation.

Low-density residential uses and buildings or structures accessory to residential uses are permitted within the Prime Agricultural 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 Agricultural (A1) Zone and Environmental Protection Exception Four (EP-4) Zone under the Township of Mariposa Zoning By-law 94-07. The proposed development is setback over 35 metres from the EP-4 Zone, as such the proposed development is located wholly within the A1 Zone. Relief is required from the minimum required front yard setback of the A1 Zone.

Section 8.2.1.3.a. of the Zoning By-law requires a minimum 30 metre front yard setback; the proposed front yard setback is 10.36 metres. 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. This ensures the property is cohesive with surrounding properties and area.

An important feature to note is that the proposed development increases the front yard setback, as currently the closest point of built form (being the existing detached garage) is setback 7.6 metres from the front lot line. The proposed front yard setback will not interrupt or impact the travelled portion of the street. Moreover, when looking at surrounding properties west of Port Hoover Road, there is no consistent front yard setbacks. East of Port Hoover Road the built form appears to more consistently be set back from their respective front lot lines, however, the proposed development is set back greater than the setbacks on the opposite side of the road. With the property being heavily buffered by an existing row of vegetation along the front lot line, views of the property from the road are very limited and not anticipated to change. In order to avoid being situated within

lands regulated by the Conservation Authority, as well as maintaining a distance from the environmentally significant lands the development is being situated approximately where the existing structures are.

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:

DS – Building and Septic Division: “No comments.”

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

Public Comments:

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

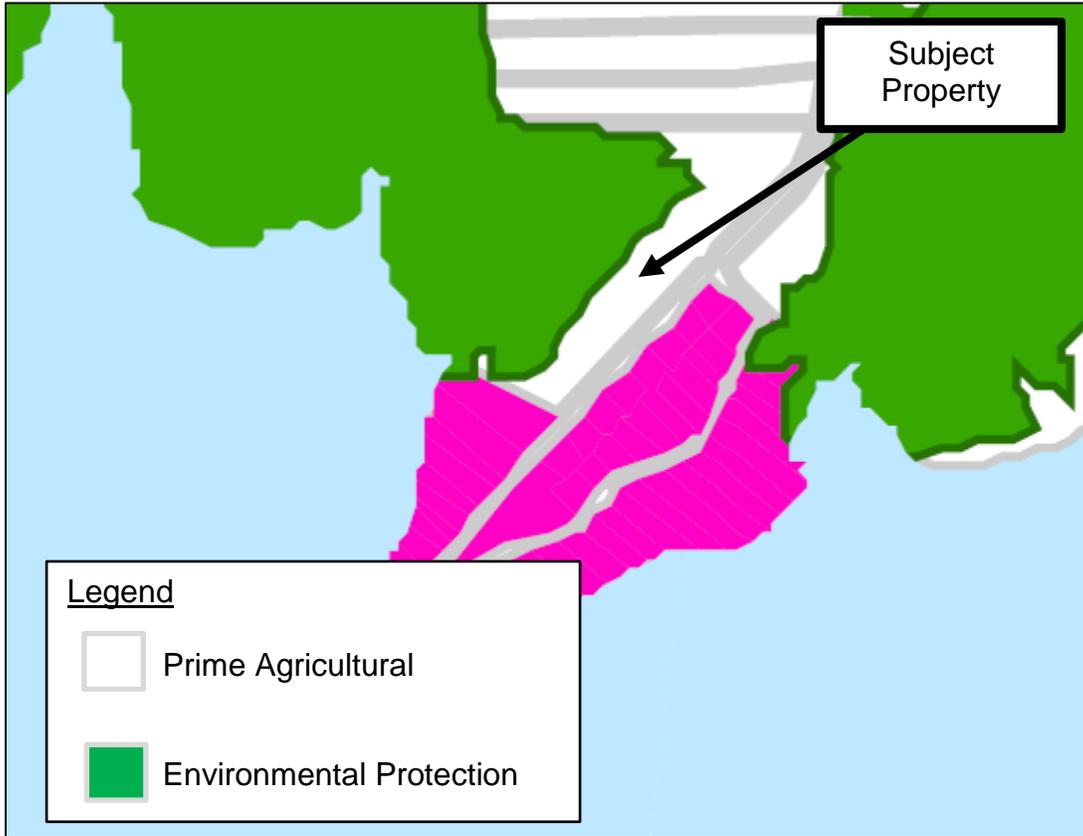
Attachments

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

Phone: 705-324-9411 extension 1367
E-Mail: ashahid@kawarthalakes.ca
Department Head: Leah Barrie, Director of Development Services
Division File: D20-2025-007

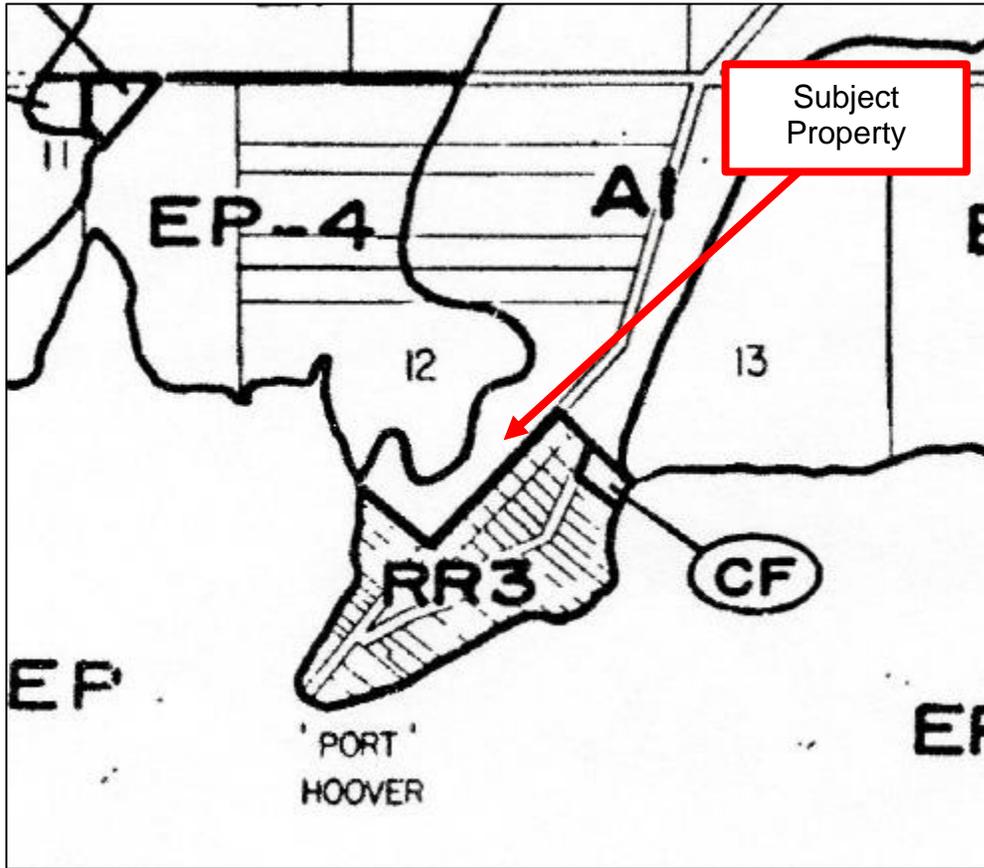
Schedule 1 Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



Section 15: Prime Agricultural Designation
Section 17: Environmental Protection Designation

Township of Mariposa Zoning By-law 94-07



Part 8 – Agricultural (A1) Zone

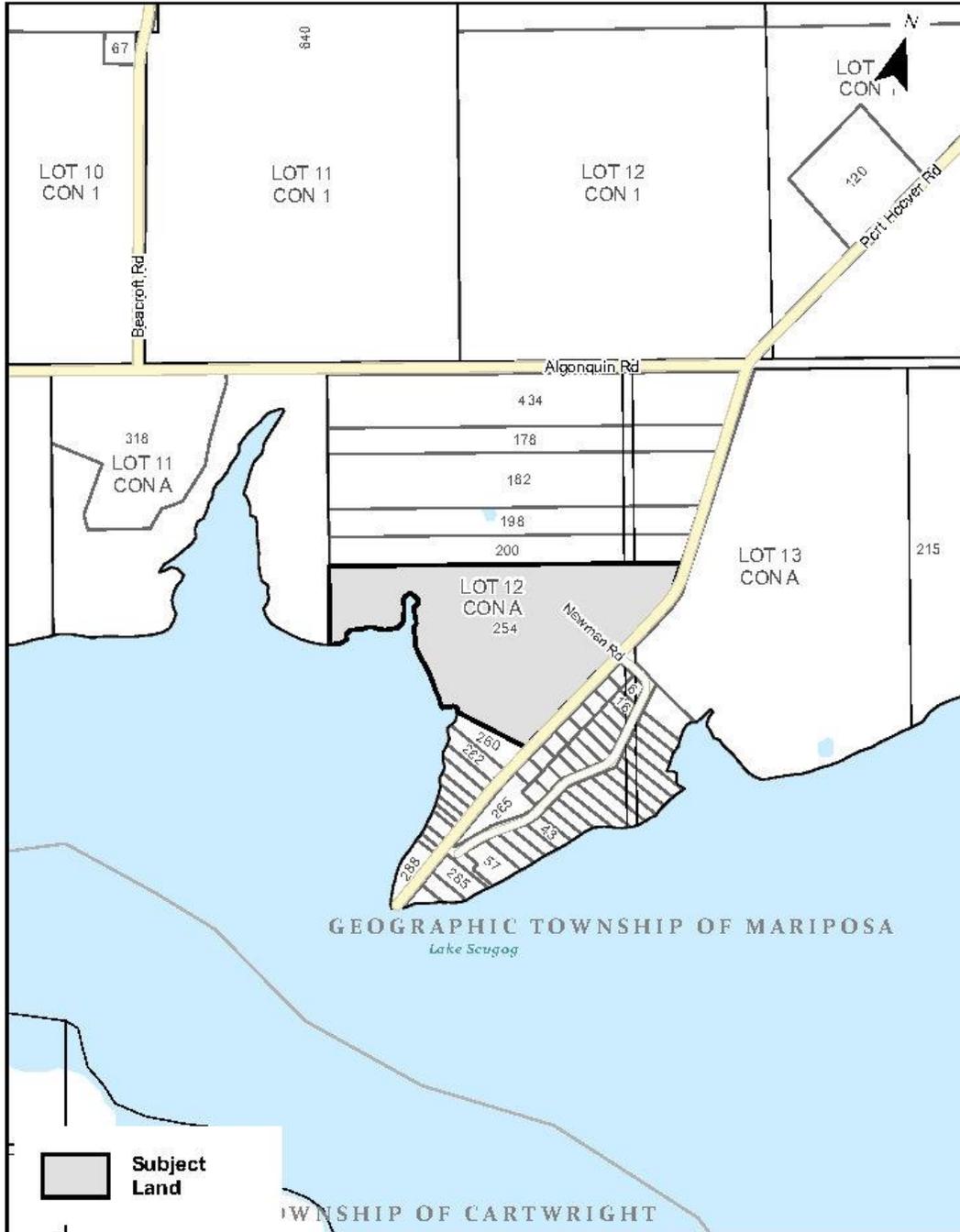
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LOCATION MAP

D20-2025-007

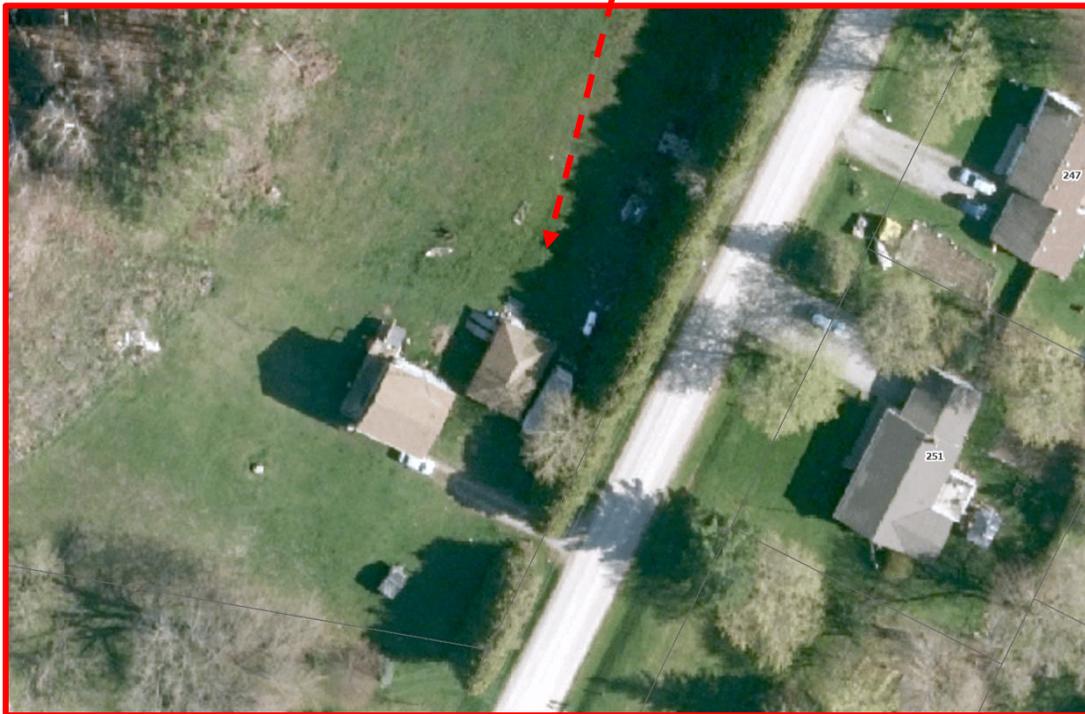


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AERIAL PHOTO

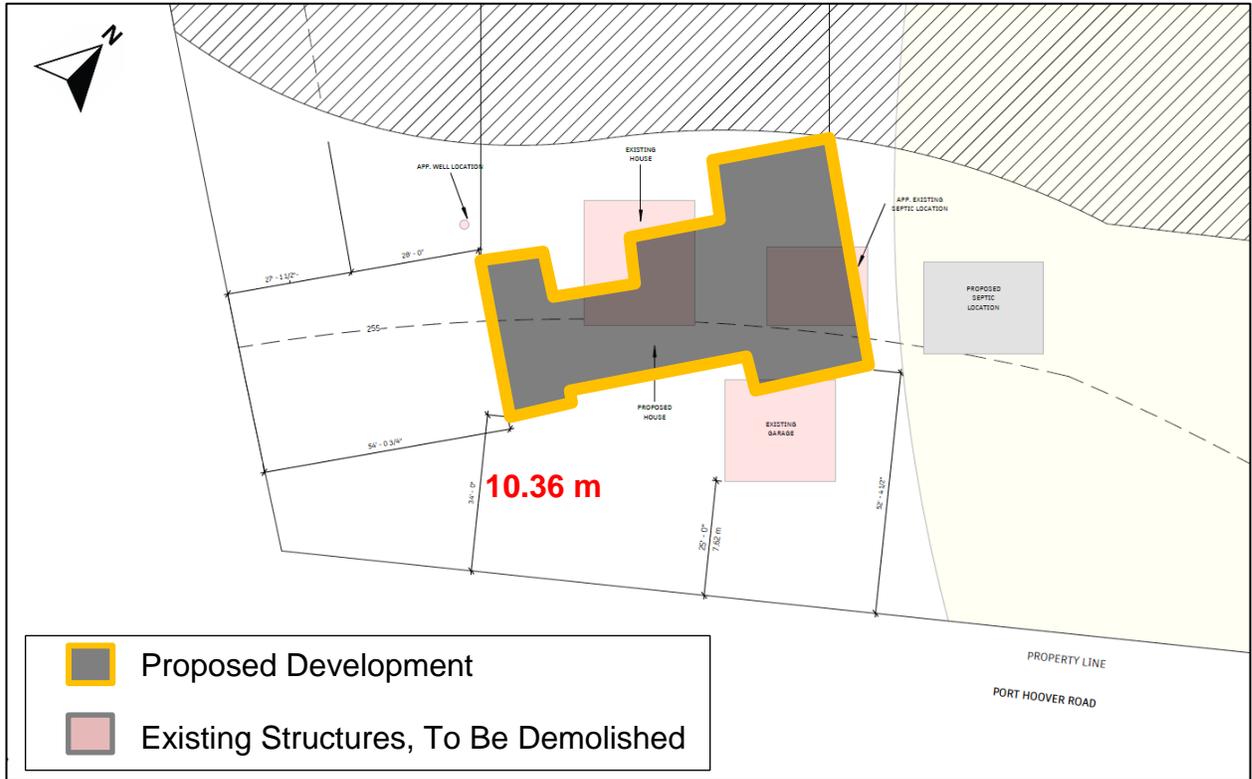


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APPLICANT'S SKETCH



to

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SUPPLEMENTARY DRAWINGS

