

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Holmes**  
Report Number COA2025-045

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**Public Meeting**

**Meeting Date:** April 23, 2025  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward 5 – Former Town of Lindsay**

**Subject:** The purpose and effect is facilitate the severance of the property to create two (2) new residential building lots and retain a lot containing an existing single-detached dwelling.

**Relief sought:**

1. Section 6.2.b. of the Zoning By-law which requires a minimum lot frontage of 15 metres; the proposed lot frontage of the severed lots is 13.4 metres.

The variance is requested at **56 Riverview Road** (File D20-2025-032, D03-2025-017, and D03-2025-018).

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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 D20-2025-032 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**That** consent applications D03-2025-017 and D03-2025-018 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 C submitted as part of Report COA2025-045, 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.

## Conditions of Provisional Consent

Refer to Appendix F for Conditions of Provisional Consent.

These approvals pertain to the application as described in report COA2025-045. 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 two (2) new residential building lots and retain a lot containing an existing single-detached dwelling.
Owners:	Nicholas Holmes
Applicant:	TD Consulting Inc.
Legal Description:	Part Lots 19 and 20, and Part Lot 21, Plan 15P (North of Kent Street, East of St. David Street)
Official Plan <sup>1</sup> :	Urban Settlement Area (City of Kawartha Lakes Official Plan, 2012)
Secondary Plan <sup>1</sup> :	Residential (Lindsay Secondary Plan, 2023)
Zone <sup>2</sup> :	Residential One (R1) Zone (Town of Lindsay Zoning By-Law 2000-75)
Site Size:	Total: 2,182.4 square metres (23,491.2 square feet) Severed Lot #1: 646.4 square metres (6,957.8 square feet) Severed Lot #2: 671.4 square metres (7,226.89 square feet) Retained: 864.6 square metres (9,306.48 square feet)
Site Access:	Year-round municipally maintained road
Site Servicing:	Municipal water and servicing
Existing Uses:	Residential
Adjacent Uses:	Residential

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<sup>1</sup> See Schedule 1

<sup>2</sup> See Schedule 1

## 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 Town of Lindsay 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, on the northeast corner of the intersection of Riverview Road and St. James Street. Based on data from the Municipal Property Assessment Corporation (MPAC), the area is largely comprised of residential buildings in the form of single detached dwellings and some commercial buildings with multi-unit apartment buildings to further the east. The surrounding lot fabric primarily consists of rectangular lots with approximately 15 metres of frontage. In the immediate context (within 100 metres of subject property), some lot frontages are as low as approximately 12.2 metres.

The property currently contains a single detached dwelling constructed in 1890 (MPAC). The proposal seeks to create two (2) new residential building lots and retain a lot containing the existing dwelling.

Proposed severed lot #1 is to be 646.4 square metres in size with 13.4 metres of frontage onto Riverview Road. Access is to be obtained from St. James Street.

Proposed severed lot #2 is 671.4 square metres in size with 13.4 metres of frontage onto Riverview Road.

The proposed retained lot is 864.6 square metres with 17.1 metres of frontage onto Riverview Road and will contain the existing single detached dwelling. The Minor Variance is being processed concurrently with Consent applications D03-2025-017 (Lot 1 of 2) and D03-2025-018 (Lot 2 of 2). Through the minor variance relief is sought to address the proposed lot frontage of the lots to be severed.

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 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 Lindsay Secondary Plan provides more specific policies directed towards the former Town of Lindsay. Under the Secondary Plan, the property is designated Residential. This designation permits a variety of dwelling types and three 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. The minimum density for low density residential uses is 15 dwelling units per net hectare and the maximum is 25 units per net hectare. The existing density on the subject property is approximately 4.5 units per net hectare. In comparison, the resulting density is approximately 13.6 units per net hectare, bringing it into closer conformity with the density targets for Lindsay through gentle intensification.

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 One (R1) Zone under the Town of Lindsay Zoning By-law 2000-75. A single detached dwelling as well as accessory buildings and structures are permitted within this zone. Relief is required from the minimum lot frontage for the proposed severed lots.

Section 6.2.b. of the Zoning By-law requires a minimum lot frontage of 15 metres. The proposed frontages are 13.4 metres for both severed lots and 17.1 metres for the retained lot. 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 retained lot requires a larger frontage in order to ensure the existing dwelling continues to comply with the minimum interior side yard setback from the proposed lot line, and to accommodate the driveway.

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. Stormwater infiltration issues are not anticipated as the retained lot

complies with the maximum lot coverage provision, and it has been demonstrated that the proposed severed lots can comply with this provision. Additionally, proposed severed lot #1 also provides an adequate developable area while taking into consideration the daylighting triangle of the intersection. Access for proposed severed lot #1 is also intended to be from St. James Street, mitigating concerns for driveway placement and compliance.

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**

Following the comments received from the Engineering and Corporate Assets – Development Engineering Division, it was determined that a sight triangle is necessary for proposed severed lot #1 (D03-2025-017) in accordance with the City's Road Infrastructure Guidelines and Transportation Master Plan.

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

**Agency Comments (Minor Variance and Consents):**

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

ECA – Development Engineering: “Confirmation of existing services will have to be provided through field verification by the Owner to ensure any existing services to the retained parcel are solely on the retained lands, a submission will be required identifying the field verified service locations. To support the municipality's road and transportation requirements, a sight triangle at the intersection of Riverview Road and St. James Street would be acceptable. We advise that a future Municipal Service Connection application will be required to facilitate connection to municipal water and sanitary servicing. As per the Transportation Master Plan, a 5.0m x 5.0m sight triangle would be acceptable.”

PW – Roads Operations West B: “Should the minor variance be successful, the retained lot and both of the proposed severed lots will all require an entrance permit as all three are proposing either a new entrance or a modification/movement of an existing entrance.”

**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 D03-2025-017 (Proposed Lot 1 of 2)

Appendix D – Applicant's Severance Sketch D03-2025-018 (Proposed Lot 2 of 2)

Appendix E – Applicant's Minor Variance Sketch

Appendix F – Proposed Conditions of Provisional Consent

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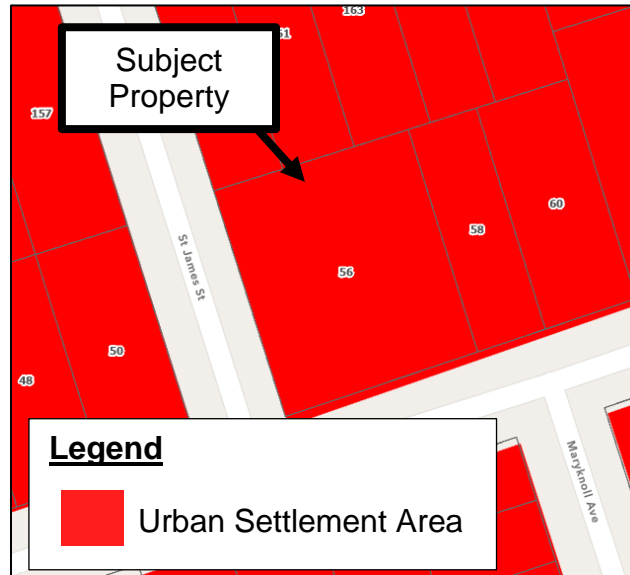
<b>Phone:</b>	705-324-9411 extension 1367
<b>E-Mail:</b>	ashahid@kawarthalakes.ca
<b>Department Head:</b>	Leah Barrie, Director of Development Services
<b>Division File:</b>	D20-2025-032, D03-2025-017, and D03-2025-018

## Schedule 1

### Relevant Planning Policies and Provisions

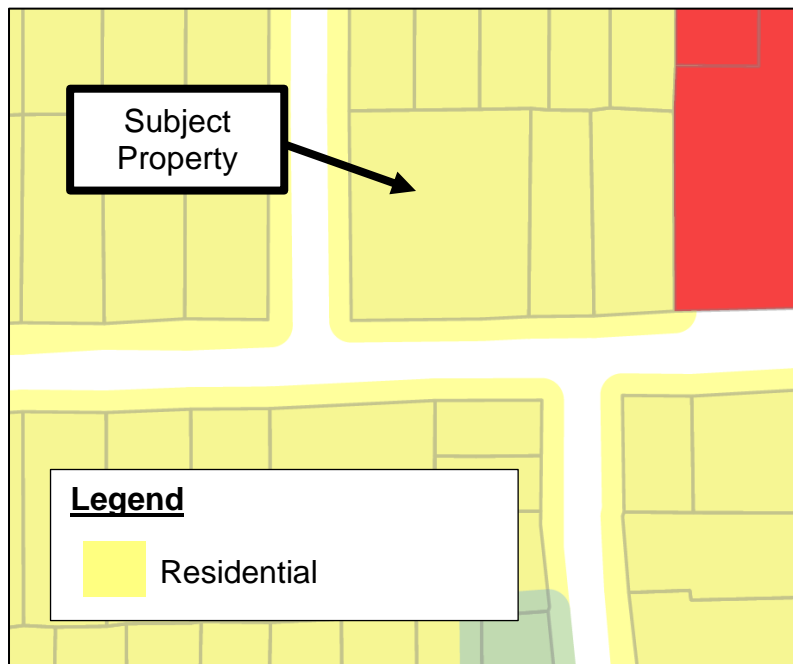
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#### City of Kawartha Lakes Official Plan (2012)



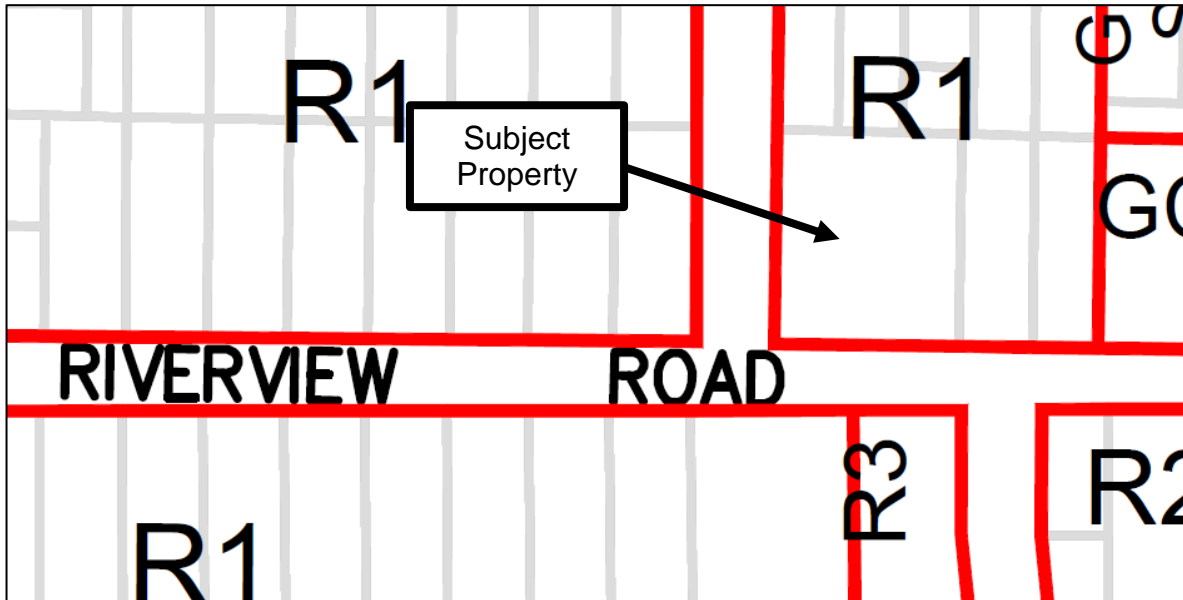
#### Section 18. Urban Settlement Designation

#### Lindsay Secondary Plan (2023)



#### Section 31.3.3.1. Residential

**Town of Lindsay Zoning By-Law 2000-75**



Section 6. Residential One (R1) Zone



to

REPORT COA2025-045

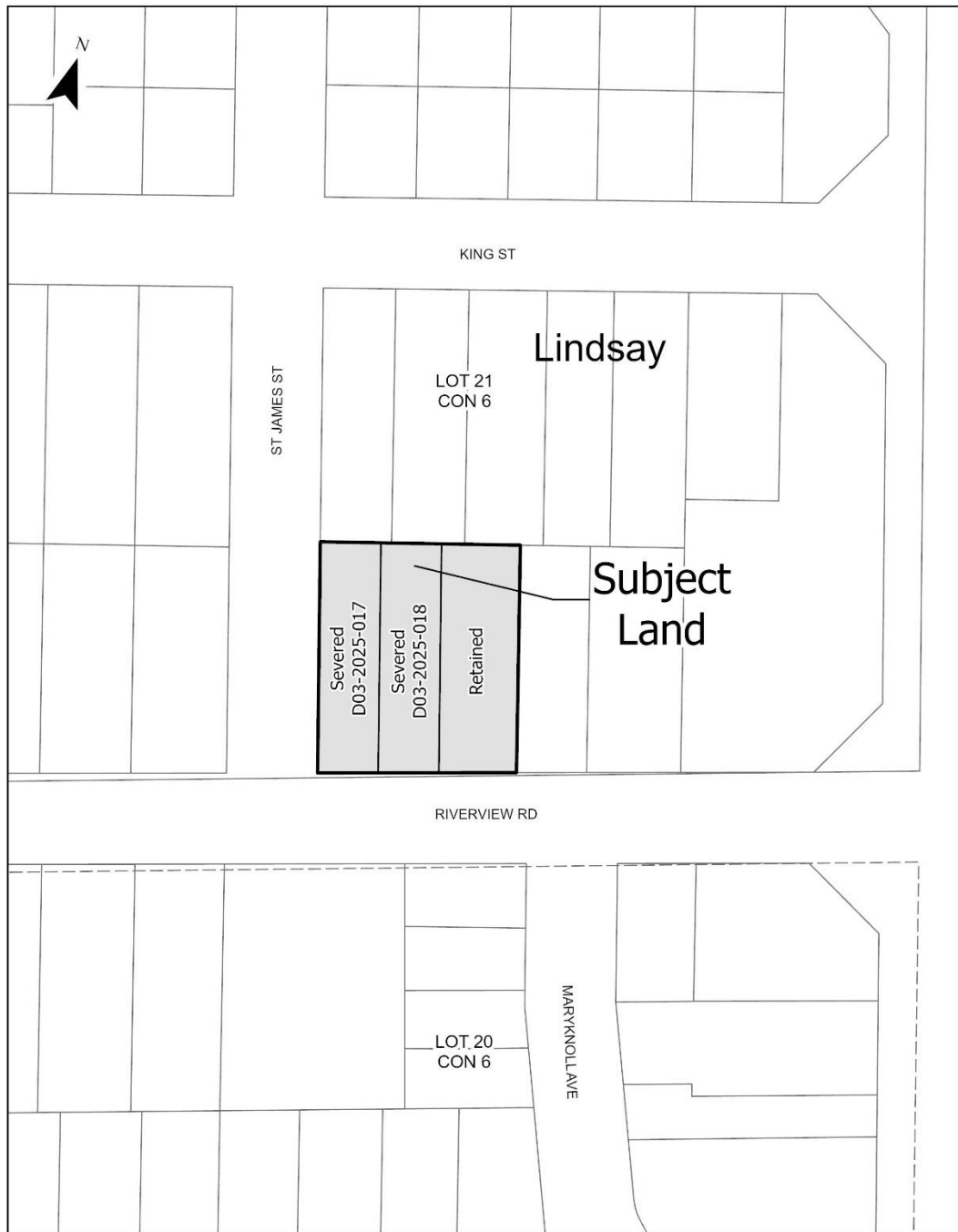
FILE NO: D20-2025-032

D03-2025-017

D03-2025-018

**LOCATION MAP**

**D03-2025-017 - 018**



SRQ-25621

APPENDIX " B "

to

REPORT COA2025-045

FILE NO: D20-2025-032

D03-2025-017

D03-2025-018

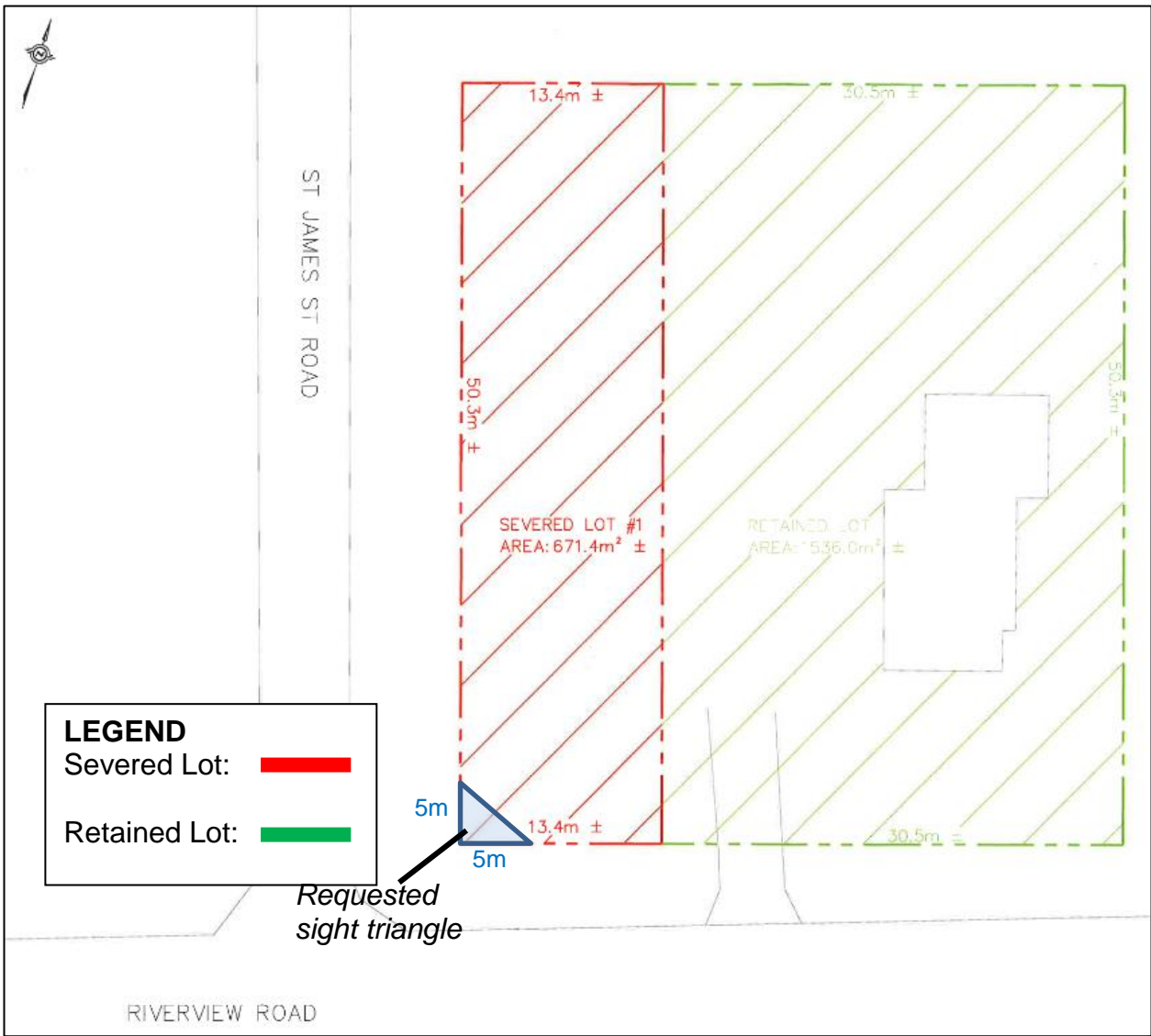
**AERIAL PHOTO (2023)**



to

APPLICANT’S SEVERANCE SKETCH  
D03-2025-017 (Proposed Lot 1 of 2)

REPORT COA2025-045  
FILE NO: D20-2025-032  
D03-2025-017  
D03-2025-018



APPENDIX " D "

to

**APPLICANT'S SEVERANCE SKETCH**  
**D03-2025-018 (Proposed Lot 2 of 2)**

REPORT COA2025-045

FILE NO: D20-2025-032

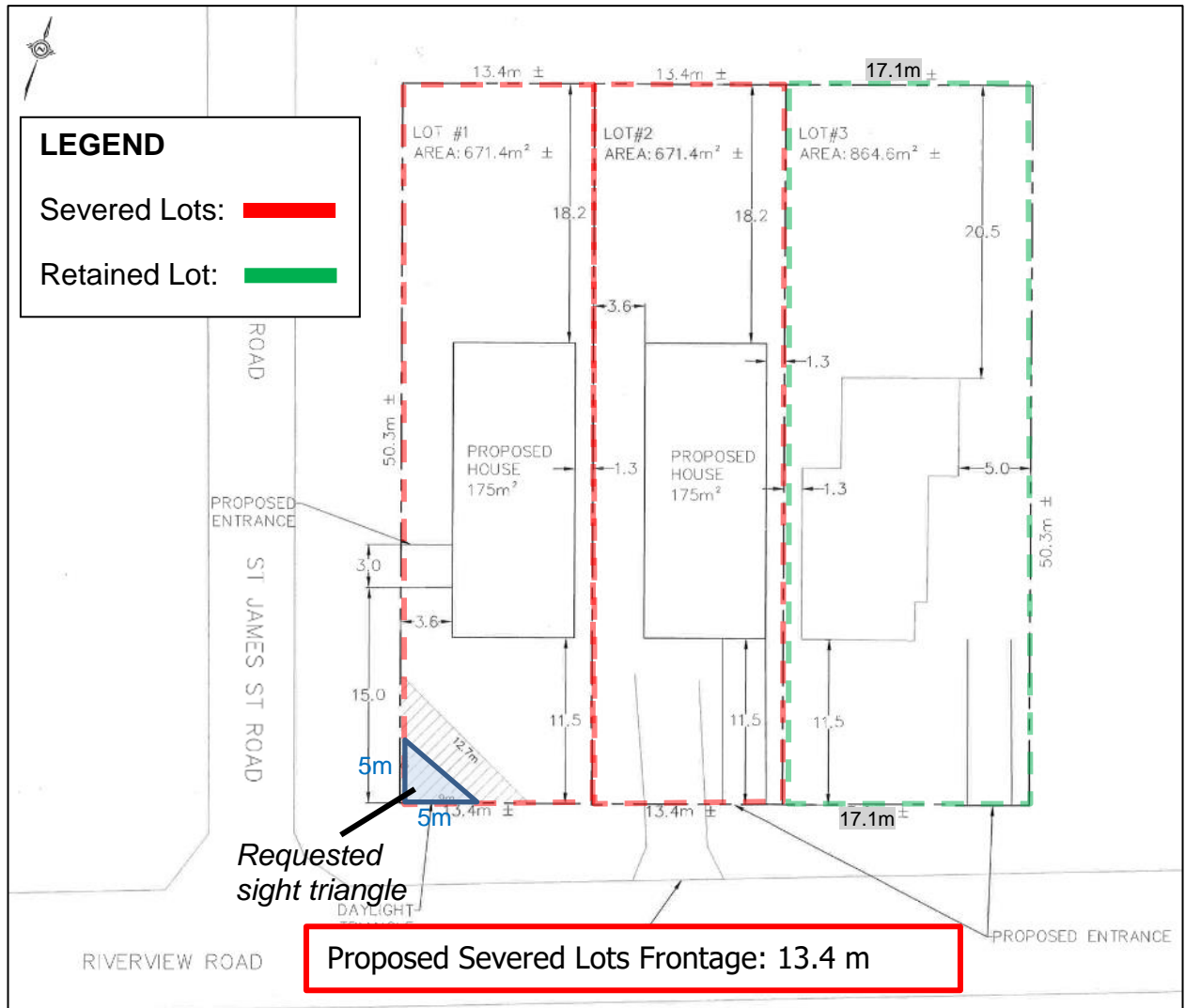
D03-2025-017

D03-2025-018



to

## APPLICANT'S MINOR VARIANCE SKETCH

REPORT COA2025-045FILE NO: D20-2025-032D03-2025-017D03-2025-018

to

**PROPOSED CONDITIONS OF  
PROVISIONAL CONSENT**REPORT COA2025-045FILE NO: D20-2025-032  
D03-2025-017  
D03-2025-018

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 lots to be severed, and a sight triangle of 5.0 metres by 5.0 metres at the corner of Riverview Road and St. James Street 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 (D20-2025-032) 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. The owner shall provide lands for a sight triangle of 5.0 metres by 5.0 metres at the corner of Riverview Road and St. James Street, as described in Condition #1, free and clear of all encumbrances, all to the satisfaction of the Manager of Development Engineering (ECA – Development Engineering Division).
5. 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.
6. 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.
7. 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.
8. 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.

9. 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.
10. 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.
11. 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.