

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Basir and Hamidi
Report Number COA2025-061

Public Meeting

Meeting Date: June 26, 2025

Time: 1:00 pm

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

Ward 2 – Geographic Township of Verulam

Subject: The purpose and effect is to facilitate the recognition of an existing cabin and shed.

Relief sought:

1. Section 5.1.3 of the Zoning By-law requires accessory structures to be located in a side or rear yard, the existing cabin and shed are located in the front yard; and,
2. Section 5.16 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 2,050 square metres and 36 metres, respectively. The subject property is 1,456.87 square metres in size and has 28.70 metres of frontage.

The variance is requested at **4 Hayward Drive** (File D20-2025-048).

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



Recommendations

That Report COA2025-061 – Basir and Hamidi, be received;

That minor variance application D20-2025-048 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

- 1) **That** approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-061, which shall be attached to and form part of the Committee's Decision; and,
- 2) **That** 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 COA2025-061. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	Recognition of an existing cabin and shed
Owners:	Eiman Basir and Benafsha Hamidi
Applicant:	Eiman Basir
Legal Description:	Part Lot 16, Concession 6, Plan 380, Lot 3 and Part Block D
Official Plan ¹ :	Waterfront (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Limited Service Residential (LSR) Zone (Township of Verulam Zoning By-Law 6-87)
Site Size:	1,456.87 square metres (15,681.62 square feet)
Site Access:	Seasonally maintained 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 subject property is situated on the shoreline of Sturgeon Lake, specifically Hawkers Bay, with access from Hayward Drive (seasonally maintained road). The area is predominantly comprised of low-density residential dwellings and assorted accessory structures with varying proximities from both the road and shoreline.

The subject property currently contains a single detached dwelling, shed, and a detached garage with an attached cabin. The proposal seeks to recognize the existing cabin and shed on the property. It is common for property owners to alter their properties to achieve the most optimal utilization of their land. Many property

¹ See Schedule 1

² See Schedule 1

owners in the area have recently constructed accessory structures to enhance the use of their property. The subject structures align with the residential character and use 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, dwellings and accessory uses are permitted within the designation.

The Official Plan defines a cabin as an accessory structure for sleeping accommodation in a building that is accessory to a permitted dwelling unit. The existing cabin does not conflict with the objectives of the Waterfront 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 under the Township of Verulam Zoning By-Law 6-87. The LSR Zone permits multiple uses, including a vacation dwelling or a single detached dwelling as well as accessory structures. In order to recognize the existing structures, relief is required from the permitted location of accessory structures as well as the minimum lot area and frontage required for a cabin.

Section 5.1.3 of the Zoning By-law requires accessory structures to be located in a side or rear yard, the existing cabin and shed are located in the front yard. The intent of limiting the location of accessory structures to the 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. Requiring accessory structures to be located within the interior side or rear yard also serves to maintain ample amenity space in the front yard and ensures the property is cohesive with surrounding properties and area. The existing accessory structures being situated in the front yard avoids non-compliance with the water setback. Furthermore, the structures are not visible from the road as the subject property is buffered by thick hedge and trees from the public view.

Section 5.16 of the Zoning By-law permits cabins as an accessory use to a permitted dwelling on lots which conform to the requirements of the By-law for minimum lot area and frontage. The required minimum lot area and frontage of the applicable zone is 2,050 square metres and 36 metres, respectively. The subject property is 1,456.87 square metres in size and has 28.70 metres of frontage. 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 no new structure is being proposed as part of the application, there are no anticipated impacts to drainage. Furthermore, although the lot is undersized it is in keeping with the character of the residential lots in the surrounding 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

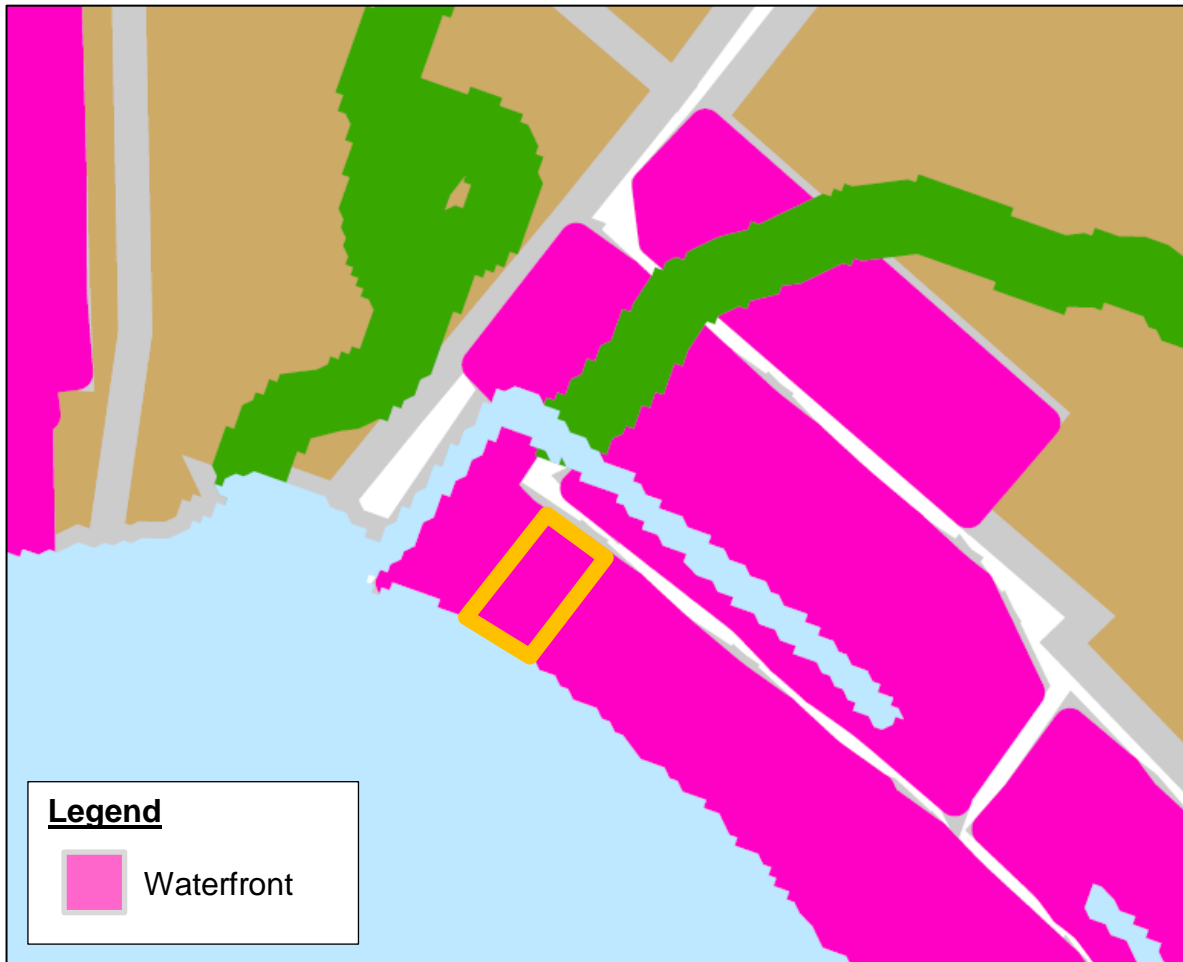
Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch

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E-Mail:	ashahid@kawarthalakes.ca
Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-048

Schedule 1

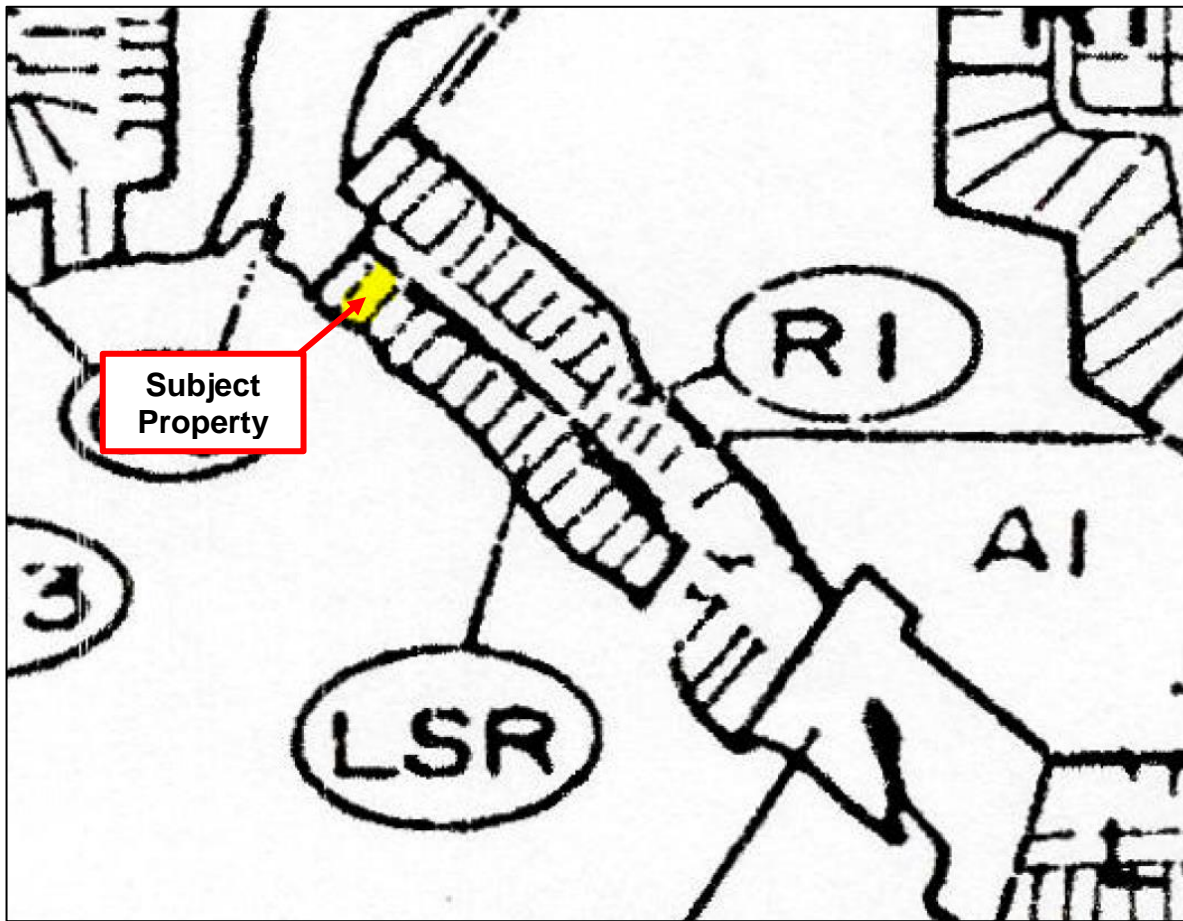
Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



Section 15. Waterfront Designation

Township of Verulam Zoning By-Law 6-87



Section 5.1.4 Yards
Section 5.16 Private Cabins

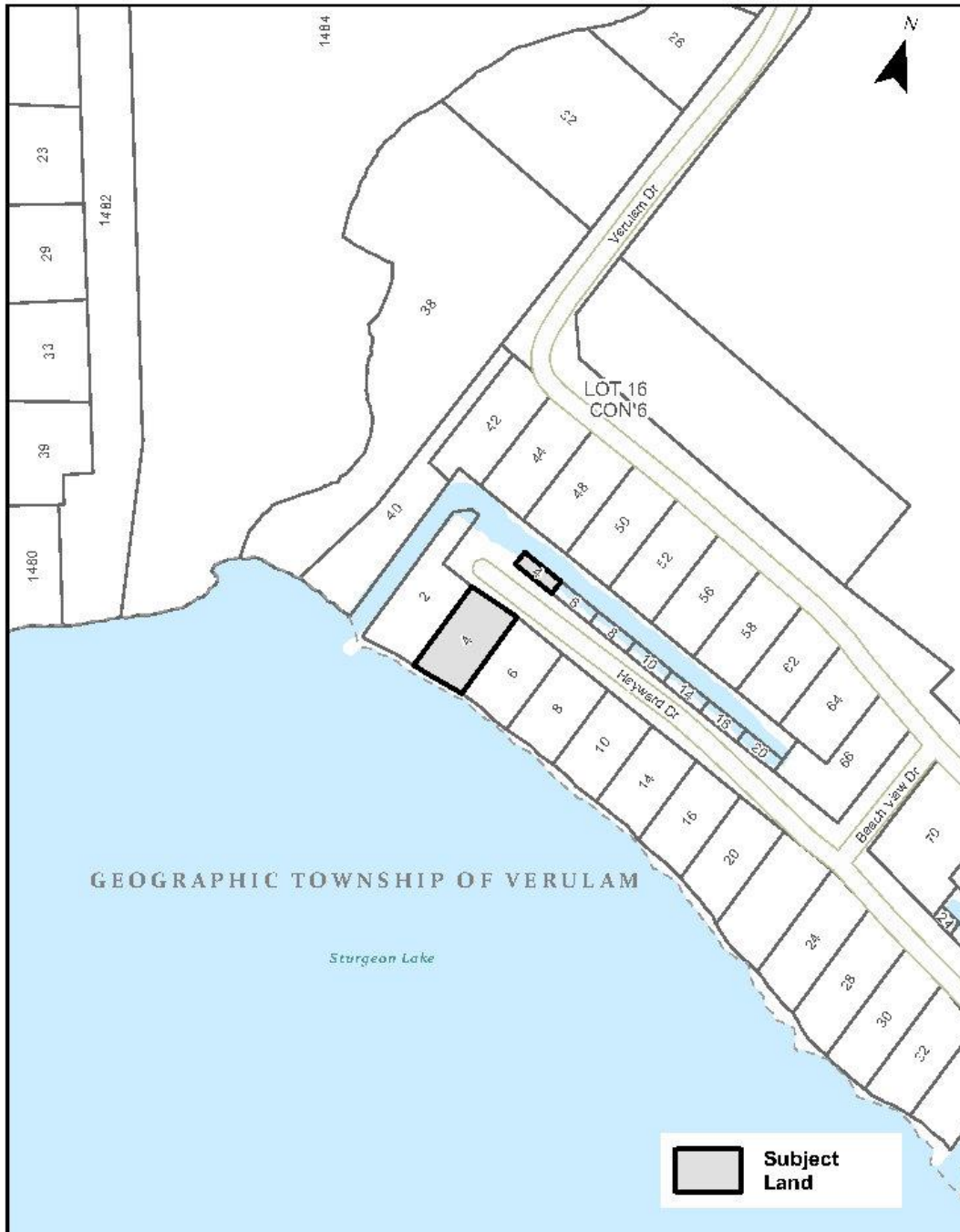
to

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LOCATION MAP

D20-2025-048



APPENDIX " B "

to

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AERIAL PHOTO (2023)



