

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Hynes
Report Number COA2025-068

Public Meeting

Meeting Date: June 26, 2025

Time: 1:00 pm

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

Ward 8 – Geographic Township of Emily

Subject: The purpose and effect is to allow for the severance of the property to facilitate a lot line adjustment between 70 Orange Corners Road and 15 Trillium Court. The Minor Variance is a condition of provisional Consent (file number D03-2025-002).

Relief sought:

1. Section 10.3.16.1 a) of the Zoning By-law, requires a minimum lot area of 1.3 hectares; the resulting lot area of 70 Orange Corners Road is 0.9 hectares.

The variance is requested at **70 Orange Corners Road** (File D20-2025-055).

Author: Katherine Evans, Acting Development Supervisor

Signature: 

Recommendations

That Report COA2025-068 – Hynes, be received;

That minor variance application D20-2025-055 be GRANTED, as the application meets the tests set out in Section 45(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 COA2025-068, 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.

This approval pertains to the application as described in report COA2025-068. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	A lot line adjustment between 70 Orange Corners Road and 15 Trillium Court resulting in a reduced lot area
Owners:	Robert Mitchell Hynes (owner of 70 Orange Corners Road)
Applicant:	Robert Michael Hynes (owner of 15 Trillium Court)
Legal Description:	Part Lot 19, Concession 1 (being Part 1 on 57R-7316)
Official Plan ¹ :	Rural and Environmental Protection (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Rural Residential Type One Exception Sixteen (RR1-16) Zone (Township of Emily Zoning By-law 1996-30)
Site Size:	Before severance: 1.6 ha. (3.96 ac.). After severance: 0.9 ha. (2.2 ac.)
Site Access:	Year round municipal road
Site Servicing:	Private individual well and septic system
Existing Uses:	Residential
Adjacent Uses:	Residential and agricultural

Rationale

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

The subject property is in an area that contains residential and agricultural uses. The subject property, being 70 Orange Corners Road, is a rectangular lot and currently contains a single detached dwelling constructed in 1971 (according to Municipal Property Assessment Corporation).

¹ See Schedule 1

² See Schedule 1

The proposal is to sever approximately 4,613 square metres (1.14 acres) from 70 Orange Corners Road and merge the severed portion together with the abutting property 15 Trillium Court. As a result of the proposal, 70 Orange Corners Road is to be 0.9 hectares (2.2 acres) in size. The benefitting lot, 15 Trillium Court would increase in size from 0.58 hectares (1.44 acres) to approximately 1 hectare (2.58 acres).

The current owners of both properties are related, and the owner of 15 Trillium Court has established walking trails that traverse both properties. The ownership of 70 Orange Corners is changing, so the owner of 15 Trillium Court proposes to sever the subject property so the portion that contains the walking trails can be merged with 15 Trillium Court and continued to be used by the owners. The associated Consent application (D03-2025-002) has been granted provisional consent and the Minor Variance is a condition of the Consent.

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 and Environmental Protection under the City of Kawartha Lakes Official Plan. Low density residential uses are permitted within the Rural designation.

Policy 33.3.7. provides that consents which have the effect of changing boundary lines or which do not create additional or buildable lots should be evaluated on their own merits. No new lot is to be created as a result of the proposed severance. The frontages of 70 Orange Corners Road and 15 Trillium Court will remain the same as they are currently. The lot area of 70 Orange Corners will remain in keeping with the surrounding lot fabric.

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 Rural Residential Type One Exception Sixteen (RR1-16) Zone under the Township of Emily Zoning By-law 1996-30. A single detached dwelling as well as accessory buildings and structures are permitted within this zone. The proposal complies with all provisions of the Zoning By-law with the exception of the minimum lot area.

Section 10.3.16.1 a) of the Zoning By-law requires a minimum lot area of 1.3 hectares. The resulting lot area of 70 Orange Corners Road is 0.9 hectares. The purpose of establishing a minimum lot area is to ensure lots are large enough to accommodate development, including a building envelope that can comply with the zone provisions (setbacks, maximum lot coverage, etc.) and private services where applicable. Additionally, the intent is to establish a cohesive lot fabric. The exception zone is site specific, likely established when the property was originally created by consent to reflect the size of the severed lot.

The immediate area contains a variety of lot sizes ranging from approximately 0.1 hectares (0.2 acres) to 43 hectares (106 acres). The area contains a mixture of small and medium sized residential lots with a rural residential subdivision, and larger lots used for agricultural purposes. 70 Orange Corners Road is used for residential purposes, and as a result of the severance would be similar in size to 56 Orange Corners Road, which is approximately 68 metres south of the subject property. The proposed lot line adjustment does not result in alterations to lot size that are out of character with the surrounding lot fabric.

The resulting size of 70 Orange Corners is large enough so that the existing dwelling remains compliant with the provisions of the Zoning By-law. Additionally, the Supervisor of Part 8 Sewage Systems has confirmed there are no concerns regarding the size of the lot with respect private servicing.

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:

Building and Septic Division (Building): “No comments.”

Building and Septic Division (Septic): “A sewage system was located on the property as part of the consent application review. The existing sewage system will remain wholly within the proposed new boundaries. Additionally, there is adequate space to replace the sewage system for the existing dwelling in the proposed lot. As such, the Building and Septic Division have no concerns with the minor variance proposal as it relates to private on-site sewage disposal.”

Public Comments:

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

Attachments

Appendix A – Location Map

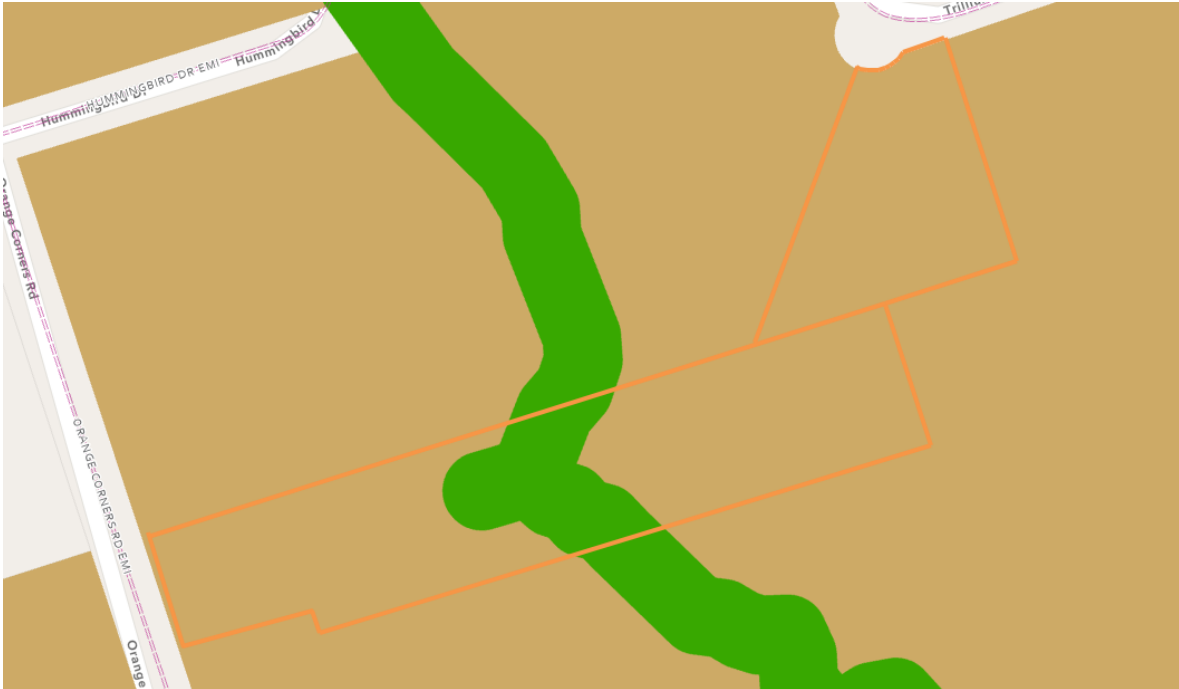
Appendix B – Aerial Photo
Appendix C – Applicant's Sketch

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Department Head: Leah Barrie, Director of Development Services
Division File: D20-2025-055

Schedule 1

Relevant Planning Policies and Provisions

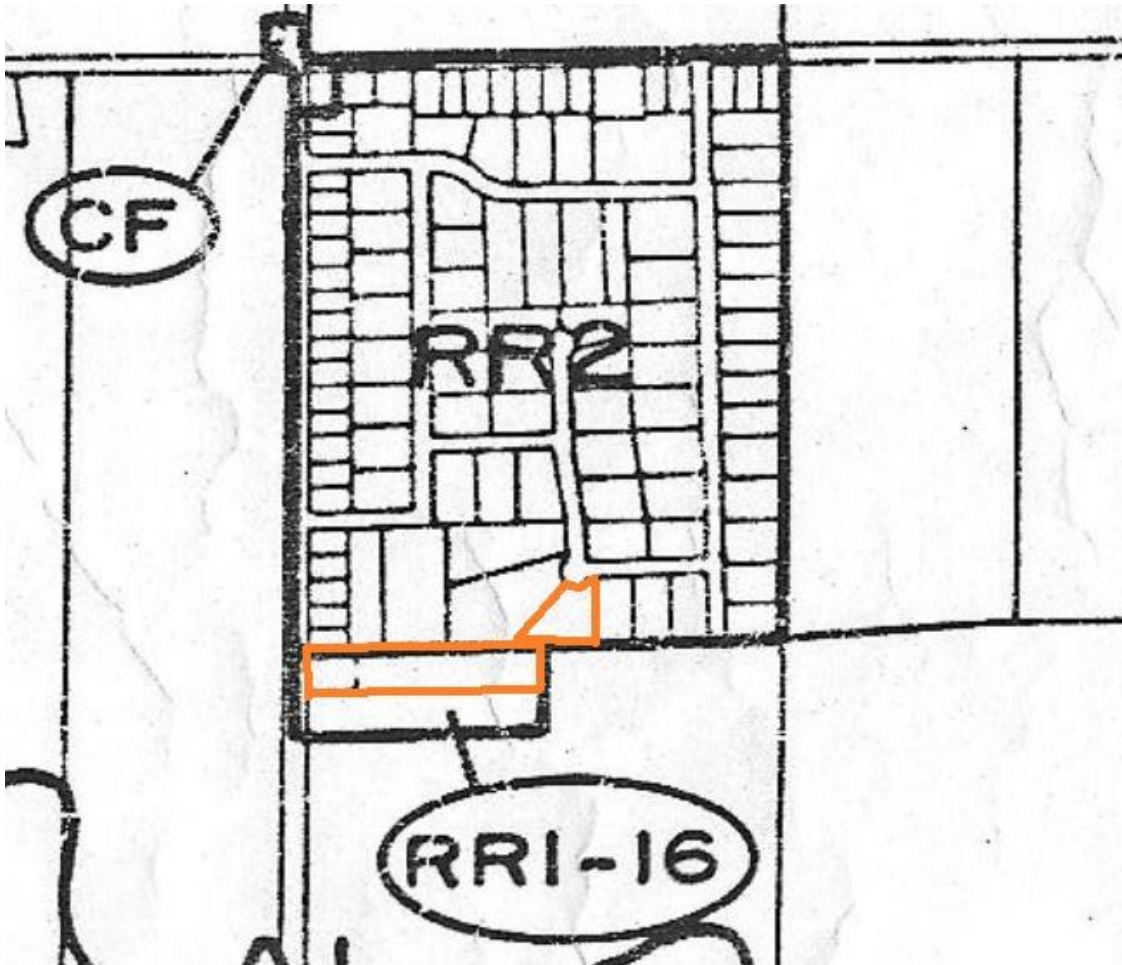
City of Kawartha Lakes Official Plan



16. Rural Designation

17. Environmental Protection Designation

Township of Emily Zoning By-law 1996-30



Section 10 Rural Residential Type One (RR1) Zone

10.1 Uses Permitted

10.2 Zone Provisions

10.3 Rural Residential Type One Exception Zones

10.3.16 Rural Residential Type One Exception Sixteen (RR1-16) Zone

10.3.16.1 Notwithstanding articles 10.2.1.1 and 10.2.1.2, land zoned "RR1-16" shall be subject to the following zone provisions:

(a) lot area (min.) 1.3 ha

(b) lot frontage (min.)

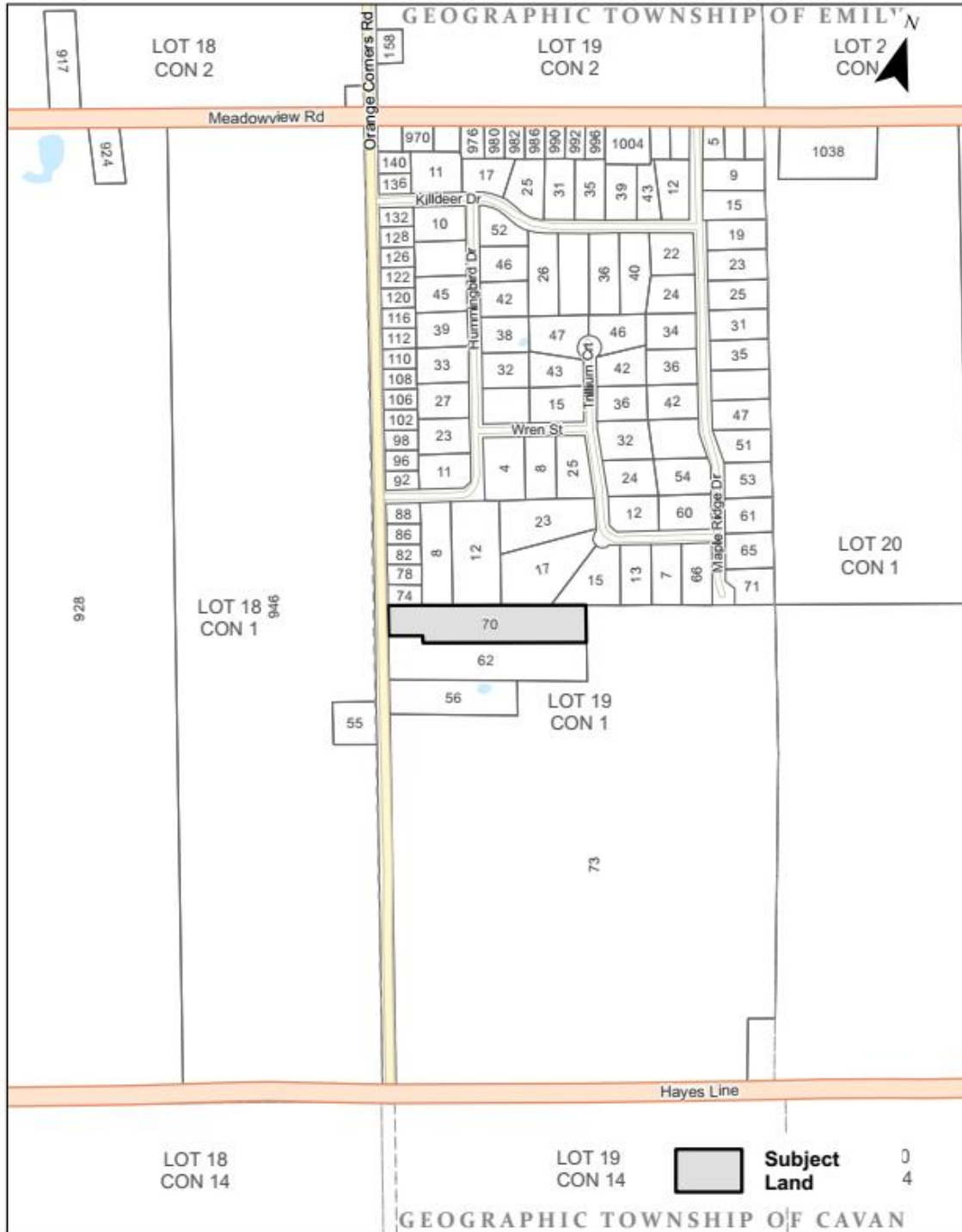
to

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LOCATION MAP

D20-2025-055



APPENDIX " B "

to

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AERIAL PHOTO

