



**Township of North Kawartha**  
280 Burleigh Street, PO Box 550, Apsley, ON K0L 1A0  
Tel: 705-656-4445 | 1-800-755-6931 | Fax: 705-656-4446  
[www.northkawartha.ca](http://www.northkawartha.ca)

## Report to Committee of Adjustment

To: Members of the Committee of Adjustment  
From: Emily Fitzgerald, BES (Hons.)  
Junior Planner, Township of North Kawartha  
Date: February 18, 2025  
Subject: Report on Minor Variance Application A-01-25

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### Recommendation

That subject to any public or agency comments received, the Committee approve Minor Variance application A-01-25, without conditions.

### Background and Property Information

Minor Variance application A-01-25 has been submitted by Lew Lean for the property located in Part of Lot 25, Concession 8, in the Chandos Ward, municipally known as 156 Bayshore Road.

Municipal (911) Address:	156 Bayshore Road
Roll Number:	1536-010-003-17100
Property Owners:	Peter and Judith Arato
Applicant:	Lew Lean
Lot and Concession:	Part of Lot 25, Concession 8
Ward:	Chandos
Area:	0.36 hectares (0.89 acres)
Frontage:	39 metres (128 feet)
Official Plan Designation:	Seasonal Residential
Zoning:	Shoreline Residential (SR)
Access:	Bayshore Road (Private Road)
Sewage Servicing:	Private individual septic system
Water Servicing:	Drawn from Chandos Lake

Available aerial imagery and GIS information, as well as a site visit, indicate that the property is well vegetated throughout. The property is variable in terms of topography with steep slopes within the front and rear portions of the property. Surrounding land

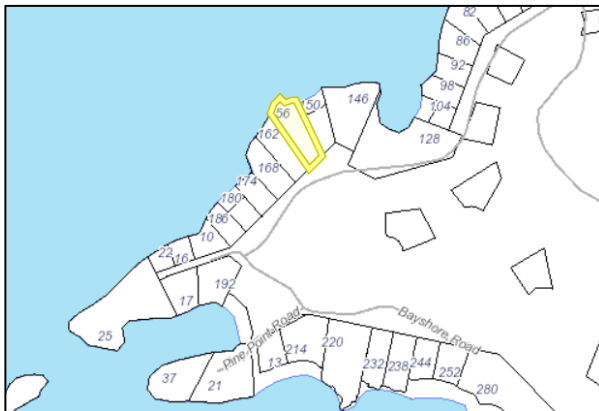


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uses are primarily seasonal residential uses on lots of various sizes and configurations with vacant rural lands beyond.

### Location Map



### 2023 Aerial Imagery



Existing development on the subject property includes a two-storey dwelling with attached decks, having an aggregate area of 164 square metres (1,770 square feet) and two small storage sheds, each 9.3 square metres (100 square feet) in area.

### Proposed Development

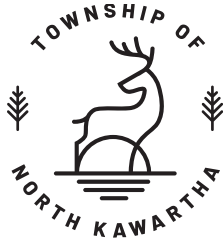
The application proposes to construct a new one and one-half storey detached garage to the rear of the dwelling at a water setback of 30.5 metres (100 feet). The proposed garage would have an area of 90.1 square metres (970 square feet) and a height of 7.2 metres (23.8 feet). The upper storey of the proposed garage is to be comprised of a bunkhouse and a storage area. The proposed bunkhouse would have an area of 40.1 square metres (432 square feet) and would be accessed by internal stairs.

As proposed, application A-01-25 requests the following relief from the Township's Zoning By-law:

1. From Section 6.2 (d) to permit a bunkhouse to have a maximum area of 40.1 square metres (432 square feet) whereas the maximum permitted area for a bunkhouse is otherwise limited to 37 square metres (400 square feet).
2. From Section 3.18 (c) to permit development which requires relief from the Zoning By-law on an existing undersized lot, whereas development on such lots is required to be compliant with the Zoning By-law.

### Planning Analysis

This application is subject to the four tests of a minor variance, as outlined under Section 45 of the Planning Act. The four tests are as follows:



### **1. Is the application minor in nature?**

When determining whether an application is minor, the consideration must relate to the potential impacts of the variances requested. The proposed garage with bunkhouse above would be located to the rear of the dwelling and at a sufficient water setback to avoid negative impacts to the waterbody. Dense vegetation at the western side lot line would serve to mitigate potential impacts to the western adjacent property arising from the use of the bunkhouse, such as increased activity and light trespass. The modestly increased area for the bunkhouse is not expected to allow for the use of the bunkhouse beyond its intended use as sleeping quarters. The proposed location of the building is generally level and free of vegetation; therefore, the need for site alteration and vegetation removal, if any, is anticipated to be minimal.

The application is considered minor in nature.

### **2. Is the application desirable for the appropriate development or use of the land, building, or structure?**

The proposed garage with bunkhouse above would enhance the functionality of the property for continuing the existing permitted recreational residential use and would appear to be in keeping with the scale and character of development on surrounding properties. The proposed building is appropriately sited to minimize the degree of site alteration and vegetation removal required, and integrating the bunkhouse within the garage makes a more efficient use of the land and building.

The application is considered desirable for the appropriate development and use of the property.

### **3. Does the application uphold the general intent and purpose of the Official Plan?**

The subject property is designated as 'Shoreland Areas and the Waterfront' in the County of Peterborough Official Plan and 'Seasonal Residential' under the Local Component for the Township of North Kawartha. Both designations permit recreational residential uses together with associated accessory uses.

The proposed building will exceed the required 30-metre water setback for new development established under Section 4.4.3 of the Official Plan. Policies of the Official Plan also promote an appropriate balance between built and natural form on waterfront properties. As proposed, the building would be located to the rear of the existing dwelling. Given that the proposed building would be located at a higher elevation than the dwelling, it may be partially visible from the shoreline. However, mature vegetation



at the rear of the dwelling is anticipated to buffer any visual impact. No substantial change to the existing balance between built and natural form on the property is anticipated.

The application is considered to uphold the general intent and purpose of the Official Plan.

**4. Does the application uphold the general intent and purpose of the Zoning By-law?**

The subject property is zoned ‘Shoreline Residential (SR)’ in the Township’s Zoning By-law. A detached garage and bunkhouse are permitted accessory uses to a recreational residential use in the SR zone.

The application proposes a bunkhouse having an area of 40.1 square metres (432 square feet) within the upper storey of the detached garage, whereas the maximum area of a bunkhouse is otherwise limited to 37 square metres (400 square feet). The requested additional area for the bunkhouse is considered minimal and results from a landing providing access between the stairs and the bunkhouse which does not functionally contribute to the proportion of habitable space within the bunkhouse.

The proposed garage with bunkhouse above will be compliant with all other applicable provisions of the Zoning By-law, including minimum yards, maximum accessory lot coverage, and maximum building height, as shown in the table below:

<b>Criteria</b>	<b>Zoning By-law Requirement</b>	<b>Proposed Garage/Bunkhouse</b>
Minimum Water Yard (N)	30 metres (98.5 feet)	30.5 metres (100 feet)
Minimum Interior Side Yard (E)	4.5 metres (15 feet)	15.2 metres (50 feet)
Minimum Interior Side Yard (W)	4.5 metres (15 feet)	4.5 metres (15 feet)
Minimum Rear Yard (S)	4.5 metres (15 feet)	45.7 metres (150 feet)
Maximum Accessory Lot Coverage	5%	3%
Maximum Building Height	7.3 metres (23.9 feet) and 1.5 storeys	7.2 metres (23.8 feet) and 1.5 storeys

The application is considered to uphold the general intent and purpose of the Zoning By-law.



## **Provincial Planning Statement, 2024**

Under the policies of the Provincial Planning Statement (PPS), the subject property is considered rural lands. The PPS directs that resource-based recreational uses, including recreational dwellings for seasonal accommodation together with related accessory uses and buildings, are permitted on rural lands. Development is to be sustained by rural service levels and appropriate to existing or planned infrastructure.

The proposed garage and bunkhouse are permitted uses under the policies of the PPS. Given the intended uses of the proposed building, it is not anticipated to result in a strain on existing rural service levels. A septic review will be required once a building permit is applied for to ensure sufficient capacity for the additional fixtures proposed within the bunkhouse. The application is considered consistent with the PPS.

## **Public and Agency Comments**

Notice of application A-01-25 was circulated to neighbouring property owners and commenting agencies in accordance with the statutory requirements of the Planning Act on February 6, 2025. A notice was posted on the property the day prior.

At the time of writing this report, no public or agency comments have been received. Any public or agency comments received will be provided to the Committee prior to or during the public hearing.

## **Financial Implications**

No financial implications are anticipated as a result of approval of application A-01-25.

## **Concluding Comments**

Given that the application meets the four tests of a minor variance and conforms to the applicable policies of the PPS, it is recommended that application A-01-25 be approved without conditions.

Respectfully submitted,

Emily Fitzgerald, BES (Hons.)

Junior Planner

Township of North Kawartha

## **Attachments**

Attachment #1 – Notice of Public Meeting

Attachment #2 – Site Plan

Attachment #3 – Photographic Log