



Township of North Kawartha

280 Burleigh Street, PO Box 550, Apsley, ON K0L 1A0
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www.northkawartha.ca

Report to Committee of Adjustment

To: Chair and Members of the Committee of Adjustment
From: Laura Stone, Planning Consultant
Date: July 30, 2025
Subject: Minor Variance Application MV-11-25

Recommendation:

That the Committee of Adjustment **approve** Minor Variance Application MV-11-25 to permit the increase in lot coverage for accessory uses, to allow for a bunkhouse use of 53.3 square metres and to permit an accessory use (garage with loft bunkhouse) with a height of 7.54 metres to be located 2.87 metres from the rear yard.

Background:

This application comes to the Committee for the consideration of a new garage with loft bunkhouse. The proposed garage will bring the accessory structure lot coverage to 6.03%, which is an increase from the maximum permitted of 5%. The garage and bunkhouse use is proposed to be located 2.87 metres from the rear yard, which is a deviation from Section 3.1h)i) which requires a setback of 3 metres and will have a bunkhouse area of 53.3 square metres, which varies from Section 6.2(d) which permits a maximum size of 37 square metres. The height of the garage/Bunkie structure is proposed to be 7.54 metres, which is greater than the allowable 7.3 metres, per Section 3.1d)ii).

Property Information:

Address: 24 Hemlock Point Road
Roll No: 1536-010-101-06600
Owners: Stephen Birtley
Applicant: Black Point Construction
Zone: Shoreline Residential
Official Plan Designation: Seasonal Residential
Area: 1,631 sq m



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Planning Policy Discussion

The Four Tests of the Minor Variance

The Planning Act dictates that a Minor Variance Application must meet the four tests of the minor variance. The tests are as follows:

1. Is it application minor in nature?

Yes. The requested variances are indeed minor in nature. The increase to height and lot coverage are minimal, being an increase of 0.24 metres and 1.03%, respectively. The size of the bunkhouse use is inclusive of the stairs and platform used for access. The access stairs and platform make up 2.23 square metres of use, bringing the actual size of the bunkhouse to just over 51 square metres. This increase is relatively minor as it is to be enclosed within the garage use and will not be employed as a separate building on the property.

The location of the garage/bunkhouse structure is proposed to be located 2.87 metres from the rear lot. The travelled portion of Hemlock Point Road appears to be approximately 10 metres from the closest corner of the garage/bunkhouse and there will be little impact to the travelled road.

2. Is the application desirable and appropriate?

Yes. Council passed a Housekeeping By-law in 2023 that permits bunkhouse uses in the loft area of a garage and therefore the use is considered to be appropriate and desirable to the municipality.

It should be noted that the shoreline road allowance has not been purchased and is not included in the calculations for lot coverage. There will not be a visual impact of overdevelopment on the lot when viewed from the lake.

As noted above, interference with the travelled portion of Hemlock Point Road due to the development of the garage/bunkhouse being located 2.87 metres from the rear yard will not occur.

3. Does the application meet the intent of the Official Plan?

Yes. The following policies from the Official Plan for the County of Peterborough are applicable and support the Minor Variance application:
Section 6.2.5.2 Seasonal Residential – Permitted Uses



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The predominant use of land within the Seasonal Residential designation shall be for seasonal cottages. This category may include retail and service commercial uses of limited extent which provide primarily for the day-to-day commercial needs of cottage residents.

Section 6.2.5.3 a) The uses permitted in Seasonal Residential areas and regulations for such uses shall be defined in the implementing Zoning By-law. Regard shall be had to the protection of cottages from incompatible uses. Provision will be made for adequate setbacks from property lines, for lands to be set aside in certain cases for landscaping and buffering purposes, for off-street parking facilities, prohibition of nuisances and control over outside storage.

The application meets the intent of the Official Plan in that uses in the Seasonal Residential designation are regulated by the Zoning By-law and that cottage development is protected. The garage/bunkhouse use is supplemental to the cottage use of the property.

4. Does the application meet the intent of the Comprehensive Zoning By-law?

Yes. Section 2.76 of the Comprehensive Zoning By-law permits a bunkhouse use in the upper loft area of a garage. Further regulations, such as height, allowable footprint area, rear and side yard setbacks and lot coverage are further regulated from this provision. Given that the use is permissible in the Comprehensive Zoning By-law, the application meets the intent of this document.

In addition to meeting the Four Tests, this application also meets the intent and spirit of the Provincial Planning Statement.

Provincial Planning Statement

The Provincial government released the Provincial Planning Statement (PPS) in 2024. This policy document is intended to provide planning direction for all of Ontario. The following policies from the PPS are relevant to this application:

Chapter 2.1 Planning for People and Homes

6. Planning authorities should support the achievement of complete communities by:
 - a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;



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- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

Chapter 2.5 Rural Areas in Municipalities

1. Healthy, integrated and viable rural areas should be supported by:
 - a) building upon rural character, and leveraging rural amenities and assets;
 - b) promoting regeneration, including the redevelopment of brownfield sites;
 - c) accommodating an appropriate range and mix of housing in rural settlement areas;
 - d) using rural infrastructure and public service facilities efficiently;
 - e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
 - f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
 - g) conserving biodiversity and considering the ecological benefits provided by nature;

Chapter 2.6 Rural Lands in Municipalities

1. On rural lands located in municipalities, permitted uses are:
 - a) the management or use of resources;
 - b) resource-based recreational uses (including recreational dwellings not intended as permanent residences);
 - c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services;
 - g) other rural land uses.
2. Development that can be sustained by rural service levels should be promoted.
3. Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure.

Opinion: The application to permit a garage/bunkhouse use with an increased height, lot coverage and footprint, as well as a decrease in setback to the rear yard, is in keeping with the directives of the PPS.

Conclusion

This Minor Variance Application meets the Four Tests of the Minor Variance and is consistent with the intent of the Provincial Planning Statement. This application is representative of good planning and should be approved.



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Financial Implications:

N/A

Attachments:

Site Plan

Notice