



## Report to Committee of Adjustment

To: Chair and Members of the Committee of Adjustment  
From: Laura Stone, Planning Consultant  
Date: April 28, 2026  
Subject: Minor Variance Application A-06-26

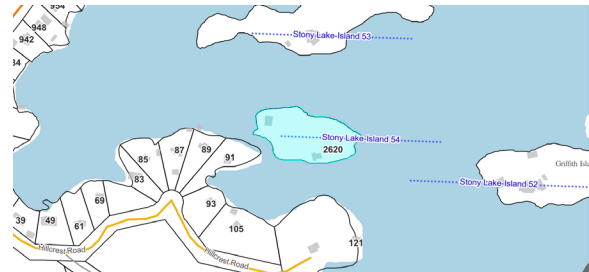
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### Recommendation:

That the Committee of Adjustment **approve** Minor Variance Application A-06-26 to vary Section 3.30a) to allow for a sewage system to be located 21.6 metres from the high water mark for the tank and 22.5 metres from the high water mark for the leaching bed as the application meets the Four Tests of the Minor Variance and is in compliance with the 2024 Provincial Planning Statement.

### Background:

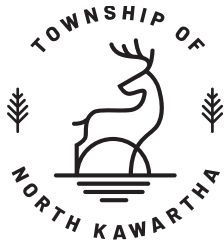
This application comes to the Committee for the consideration of a leaching bed to be located 22.5 metres from the high water mark. Given that the property is an island, there is not sufficient setback to meet the requirement of 30 metres from the high water mark.



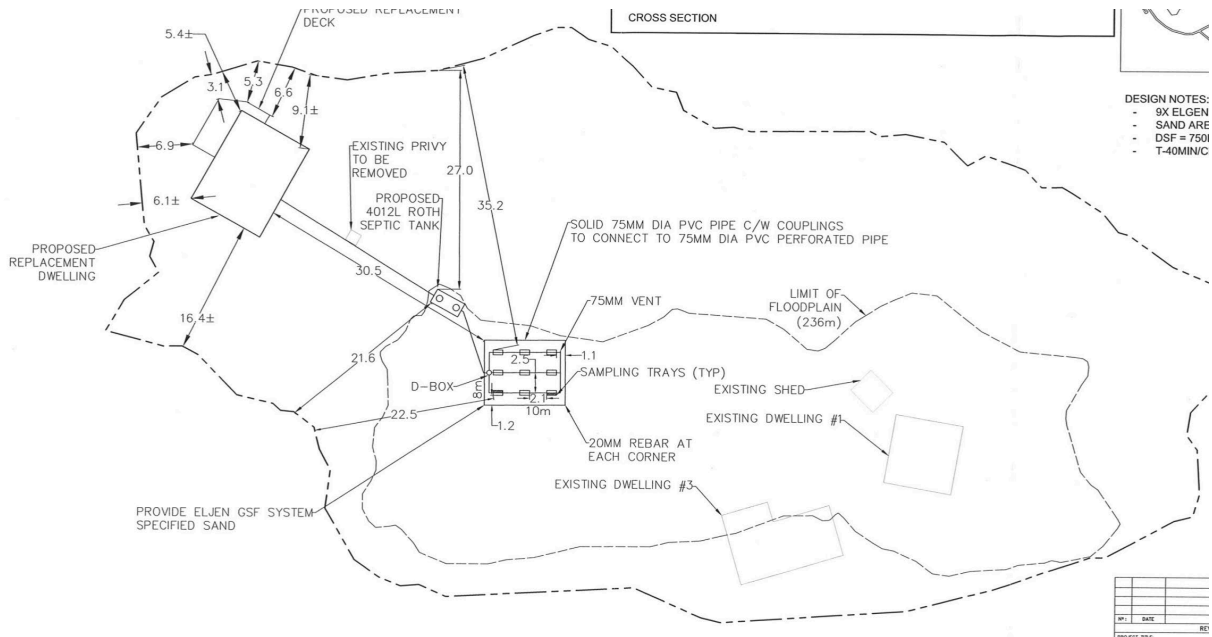
### Property Information:

Address: 2620 Stony Lake - Island 54  
Roll No: 1536-020-001-65900  
Owner: Tim Gray  
Zone: Shoreline Residential Island (SRI)  
Official Plan Designation: Seasonal Residential

This property is located in the Burleigh Ward of the Township of North Kawartha with frontage onto Stony Lake. The property is an island and is water access only (WAO).



The existing privy on site will be removed with the introduction of the Class 4 septic system.



## 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 variance is indeed minor in nature. A variance is required because the property itself does not have enough room to meet the 30 metre setback. The proposed location is as far back as possible.

#### 2. Is the application desirable and appropriate?

**Yes.** The proposed location of the septic, inclusive of leaching bed, is outside of the floodplain and will allow the property owner to remove the privy that is located to the rear of one of the dwellings.

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



**Township of North Kawartha**

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**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

The predominant use of land within the Seasonal Residential designation shall be for seasonal cottages. This category includes uses accessory to seasonal cottages.

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 sewage systems, and all structures, are encouraged to be setback from the water and are permitted uses in the Seasonal Residential designation.

- 4. Does the application meet the intent of the Comprehensive Zoning By-law?**  
**Yes.** Section 2.15 includes “Septic System” under the definition of a building, which is permitted on the property.

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;
  - 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;

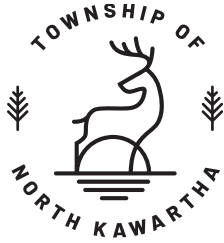
#### Chapter 2.6 Rural Lands in Municipalities

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 for the above-noted minor relief is in keeping with the directives of the PPS in that the property will be serviced by private, individual septic that will be permitted and inspected by the Township of North Kawartha's Building Department.**

#### **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