

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Buckley and Greco**  
Report Number COA2025-006

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**Public Meeting**

**Meeting Date:** January 30, 2025  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward 6 – Geographic Township of Emily**

**Subject:** The purpose and effect is to facilitate the construction of a new one-storey single-detached dwelling with attached garage and basement walkout. An Additional Residential Unit (ARU) is to be located below grade in the basement of the proposed dwelling.

**Relief sought:**

1. Section 3.22.vii. of the Zoning By-law which requires a minimum lot area of 4,000 square metres (0.4 hectares) for lots on private servicing to be eligible for an ARU; the existing lot area is 2,428.11 square metres (0.24 ha).

The variance is requested at **Vacant Land Saint Luke's Road** (File D20-2024-109).

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



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**Recommendations**

**That** Report COA2025-006 – Buckley and Greco, be received;

**That** minor variance application D20-2024-109 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions**

- 1) **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2025-006, which shall be attached to and form part of the Committee's Decision; and,
- 2) **That** building construction 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

condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2025-006. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

## Application Summary

Proposal:	Construction of a new one-storey single-detached dwelling with attached garage and basement walkout. An Additional Residential Unit (ARU) is to be located below grade in the basement of the proposed dwelling.
Owners:	Sheila Marie Buckley, Sheila Greco
Applicant:	Owners
Legal Description:	Part of Lot 7, Concession 9 (being Part 1 of Reference Plan 57R-799)
Official Plan <sup>1</sup> :	Hamlet Settlement Area (City of Kawartha Lakes Official Plan, 2012)
Zone <sup>2</sup> :	Hamlet Residential (HR) Zone (Township of Emily Zoning By-Law 1996-30)
Site Size:	2,428.11 m <sup>2</sup> (0.6 acres)
Site Access:	Year-round maintained road
Site Servicing:	Individual septic system and well
Existing Uses:	Vacant
Adjacent Uses:	Agricultural, Residential, and Commercial

## Rationale

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

The subject property is situated on the southeast intersection of Saint Luke's Road and Sturgeon Road. The neighbourhood is a mix of agricultural, residential, and commercial retail land uses. The built form is characterized by one to two storey single detached dwellings, some with renovations converting them for commercial use. Based on data collected from the Municipal Property Assessment Corporation

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<sup>1</sup> See Schedule 1

<sup>2</sup> See Schedule 1

(MPAC), there is no clear timeframe of building construction in the area. Properties vary in age from as early as the start of 1800s.

The subject property is currently a vacant corner lot. Access for the vacant lot is to be obtained from Saint Luke's Road. The proposal seeks the construction of a new one-storey single-detached dwelling with attached garage and basement walkout. An Additional Residential Unit (ARU) is to be located below grade in the basement of the proposed dwelling. The proposed dwelling is 202.2 square metres in size (including attached garage), with the ARU making up 87.9 square metres in the basement.

The proposal is compatible with surrounding land uses and existing built form. The subject property is the last remaining residential vacant lot within the neighbourhood.

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 Hamlet Settlement Area (Downeyville) under City of Kawartha Official Plan (2012). The Hamlet Settlement Area permits various uses including but not limited to single detached dwellings. The designation aims to accommodate small-scale residential and non-residential development within existing settlement areas.

In 2020, the Official Plan was amended to address the requirements of the Planning Act, and conform with Provincial Policies and establish new land use policies for Additional Residential Units (ARU). An ARU is permitted as-of-right, in addition to the primary residential unit, in single detached, semi-detached or townhouse dwellings as well as in accessory buildings or structures on lots associated with these dwelling types, provided they are in accordance with this policy and the applicable zoning by-law provisions. The proposed ARU upholds the residential character of the area and the variance maintains the general intent and purpose of the Official Plan. The lot area of the subject property is generally the same size as the surrounding residential lots.

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 Hamlet Residential (HR) Zone under the Township of Emily Zoning By-Law 1996-30. The HR Zone permits single detached dwellings and appropriate accessory uses. The existing ARU complies with all provisions of the Zoning By-law with the exception of the minimum lot area required for an ARU on a lot with private services.

Section 3.22.vi. of the Zoning By-law requires a minimum lot area of 4,000 square metres (0.4 hectares) for lots on private services to be eligible for an ARU. The subject lot is 2,428.11 square metres (0.24 hectares). Under the Zoning By-Law, ARUs are permitted in all zones that permit single detached, semi-detached, or

town house dwelling units, subject to the provisions of the Zoning By-law. The minimum lot size required for an ARU identifies a lot size where the ability to support an ARU on private services is likely. Lots under this threshold require a review to determine the appropriateness of the lot to support an ARU. The Building and Septic Division has confirmed an application for a sewage system permit has been submitted for the proposed development. An on-site evaluation was conducted, where the Building and Septic Division determined based on their observations that the property can support the sewage system proposal.

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:**

DS – Building and Septic Division (Building): “No comments.:

DS – Building and Septic Division (Septic): “An application for a sewage system permit has been submitted for the proposed development. The proposal provides for a conventional sewage disposal system to service both the single detached dwelling with ARU. An evaluation was conducted on the property to confirm the placement and allowance for the sewage system. Through our observations it was determined that the property could support the sewage system proposal. As such, the Building and Septic Division has no issue with the minor variance proposal as it relates to private on-site sewage disposal.”

ECA – Development Engineering: “From a Development engineering perspective, we have no comments or objections for this Minor Variance application.”

**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:** D20-2024-109

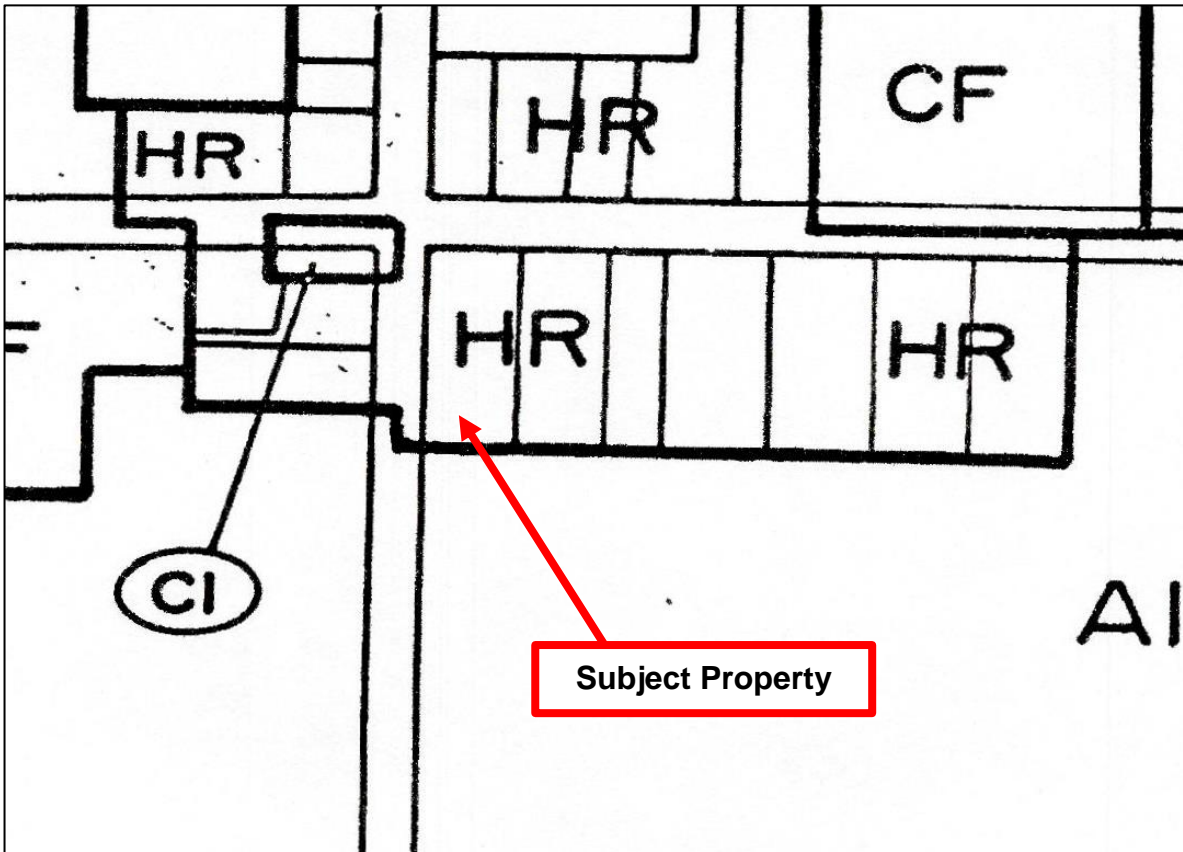
## Schedule 1 Relevant Planning Policies and Provisions

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### City of Kawartha Lakes Official Plan (2012)



Township of Emily Zoning By-Law 1996-30



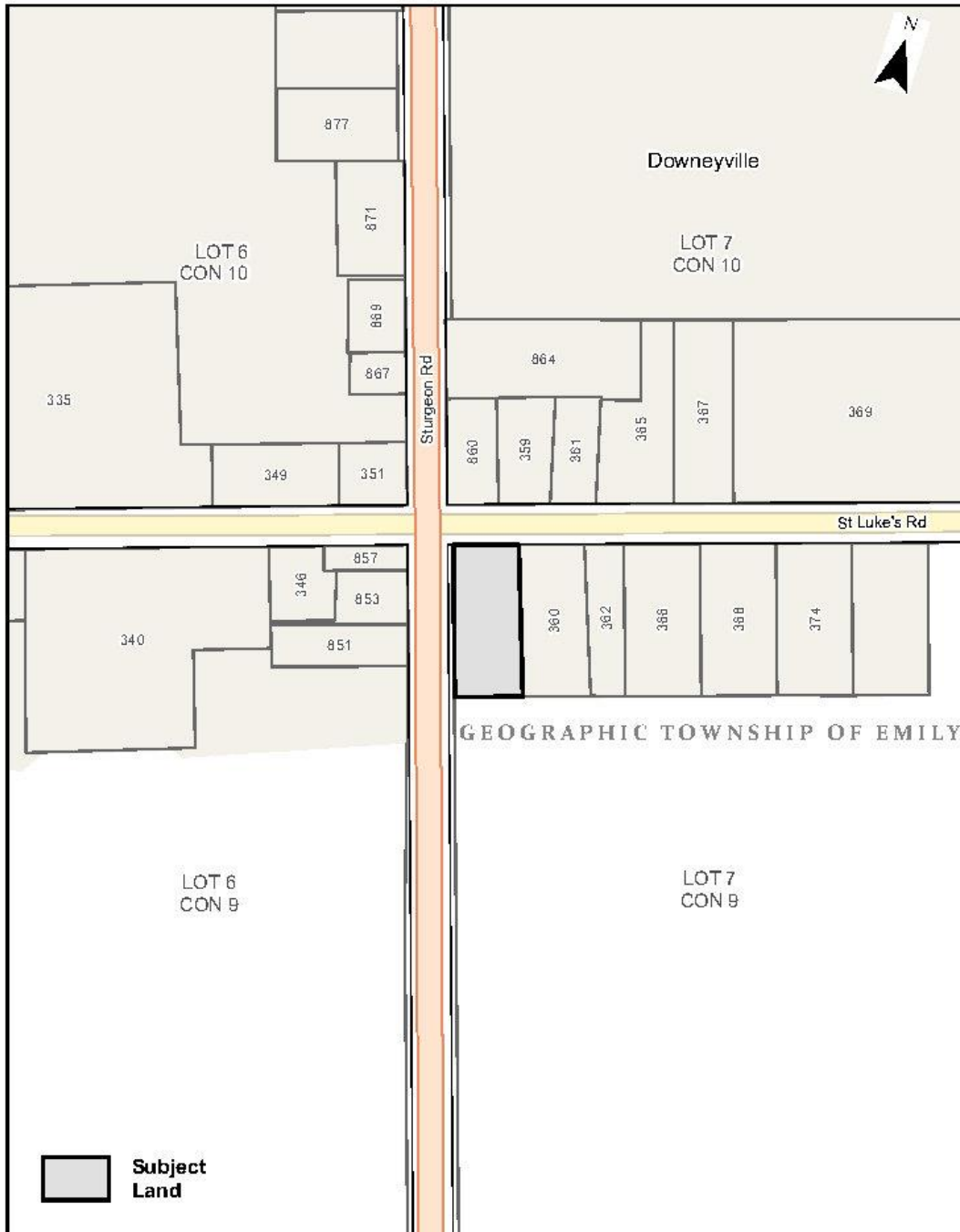
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REPORT COA2025-006

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**LOCATION MAP**

# D20-2024-109





APPENDIX " B "

to

REPORT COA2025-006

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**AERIAL PHOTO (2023)**



to

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APPLICANT'S SKETCH

