

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Lowry & Citro
Report Number COA2025-060

Public Meeting

Meeting Date: June 26, 2024

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 permit an Additional Residential Unit (ARU).

Relief sought:

1. Section 3.22.vi of the Zoning By-Law requires a minimum lot are of 0.4 hectares (4,000 square metres) when on private services for a property to be eligible for an ARU. The subject property lot size is 0.34 hectares (3,439 square metres).

The variance is requested at **54 Emily Manor Drive** (File D20-2025-047).

Author: Shayan Okhowat, Planner II **Signature:** 

Recommendations

That Report COA2025-060 – Lowry & Citro, be received;

That minor variance application D20-2025-047 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 COA2025-060, 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 COA2025-060. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	The conversion and expansion of existing attached garage into an Additional Residential Unit (ARU).
Owners:	Heather Lowry & Angela Citro
Applicant:	Same as owners
Legal Description:	Plan 588 Lot 20
Official Plan ¹ :	Environmental Protection and Rural (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Rural Residential Type Two (RR2) Zone (Township of Emily Zoning By-law 1996-30)
Site Size:	3,439.83 Square Metres (0.34 Hectares)
Site Access:	Year round municipal road
Site Servicing:	Private individual well and septic system
Existing Uses:	Residential
Adjacent Uses:	Residential

Rationale

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

The property currently contains a one-storey detached dwelling with an attached garage. The property is rectangular in shape with the dwelling being built in 1986. Access to the property is from Emily Manor Drive.

The proposal is to permit an Additional Residential Dwelling (ARU). An addition will be constructed onto the existing attached garage and it will be converted into living space. The surrounding use in the area is residential and the proposal aims to increase density. This is an appropriate use of the land as it aligns with municipal goals to support gentle intensification within established neighborhoods, making

¹ See Schedule 1

² See Schedule 1

more efficient use of existing infrastructure and contributing to the diversification of housing options in the community.

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 property is designated Rural and Environmental Protection under the City of Kawartha Lakes Official Plan (2012).

According to Policy 34.1, the Official Plan and implementing Zoning By-law do not prohibit the continued use of any land, building, or structure for a purpose that was lawfully established prior to the adoption of this Plan by Council. Existing uses may also be recognized in the implementing Zoning By-law. The subject property has been zoned for residential uses and the structures were built 1986, predating the Official Plan and the Zoning By-law. Performance standards and siting requirements applicable to such uses are governed by the Zoning By-law.

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 as Rural Residential Type Two (RR2) Zone under the Township of Emily Zoning By-Law 1996-30. The RR2 zone permits a single detached dwelling and the proposal complies with all provisions of the Zoning By-Law except for the minimum lot size required for an Additional Residential Unit (ARU) .

Section 3.22.vi of the Zoning By-Law requires a minimum lot area of 0.4 hectares (4,000 square metres) when on private services to permit an ARU. The purpose of this provision is to ensure sufficient space is available for an ARU while taking into consideration for capacity limitation when on private services. The property has a lot size is 0.34 hectares (3,439.83 square metres) and is deficient of 0.06 hectares (560.17 square metres) of what is required. The deficiency is approximately 15% and is considered to be minor. It is not anticipated to have any negative impacts if an Additional Residential Unit (ARU) is constructed.

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 (Building): “No comments.”

Public Comments:

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

Attachments

Appendix A – Location Map

Appendix B – Aerial Photo

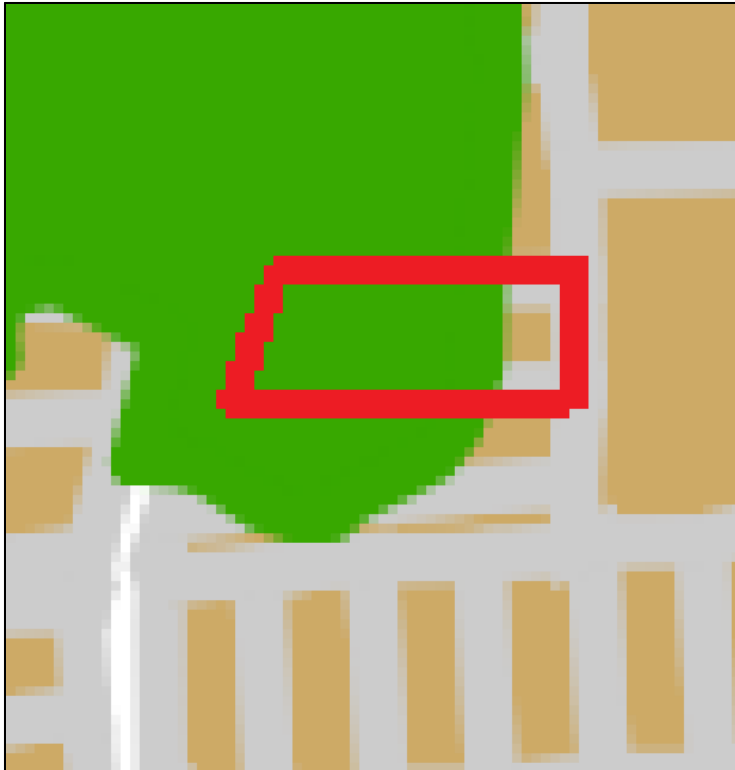
Appendix C – Applicant’s Sketch

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E-Mail:	sokhowat@kawarthalakes.ca
Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2025-047

Schedule 1

Relevant Planning Policies and Provisions

City of Kawartha Lakes Official Plan



16. Rural Designation

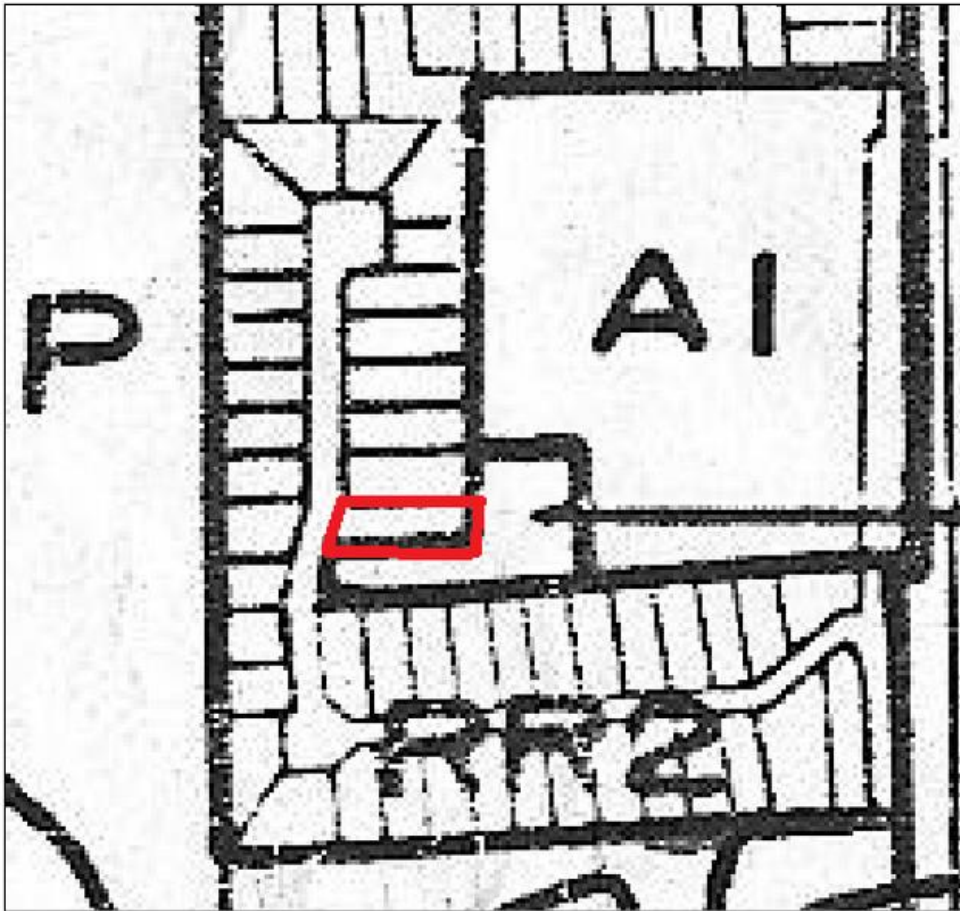
17. Environmental Protection Designation

34. Development Control

34.1. Existing Uses

Nothing in this Plan or the implementing Zoning By-law prevent the use of any land, building or structure for a purpose prohibited by this Plan, if the land, building or structure was lawfully used for that purpose on the date this Plan was adopted by Council. The City may recognize the existing use of land in an implementing zoning by law.

Township of Emily Zoning By-law 1996-30



Section 3 General Provisions

3.22 Additional Residential Dwelling Units

vi. A minimum lot area of 0.4 ha (4000 sq. m.) on private services.

Section 11 Rural Residential Type Two (RR2) Zone

11.1 Uses Permitted

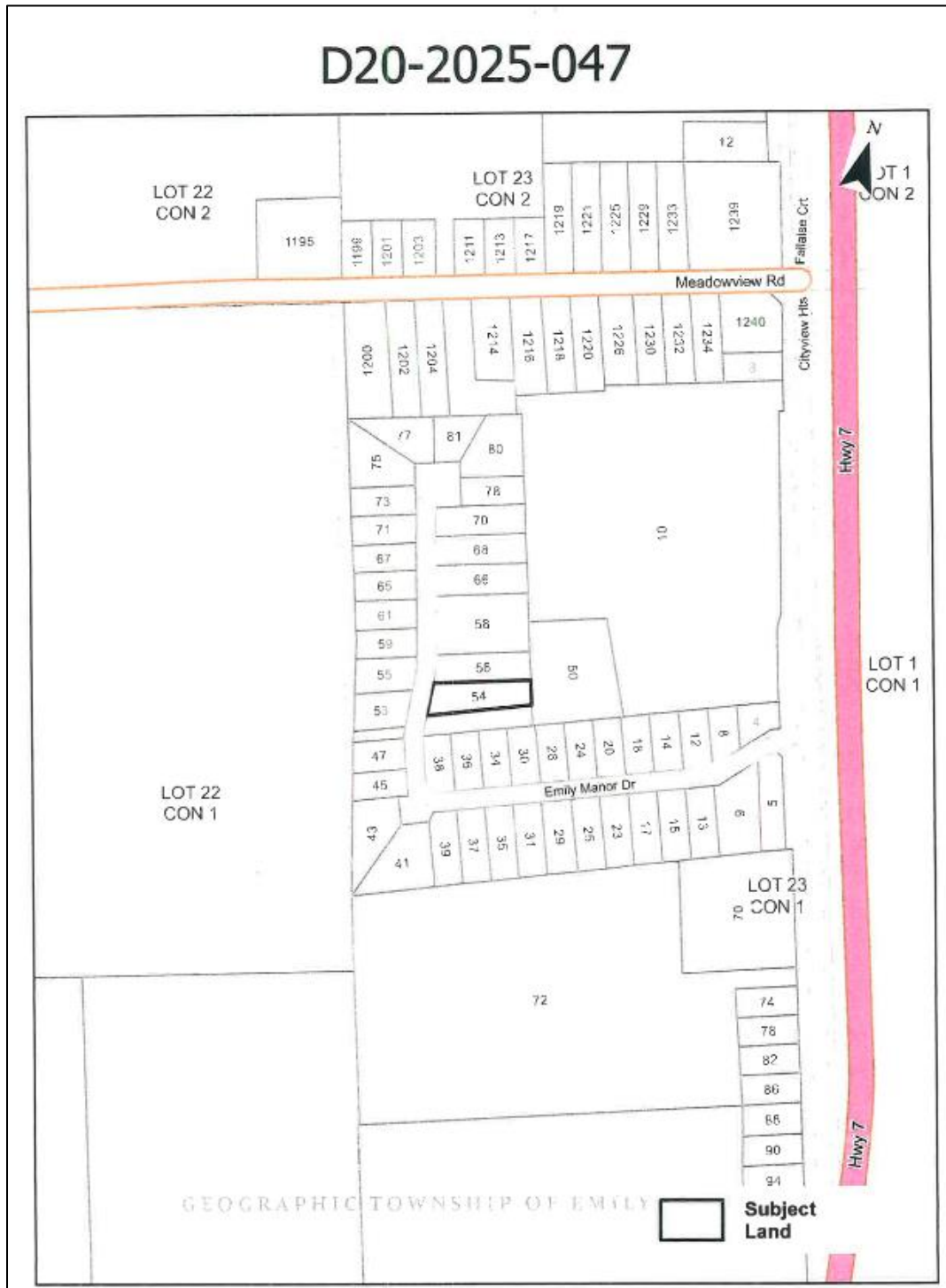
11.2 Zone Provisions

to

REPORT COA2025-060

FILE NO: D20-2025-047

LOCATION MAP



APPENDIX " B "

to

REPORT COA2025-060

FILE NO: D20-2025-047

AERIAL PHOTO



to

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APPLICANT'S SKETCH

