

**The Corporation of the City of Kawartha Lakes**  
**Committee of Adjustment Report – Cosburn**  
Report Number COA2021-083

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**Public Meeting**

**Meeting Date:** November 25, 2021  
**Time:** 1:00 pm  
**Location:** Council Chambers, City Hall, 26 Francis Street, Lindsay

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**Ward: 5 – Former Town of Lindsay**

**Subject:** The purpose and effect is to request relief from Section 7.2(c) to reduce the minimum front yard setback from 7.5 metres to 6.6 metres and Section 5.2(b)(i) to reduce the minimum setback to an interior side lot line from 1.25 metres to 0.92 metres to the south interior side lot line and to 0.96 metres to the west interior side lot line in order to permit the construction of a detached garage.

The variances are requested at 65 Wellington Street, former Town of Lindsay (File D20-2021-070).

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**Author:** David Harding, Planner II, RPP, MCIP

**Signature:**



**Recommendation:**

**Resolved That** Report COA2021-083 Cosburn, be received;

**That** minor variance application D20-2021-070 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

**Conditions:**

- 1) **That** the building construction related to this approval shall proceed substantially in accordance with the sketch in Appendix C and elevations in Appendix D submitted as part of Report COA2021-083, which shall be attached to and form part of the Committee's Decision; and
- 2) **That** the building construction related to the minor variances 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 COA2021-083. Fulfillment of all conditions is required for the Minor Variances to be considered final and binding.**

- Background:** A detached garage in approximately the same location was removed earlier in the year. A new detached garage is proposed in a similar location.  
This application was last amended November 2, 2021.
- Proposal:** To construct an approximately 4.47 metre x 6.1 metre (14.6 foot x 20 foot) detached garage.
- Owner:** Paul Cosburn
- Legal Description:** 65 Wellington Street, Part of Lots 15 and 16, Town Plan, former Town of Lindsay, City of Kawartha Lakes
- Official Plan:** Residential within the Town of Lindsay Official Plan
- Zone:** Residential Two (R2) Zone within the Town of Lindsay Zoning By-law 2000-75
- Site Size:** 940.61 square metres (10,124.6 square feet)
- Site Servicing:** Municipal water, storm water, and wastewater systems
- Existing Uses:** Residential
- Adjacent Uses:** North, South, East, West: Residential

**Rationale:**

**1) Are the variances minor in nature? Yes**

The subject property is located in an area of Lindsay where the roads are laid in a grid pattern. Within this grid pattern, the subject property is located on the south side of Wellington Street between Victoria Avenue North and Sussex Street North. All the dwellings along Wellington Street between Victoria Avenue North and Sussex Street North range in age between 1875 to 1915 according to MPAC data. Therefore, the subject property is part of a mature residential neighbourhood comprised of older homes.

Driveways along this portion of Wellington Street are located to the side of the dwelling, preserving landscaped open space between the front walls of the dwellings and the road. Where garages exist, they are located in-line with or behind the dwelling. Therefore, the dwellings are prominent built form on the street, not garages. The proposed garage would be slightly behind the front wall of the dwelling. Therefore, the location of the proposed garage is in keeping with the locations of the other existing garages along this portion of Wellington Street.

There are 5 lots on the south side Wellington Street between Sussex Street North and Victoria Avenue North. The dwelling on the subject property, along with the dwellings at addresses 32 Sussex Street North, 63 Wellington Street, and 27 Victoria Avenue North are all located a similar distance away from Wellington Street. The proposed garage is in keeping with the building line established by the dwellings along the south side of Wellington Street.

The garage door is sized for a single car, and will contain windows along the top. A window is also proposed within the garage wall facing the road. The windows add visual interest to the front wall of the garage and provide a more residential rather than utilitarian appearance which is in keeping with the established residential streetscape.

The proposed garage is to the immediate east of a garage at 32 Sussex Street North and to the immediate north of a garage at 30 Sussex Street North. The clustering of storage uses amongst the three properties minimizes impacts on all three properties by keeping like uses together.

The proposed interior side yards for the garage remain sufficiently sized in order to provide access around the building.

The variances are minor in nature.

**2) Is the proposal desirable and appropriate for the use of the land? Yes**

The subject property has a L-shape, with more width at the front of the property than the rear. This shape allows for a more generously sized parking area to the west of the dwelling, which is more centred within the longer portion of the L, and for a double-wide driveway.

The garage is proposed within the area to the west of the dwelling. Its location will provide for storage and the parking of 1 vehicle. It is located approximately 6.6 metres back from the front lot line. This setback allows for 2 vehicles to be parked in-front of the garage side by side without encroachment onto municipal property.

The garage will provide additional covered storage space on the property beyond what can be accommodated within the dwelling. There are no other storage buildings on the property.

Given the location of the driveway entrance, it is anticipated that the primary rear yard access from the front yard will be from the western side rather than eastern side of the dwelling. The slightly reduced western side yard for the garage allows more space to be maintained between the dwelling and garage in order to provide service access to the rear yard without disturbing the landscaping on the east side.

At about 13.62 metres deep and 6.71 metres wide, the land to the west of the dwelling is relatively shallow and fairly wide. Its shape, proximity to the front lot line, and placement offers the best opportunity for driveway access to the property. This land has historically been used for enclosed storage as well as surface parking. Its proximity to the front lot line also makes it highly visible, so it forms part of the streetscape. The placement of a garage here assists in

providing privacy screening for the landscaped rear yard. It is appropriate for the storage use to continue in this area.

The reduced side yards will not impede access around the building.

Due to the above analysis, the variances are minor in nature and desirable and appropriate for the use of the land.

**3) Do the variances maintain the intent and purpose of the Zoning By-law?**

**Yes**

The subject property is zoned "Residential Two (R2) Zone" in the Town of Lindsay Zoning By-law 2000-75.

The front yard setback performs a variety of functions, such as providing space for snow storage, maintaining sight lines, and providing parking space.

Snow storage will not be impacted, and sight lines will be maintained as the garage is proposed in-line with the existing built form along this portion of the street. The property is required to have 2 parking spaces. The proposed reduced setback still ensures sufficient parking will be accommodated between the garage wall and the front lot line in addition to the single parking space within the garage.

The intent of the interior side yard setback for accessory buildings is to ensure sufficient space remains to carry out maintenance on the building and yard between the building and lot line. The proposed interior side yard remains sufficiently sized to carry out the maintenance function. The protraction of the gable on the south side of the garage has also been minimized in order to reduce the building mass that would otherwise project into the reduced side yard.

Therefore, the variances maintain the general intent and purpose of the Zoning By-Law.

**4) Do the variances maintain the intent and purpose of the Official Plan?**

**Yes**

As the Lindsay Secondary Plan as part of the City of Kawartha Lakes Official Plan is under appeal, the Town of Lindsay Official Plan (Official Plan) applies. The lands are designated "Residential" within the Official Plan. The subject property is within a neighbourhood that would be classified as Low Density Residential. Low density residential uses include single detached dwellings. A use accessory to a single detached dwelling is proposed. In consideration of the above the variances maintain the general intent and purpose of the Official Plan.

**Other Alternatives Considered:**

No other alternatives have been considered at this time.

**Servicing Comments:**

The property is serviced by municipal sewer, water, and storm water systems.

**Consultations:**

Notice of this application was circulated in accordance with the requirements of the Planning Act. Comments have been received from:

**Agency Comments:**

Development Engineering (November 12, 2021): No concerns.

**Public Comments:**

No comments received as of November 16, 2021.

**Attachments:**



Appendices A-E to  
COA2021-083.pdf

- Appendix A – Location Map
- Appendix B – Aerial Photo
- Appendix C – Applicant's Sketch
- Appendix D – Elevations
- Appendix E – Department and Agency Comments

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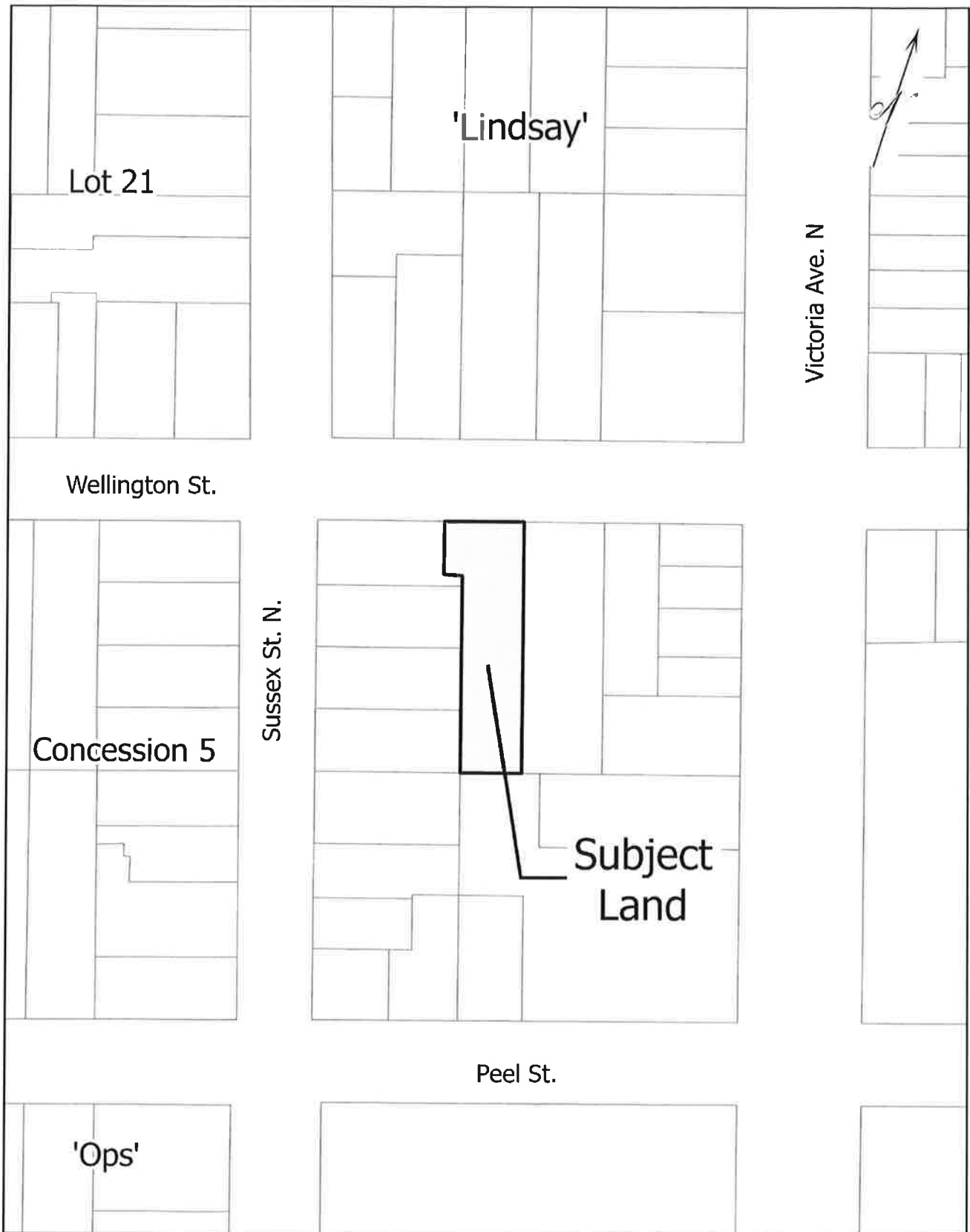
<b>Phone:</b>	705-324-9411 extension 1206
<b>E-Mail:</b>	dharding@kawarthalakes.ca
<b>Department Head:</b>	Richard Holy, Acting Director of Development Services
<b>Department File:</b>	D20-2021-070

to

REPORT COA2021-083

FILE NO: D20-2021-070

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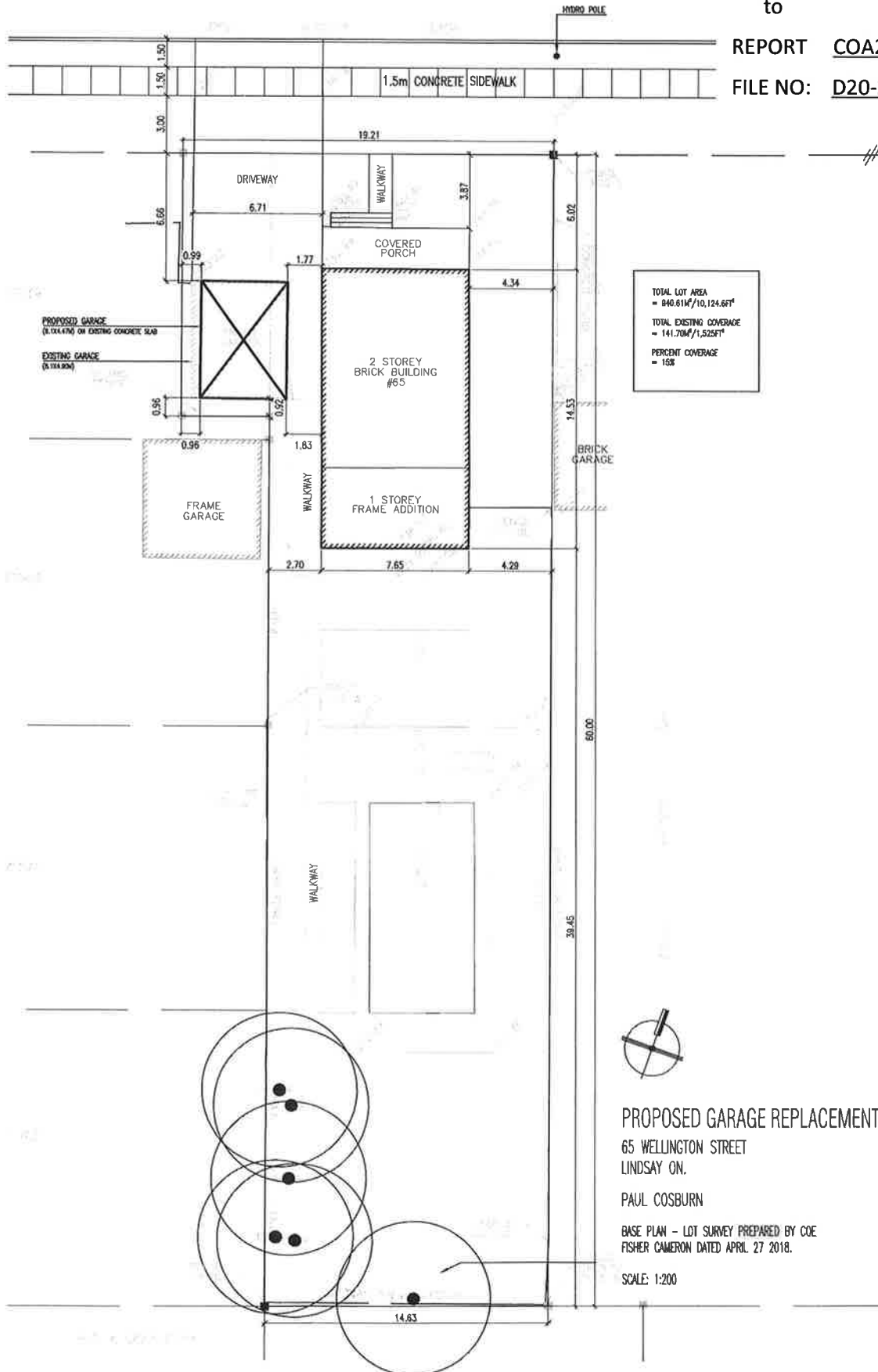
# 65 Wellington Street, former Town of Lindsay



to

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FILE NO: D20-2021-070



TOTAL LOT AREA  
= 840.61M<sup>2</sup>/10,124.66FT<sup>2</sup>  
TOTAL EXISTING COVERAGE  
= 141.70M<sup>2</sup>/1,525FT<sup>2</sup>  
PERCENT COVERAGE  
= 15%



PROPOSED GARAGE REPLACEMENT

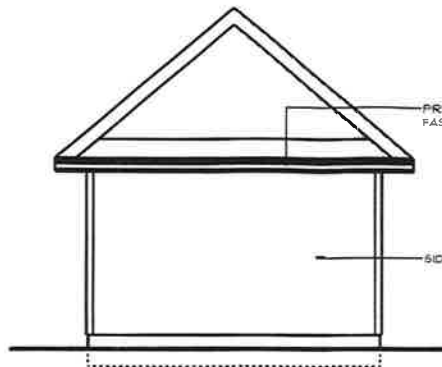
65 WELLINGTON STREET  
LINDSAY ON.

PAUL COSBURN

BASE PLAN - LOT SURVEY PREPARED BY COE  
FISHER CAMERON DATED APRIL 27 2018.

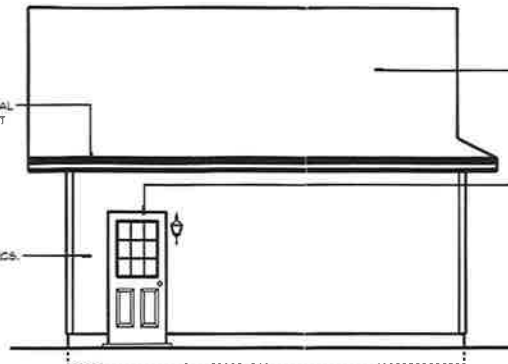
SCALE: 1:200





**BACK ELEVATION**

SCALE: 1/4" = 1'-0"



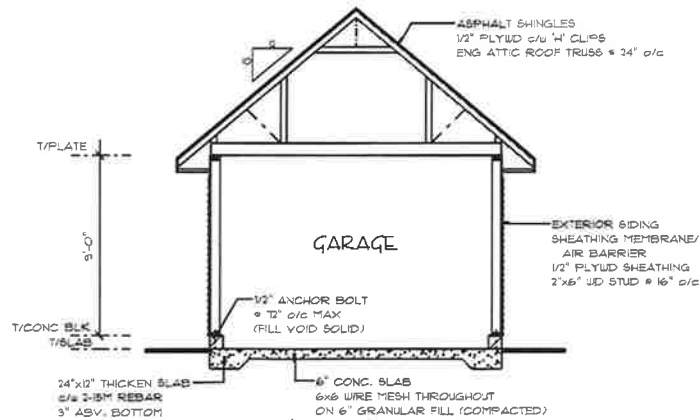
**LEFT ELEVATION**

SCALE: 1/4" = 1'-0"



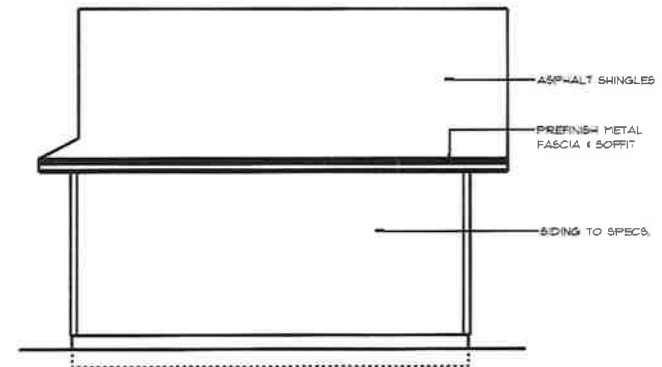
**FRONT ELEVATION**

SCALE: 1/4" = 1'-0"



**SECTION A**

SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION**

SCALE: 1/4" = 1'-0"



<b>COSBURN</b>	
65 WELLINGTON ST. E.	
SCALE: AS NOTED	DRAWN:
DATE: MARCH 2021 - FOR CONSTRU	
<b>GARAGE</b>	
JOB #:	21-D-10

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APPENDIX " D "

**David Harding**

to

REPORT COA 2021-083

**From:** Kim Rhodes  
**Sent:** Friday, November 12, 2021 10:02 AM  
**To:** Mark LaHay  
**Cc:** Charlotte Crockford; Christina Sisson; Kirk Timms; Daniel Woodhead  
**Subject:** 20211112 D20-2021-070 - Engineering review

FILE NO. D20-2021-070**Importance:** High**Please see the message below from Christina Sisson:**

Good morning Mark – further to our engineering review of the following:

Minor Variance – D20-2021-070  
65 Wellington Street, Lindsay  
Part of Lots 15 and 16, Town Plan  
Former Town of Lindsay

It is the understanding by Engineering that the purpose and effect is to request relief from Section 7.2(c) to reduce the minimum front yard setback from 7.5 metres to 6.6 metres and Section 5.2(b)(i) to reduce the minimum setback to an interior side lot line from 1.25 metres to 0.92 metres to the south interior side lot line and to 0.96 metres to the west interior side lot line in order to permit the construction of a detached garage.

*From an engineering perspective, we have no objection to the proposed Minor Variance.*

Please do not hesitate to contact our office if you have any questions.

Thanks,

**Christina**

**Christina Sisson, P.Eng.**  
Manager, Development Engineering  
Lean Six Sigma Black Belt  
Engineering & Corporate Assets, City of Kawartha Lakes  
705-324-9411 ext. 1152 (office) 705-878-3186 (mobile) [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



**Our office is closed to the public. Please note all courier packages and mail must be directed to City Hall, 26 Francis Street, Box 9000, Lindsay, ON, K9V 5R8.**