

STAFF REPORT

THE CORPORATION OF THE TOWN OF COBOURG



Report to:	Committee of Adjustment Members	Priority:	<input type="checkbox"/> High <input checked="" type="checkbox"/> Low
Submitted by:	Tim Cane RPP, SGL Planning and Design Inc. on behalf of the Town's Planning and Development Department	Meeting Type:	Open Session <input checked="" type="checkbox"/> Closed Session <input type="checkbox"/>
Meeting Date:	July 18, 2023		
Report No.:	A-05-23		
Submit comments to Council			

Subject/Title: Minor Variance Application A-05-23 – 48 Park Street

RECOMMENDATION:

THAT the proposed Minor Variances at the property municipally known as 48 Park Street be granted by the Committee of Adjustment to:

1. Amend Condition 1 from the decision of application No. A-15-2022 to read "The existing basement of the Coach House (east unit) to be used solely for storage and servicing uses."
2. Permit a total livable area in the Coach House of no more than 112 square metres (less than 71% of the living area of the principal dwelling) contained entirely on the ground floor and second floor.

Subject to the following conditions:

- a. That the bottom 50% of the second-floor window facing east (toward 46 Park Street) be treated with permanent translucent obscure glazing.
- b. That a landscaped private open space, dedicated solely to the occupants of the accessory dwelling unit, of not less than 45 square metres be provided to the rear of the accessory dwelling unit and include the planting of a canopy tree with a trunk diameter not less than 50 mm at time of planting, to the satisfaction of the Municipal Arborist.
- c. That the existing gravel driveway serving the accessory structure have a maximum width of 5.5 metres and be located no closer than 1.8 metres to the common boundary with 46 Park Street.
- d. The landscaped area between the driveway and common boundary with 46 Park Street to contain an evergreen vegetative screen to the satisfaction of the Town with coniferous trees of at least 1.8 m in height when planted, to the satisfaction of the Municipal Arborist.

RECOMMENDATION CONTINUED:

Subject to the following conditions:

- e. Prior to building permit issuance for the revisions to the second storey of the coach house, the Owner is required to obtain written approval from the Municipal Arborist for any trees that were removed or are proposed to be removed for the construction of the coach house in accordance with Tree Preservation By-law #020-2006 to the satisfaction of the Secretary-Treasurer.
- f. All conditions are subject to approval of the Town of Cobourg, but at no cost to the Municipality.

1. STRATEGIC PLAN

N/A

2. PUBLIC ENGAGEMENT

Section 45 (5) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, prescribes statutory notice requirements for minor variance applications. The Planning Act requires that at least ten (10) days before the day of the hearing. In accordance with the *Planning Act*, notice was provided as follows:

- a) personal service or ordinary service mail to every landowner within a 60-metre radius of the area to which the application applies;
- b) publication in a newspaper; and,
- c) notice sign posted on the subject lands.

The statutory notice requirements of the *Planning Act* have been fulfilled for this application.

3. PURPOSE

The proposed minor variance applications are to:

- 1. Amend Condition 1 forming part of the decision related to an Application for Minor Variance A-15-2022 granted on July 19, 2022;
- 2. Amend Section 5.28.2 b) of Accessory Dwelling Units/Second Units Zoning By-law 013-2017 to permit a Coach House exceeding the maximum floor area of 100 m² and 40% of the total floor area of the main building.

4. ORIGIN AND LEGISLATION

Section 45 (5) of the Planning Act, R.S.O. 1990, c.P. 13, as amended.

5. BACKGROUND

The minor variance applications above are proposed for an existing approved Coach House currently under construction at 48 Park Street. The Coach House, in its current form, was permitted through Approval of Minor Variance Application A-15-2022 that:

- Increased the permitted lot coverage of the accessory structure in Zoning By-law 85-2003 to 14.4% (from the maximum of 8%);
- Increased in Total Livable Area as a percentage of the Principal Dwelling from 40% to 42.4%.

The decision of the Committee of Adjustment was not appealed by the applicant or third parties.

In March 2023, the Town's solicitor directed staff to enter into an agreement with the Owner that prohibited habitable space in the loft and basement to meet the conditions of the Committee of Adjustment decision. At the time of the staff report, the proposed agreement to limit the use of the loft (second floor) and basement solely for storage was reviewed by the Owner and their solicitor. No concerns were expressed.

To meet the conditions/area requirements (as applied for by the Owner), a building permit was issued for the Coach House that restricted the use of the basement and second floor for habitable spaces. To ensure this condition was met, the ceiling height of the basement was reduced below the minimum standard of the building code and the second floor was restricted from having heating/cooling.

Upon a building inspection during construction, it was determined that heating and cooling were being installed for the loft area to make the space habitable, despite the Owners' application to the contrary and acceptance of the Committee of Adjustment Decision (that was not appealed).

The Coach House is currently being constructed (fully enclosed and near completion) as proposed in the 2022 Minor Variance Application that was supported by staff based on the variances applied for and agreed to by the Owner.

Since the building inspection that found non-compliance with the minor variances as previously granted, the Owner has decided to apply for an additional variance that would permit the second storey to become habitable for the purposes of a second bedroom. As per By-law 013-2017, the Coach House is permitted to have a maximum of two bedrooms.

It is important to note that should the Committee deny the current minor variance application (A-05-23), the Coach House has existing approvals through minor variance approval A-15-22 and the use would continue to be permitted in its current form subject to the Owner meeting all of the previous conditions imposed (i.e., no habitable space in the second floor or basement).

Introduction:

The current applications to amend the wording of the previous Committee of Adjustment decision and to further increase the percentage of floor area and maximum floor area of the Coach House benefit from having an existing built form already on the property.

The existing appearance and built form have been approved by the Committee of Adjustment, Heritage Advisory Committee and Council in the granting of heritage permit. These processes determined that the built form of the current Coach House under construction was consistent with the provisions of the George Street Heritage Conservation District. No changes are proposed to the exterior of the dwelling as a result of the minor variance applications before the Committee of Adjustment at this time.

As a result of the past processes and approvals, this application for minor variance is not to 'reapprove' the existing built form, but rather focus on the land use impacts associated with an increase in the intensity of the use as a result of the additional habitable floor area being proposed on the second storey.

Existing Context:

Please refer to Staff Report A-15-22 (**Attachment 1**) for a complete description of the background and context for the previous minor variances granted.

In summary, the subject property municipally known as 48 Park Street is on the eastern half of a semi-detached dwelling located on the northeast corner of Park Street and George Street (50 Park Street is also owned by the applicant), with an approximate lot area of 581 m² (1906.17 sq.ft). The property fronts onto Park Street with a frontage of 19.06 metres (62.55 ft) and an average depth of 30.06 metres (98.62'). Refer to proposed site plan contained in **Attachment 2**.

The subject property is designated "Stable Residential Area" in the Official Plan, and Zoned "Residential Three (R3)" in Comprehensive Zoning By-law No.085-2003, as amended. A small portion of the north-east corner of the property is located within the Ganaraska Region Conservation Authority (GRCA) Flood regulatory area, however the proposed accessory unit is not located within the regulated area and none of the lot is within the floodplain of Midtown Creek. GRCA has confirmed, as part of this application, that they have no objection to the proposed variances.

The eastern portion of subject property was previously vacant making it a suitable area for the recently constructed Coach House. The proposed floor area for the Coach House will be 111.5 m² including habitable areas on the ground floor and second floor. The required parking spaces for the Coach House and principal dwelling at 48 Park Street will be located in an expanded driveway generally aligned with the existing one towards the east boundary.

The proposed habitable space on the second floor will use existing windows in the west and east elevations of the existing Coach House. Relevant to this assessment is the proximity of the private open space to the rear of 46 Park Street and the potential for loss of privacy (overlooking) and overshadowing. Similar impacts within the subject site and on the existing principal dwelling have not been considered since the two dwellings are on a single parcel and controlled by the owner.

Land Use Impacts Considered:

a. Increased Activity along the common boundary with 46 Park Street

While the existing built form is legally established, the significant increase in floor area needs to be considered. The purpose of the floor space limits in the by-law are to keep coach houses secondary to the primary dwelling use and limit the size of the coach house which typically dictates the number of people and level of intensity the building is used for.

The former minor variance application to exceed the maximum floor space was based on the use of the ground floor only. The applicant's decision to build the second floor as habitable space (without planning permission) is the focus of this application and report.

The presence of a second bedroom creates the potential for increased occupancy numbers in the Coach House. While the current owners may propose to use the second floor infrequently for guests, future use of the structure under a different owner and/or tenant may change this situation.

One of these changes is how the driveway is used and the frequency of vehicles coming and going and the general activity on the front porch. While the 'twinning' of driveways serving nos. 48 and 46 helps increase the separation from the habitable room windows of 46 Park Street, there is room to establish a landscape buffer between the two properties to further reduce the impacts as the driveway is used more frequently. The site plan submitted with the application inaccurately shows trees along the common boundary.

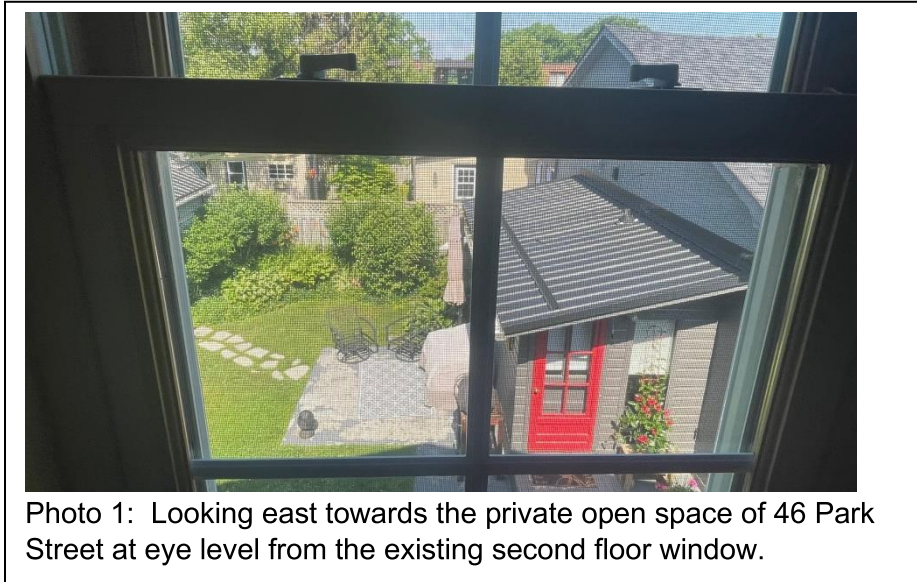
A condition of approval has been included to establish a minimum landscape strip with coniferous plantings to reduce the potential land use conflicts arising from increased use of the driveway. The width of the landscape strip of 1.8 metres is recommended to ensure the viability and success of any plantings in this area and to provide adequate space for snow storage.

b. Overlooking into private open space areas

The concerns of the neighbours at 46 Park Street have been reviewed and considered valid. One benefit of having the Coach House constructed is that views from the window in the east elevation were able to be confirmed. The context of the previous approval with only habitable spaces on the ground floor has changed.

If the Committee were to grant permission for habitable floor space on the second floor, then there will be a loss of privacy for the only private open space area of 46 Park Street - although this affect is reduced if the loft is indeed used only as a bedroom.

The setback of the existing Coach House from the common boundary with 46 Park Street does not allow for any landscaping to soften the visual impact of the elevation or reduce views into the abutting rear yard. As a result, permanent obscure translucent glazing is proposed as a condition of approval. This glazing would apply only to the bottom half of the east window to limit direct views into the adjoining yard while providing some level of amenity for future residents of the Coach House.



c. Integration of the Coach House into the existing residential fabric and heritage area

While the built form of the Coach House has been established through previous approvals, the applicant has asked for a variance that will intensify the use on site through an increase in habitable floor area over two levels. As a result, it is not unreasonable for the Committee to consider how the use can be further integrated into the neighbourhood fabric and George Street Heritage Conservation District.

The rhythm of dwellings and character of the area is very much influenced and complemented by the presence of mature vegetation. One of the Conservation Objectives listed in Section 2.4.2 i) of the George Street Heritage Conservation District Plan (the “HCD Plan”) is to “ensure the protection and retention of the heritage character of the existing roads and streetscapes within the District.”

Since the accessory structure has not been located behind the face of the existing dwelling, there is an opportunity to improve its integration into the streetscape with additional tree plantings. This concept is captured in Section 9 of the HCD Plan.

It is also noted that under the Town's Tree Preservation By-law 020-2006, removal of the former trees in the front setback may have required a permit for removal. There is no record of a permit being issued for the removal of the trees.



Photos 2 and 3: 2014 Google Street View of the subject lands looking north east (above) compared to similar photo taken in July 2023 (below).

Adding further confusion to the matter of trees on the site is the submitted site plan (**refer to Attachment 2**) which incorrectly indicates mature trees around the periphery of Nos. 48 and 50 Park Street, together with trees on No. 46 Park Street in the location of the existing driveway.

For the reasons set out above, the author recommends a condition to have the Town Arborist assess required planting as a result of any past or future tree removals.

The Four Tests of a Minor Variance

Under Section 45(1) of the *Planning Act*, an application for minor variance can be approved by the Committee of Adjustment if in its opinion the application is minor, desirable for the appropriate use of the land, and meets the general intent and purpose of the Official Plan and Zoning By-law. Below is an assessment of each of the 4 tests:

1. Meets the general intent and purpose of the Official Plan

Regarding the County of Northumberland Official Plan, this application continues to maintain the intent and purpose of the document. The County OP focuses growth in Urban Areas and supports the establishment of complete communities with a range of housing types to accommodate persons with diverse social and economic needs. This includes support for various forms of residential intensification, where appropriate.

The subject property is located within the Built Boundary of the Urban Area of Cobourg, as shown in the County Official Plan. The proposal will support an existing infill project and provide additional housing options through a larger-sized Coach House. The County has expressed no concerns with respect to the current minor variance applications.

Regarding the Town of Cobourg Official Plan, the subject lands are designated Stable Residential Area in the 2018 Town of Cobourg Official Plan. Applications for additions within an existing neighbourhood are generally evaluated based on the ability to maintain the existing character of the immediate surrounding residential area in compliance with the Section 3.4.3.1 policies. These policies were met as part of the previous application and the built form has been established.

Of relevance to these current minor variance applications is section 3.4.3.1 iv) which evaluates new development on the basis of it not having significant impacts on abutting properties with respect to privacy and overshadowing.

The proposed application maintains the intent and purpose of the Town Official Plan with the conditions of approval as proposed.

2. Meets the General Intent and Purpose of Town Comprehensive Zoning By-law 85-2003 and Accessory Dwelling Units/Second Units Zoning By-law 013-2017

The subject property is located in a Residential Three (R3) Zone in the Comprehensive Zoning By-law, where accessory dwelling units and coach houses are permitted.

Previous variances were granted to permit the existing Coach House under construction. However, the use of the second floor for habitable space requires a variance to the Accessory Second Dwelling Units By-law 013-2017 to permit a larger finished floor area (112m² vs 100 m² permitted as of right) and associated increase in percentage floor area in relation to the principal residence (71% vs 40% permits as of right). No additional lot coverage or exterior changes to the built form will occur because of these applications.

The purpose of the by-law's floor space limitations is to ensure that the new Coach House remains secondary to the primary dwelling on the lot and minimizes changes

in character to the area and potential land use impacts associated with higher housing density. The potential land use impacts identified in the sections above are considered addressed by the proposed conditions of approval. Should the Committee approve the variances, with the proposed conditions, the applications would be considered to meet the general intent and purposes of the applicable zoning by-laws.

3. Are the variances desirable for the appropriate development or use of the land, building or structure?

Given the existing Coach House was constructed in accordance with past planning and heritage approvals, the assessment of the current applications is focused on land use impacts associated with the use of the second floor as habitable space rather than previously approved storage. The primary considerations therefore become the intensity of use as a result of a larger floor space within the Coach House and potential privacy impacts on neighbours resulting from overlooking.

The setback of the existing Coach House meets the zoning by-law and is already established. The location of the Coach House, while next to the private open space of No. 46 Park Street, presents as a blank wall that may help reduce noise and activities formally associated with No. 48 Park Street. However, the single second storey window looking into the private rear yard of 46 Park Street represents a privacy issue if the former loft space is to be used for habitable space. On that basis, if there is a physical visual barrier on the window then the privacy issue is significantly reduced.

Overshadowing was not considered as part of these applications on the basis that the existing Coach House has already been legally constructed. While some overshadowing will occur in the afternoon and evening, the single-storey built form at 46 Park Street and limited two storey development in the vicinity are not considered to not create significant overshadowing impacts.

The additional floor area contained within the existing structure provides additional floor space and housing options for people looking for rental units. On this basis, the applications are considered desirable if the Committee imposes the conditions as proposed.

4. Are the variances minor?

An assessment of “minor” considers both numerical variation for a prescribed zoning provision as well as the potential land use compatibility impacts associated with a deviation from the default zoning provisions. A zoning by-law is not able to account for all proposed developments on a wide variety of sites. There will be instances where variances from the standard zoning provisions are appropriate based on the specific circumstances of a planning application.

In this case, the appropriateness of the built form has already been determined by the Committee of Adjustment through their consideration and approval of application

A-15-2022. Now that the Coach House has been constructed, these matters do not form part of the current application. That said, the Coach House appears to be an appropriate built form for the area and is compatible with the character of the area and its Heritage District.

An increase in the maximum floor area from 100 m² to 112 m² is not considered significant or impactful to the built form of the area. The increase in the intensity of the use (more people living in the unit) for the site as a result of the increase in habitable space is considered minor and addressed through the proposed conditions.

While the resulting increase in percentage floor area relative to the existing dwelling is a significant deviation (71% vs 42.4%), the context of the site and existing built form needs to be considered. In this case, the shape, size, and location of the existing house on the Subject Lands has made it well suited for coach house use. The additional floor space that results in a higher percentage of area to the existing dwelling is appropriate as a result of the existing built form and appearance from Park Street.

On the basis of the above, the variance is considered minor if the Committee imposes the conditions as proposed.

7. FINANCIAL IMPLICATIONS/BUDGET IMPACTS

Application fees have been paid with respect to this application to offset Town costs for its processing.

8. CONCLUSION

In summary, the proposed minor variances are considered appropriate, and staff recommend conditional approval. The proposed conditions will offset potential impacts associated with the use of the second storey/loft for additional habitable space. Given the history of this file, the applicant is reminded that the terms of the variances and all other applicable zoning provisions will continue to apply to the Coach House moving forward (e.g., maximum of two bedrooms, no habitable space in the basement, etc.).

These applications benefit from being able to assess the minor variances with an already constructed Coach House that was established with the necessary approvals. The Coach House fits the site well and is an appropriate design response to the character of the neighbourhood and the Heritage District.

It is recommended that the applications for minor variance be approved subject to the proposed conditions. The revised zoning provisions and amended wording to the condition of approval for the previous minor variance application (A-15-2022) meet the four tests for a minor variance under the Planning Act. The applications, if approved, represent good planning and provide additional housing options for the Town.



STAFF REPORT

THE CORPORATION OF THE TOWN OF COBOURG

Report to:	Committee of Adjustment	Priority:	<input type="checkbox"/> High <input checked="" type="checkbox"/> Low
Submitted by:	Kaveen Fernando Planner II – Development Planning and Development Services kfernando@cobourg.ca	Meeting Type: Open Session <input checked="" type="checkbox"/> Closed Session <input type="checkbox"/>	
Meeting Date:	July 19, 2022		
Report No.:	A-15-22		
Submit comments to Council			

Subject/Title: Minor Variance - A-15-22 - 48 Park Street

RECOMMENDATION:

THAT the proposed Minor Variance at the property municipally known as 48 Park Street be granted by the Committee of Adjustment as follows:

- To increase the permitted lot coverage of the accessory structure from 8% to 14.4% and the total livable area as a percentage of the principal dwelling from 40% to 42.4%.

1. STRATEGIC PLAN

N/A

2. PUBLIC ENGAGEMENT

Section 45 (5) of the Planning Act, R.S.O. 1990, c.P. 13, as amended, prescribes statutory notice requirements for minor variance applications. The Planning Act requires that at least ten (10) days before the day of the hearing, notice shall be given by either:

- a) personal service or ordinary service mail to every land owner within a 60 m radius of the area to which the application applies; or
- b) publication in a newspaper that is of sufficient circulation in the area which the application applies

The statutory notice requirements of the Planning Act have been fulfilled for this application. The notice of application is also posted on the Town of Cobourg website.

3. PURPOSE

The proposed Minor Variance is seeking relief from the provisions of the Zoning By-law to allow for an accessory structure with an increased lot coverage and maximum allowable floor area.

4. ORIGIN AND LEGISLATION

Section 45 (5) of the Planning Act, R.S.O. 1990, c.P. 13, as amended.

5. BACKGROUND

The subject property municipally known as 48 Park Street is the eastern half of a semi-detached dwelling located on the northeast corner of Park Street and George Street, with an approximate lot area of 581 m² (1906.17 sq.ft). The property fronts on to Park Street with a frontage of 19.06 metres (62.55 ft) and an average depth of 30.06 metres (98.62'). Refer to **Schedule A** "Context Map" and **Schedule B** "Site Plan" attached.

The subject property is designated "Stable Residential Area" in the Official Plan, and Zoned "Residential Three (R3)" in the Comprehensive Zoning By-law No.085-2003, as amended. A smaller portion of the north-east corner of the property is located within the Ganaraska Region Conservation Authority (GRCA) Flood regulatory area, however the proposed accessory unit is not located within the regulated area and none of the lot is within the floodplain of Midtown Creek.

The eastern portion of subject property is currently vacant making it a suitable area for the proposed coach house. The proposed accessory structure is approximately 83.6 m² (900 sq.ft) including the proposed verandah, with the only habitable area located on the main floor. The proposed structure includes a storage basement and loft but these areas will not be habitable or designed to be converted into habitable space in the future. The required parking spaces for the accessory structure will be located along the eastern part of the lot, where a driveway is already located. Additional zoning review is provided in the next section.

6. ANALYSIS

The application is evaluated accordingly to ensure compliance with Provincial and Municipal policies and this section provides a thorough analysis of applicable policies:

1. Provincial Policy Statement (PPS) & A Place to Grow Growth Plan

The Planning Act R.S.O. 1990, c.P.13, requires that decisions of local approval authorities shall be consistent with matters of Provincial Interest in carrying out decisions on applications such as consents and/or minor variances. Items of Provincial Interest are outlined in the Provincial Policy Statement (PPS) and the Growth Plan include:

- promoting efficient, cost-effective and financially sustainable development and land use patterns;
- directing growth and development to urban settlement areas with full municipal services;
- ensuring that sufficient land is designated and approved to accommodate projected residential growth;
- ensuring that an appropriate range of housing types and densities are provided to meet the requirements of current and future residents;
- ensuring that necessary infrastructure and public service facilities are or will be available to meet projected needs;
- promoting land use patterns and densities which are transit-supportive;
- avoiding development and land use patterns which may cause environmental and/or public health and safety concerns;
- conserving significant built heritage resources;
- facilitating and promoting intensification.

The application was circulated to Ganaraska Regions Conservation Authority (GRCA) and formal comments will be attached upon receipt. Given site characteristics no objection is anticipated. Further, GRCA will have the opportunity to comment at the Building Permit Stage.

The subject property is also located within the Town of Cobourg George Street Heritage Conservation District. The application was not circulated to the Heritage Committee for their review due to the timing of meetings, however, a Heritage Permit is required prior to issuing a Building Permit. The Heritage Committee will be presented an opportunity to review and provide comments at the Heritage Permit Review Stage. Detailed drawings will be submitted with the Heritage and Building Permit for review prior to further approvals.

Overall, it is my opinion that the proposal reflects the provincial directive to create strong, livable, and efficient communities through efficient land use. The proposed accessory structure does not negatively impact the items of Provincial Interest. The subject property is located within proximity to Downtown. Given the above discussion it is my opinion that the proposal is consistent with the PPS and generally conforms to the Growth Plan.

2. Northumberland County Official Plan

The purpose of the County of Northumberland upper-tier Official Plan is to provide a policy basis for managing growth and change that will support and emphasize the County's unique character, diversity, civic identity, urban and rural lifestyles and natural and cultural heritage, and to do so in a way that has the greatest positive impact on the quality of life in the County.

The County OP aims to focus growth in Urban Areas, and to support the establishment of complete communities. The policies contained within the County Official Plan encourage the provision of a range of housing types to accommodate persons with diverse social and economic needs, and support opportunities for various forms of residential intensification, where appropriate.

The subject property is located within the Built Boundary of the Urban Area, as designated in the County Official Plan. The proposal will facilitate appropriate and timely residential infill development, as supported by the Northumberland County OP. It is my opinion that this proposal conforms to the policies of the Northumberland County and County Official plan.

3. Official Plan

The subject property is designated "Stable Residential Area" in the approved Town of Cobourg Official Plan (2017). Applications for additions within an existing neighborhood are generally evaluated based on the ability to maintain the existing character of the immediate surrounding residential area in compliant with the Section 3.4.3.1 policies;

- scale of development with respect to the height, massing and density of adjacent building and is appropriate for the site;
- respects the relation between the rear wall of buildings and rear yard open space
- siting of building in relation to abutting properties ensures that there will be no significant negative impacts with respect to privacy and shadowing and appropriate buffering can be provided;
- respects the residential lotting pattern in the immediate surrounding area;
- development has direct access from a public or condominium road;
- any proposed streets are adequate to accommodate municipal services;
- does not hamper or prevent orderly development of adjacent properties;
- development incorporates measures that enhance sustainability;
- Is in accordance with the Town's Urban and Landscape Design Guidelines.

The proposed coach house with storage basement and loft space is consistent with the existing built form of the main building although other residences along this stretch of Park Street are otherwise quite close to the street. As per the proposal, the livable space is limited to the main floor, where living room, kitchen, bedroom and bathrooms are proposed with a covered porch in the front, similar to the existing covered porch at 48 Park Street. Refer to **Schedule C "Elevations and Floor Plans"** attached.

A Heritage Permit will be required for the proposed new coach house as it is located within the George Street Heritage Conservation District. A detailed review

to ensure compliance with existing streetscape will be conducted at the future Heritage Permit Stage.

Urban and Landscape Design Guidelines

The Cobourg Urban and Landscape Design Guidelines (“the Design Guidelines”) were adopted by Council in September 2010 and are now in effect. The general design policies in the current, approved OP should be read together with the Design Guidelines when evaluating development applications, including minor variance applications.

Section 4.5.2.7 Coach Houses identifies several guidelines when designing a coach house building that appears to be met. The majority of the policies refers to the traditional Coach House structure where the residence is located above a garage, however Cobourg’s experience for our ageing population is that coach houses have tended to be single floor structures easily accessible from the ground or attached to a garage with larger footprints than 8% lot coverage or only located on large lots. Additionally, the project will need to comply with Section 4.5.3.1 Heritage Conservation Districts policies and illustrate how the new infill development is sympathetic to the existing built form and respects the context of each district. The George Street Heritage Conservation District exhibits heritage characteristics and careful consideration should be given to compatibility and design, height, massing, scale and relations between surrounding properties.

According to the submitted site plan and elevation drawings, the development complies with the general planning technical details subject to finalization of the exterior elements, colors and characteristics of the new accessory structure at the Heritage Permit and Building Permit stage subject to further staff review.

Based on the information above, it is my opinion that the proposal maintains the general intent of the policies of the Official Plan (2017) and the Town’s Urban and Landscape Design Guidelines subject to finalized of plans at further permit stages.

4. Zoning By-law

The subject property is located in a Residential Three (R3) Zone in the Comprehensive Zoning By-law, where accessory dwelling units and coach houses are permitted. It is important to note as per the Permitted uses and Accessory Dwelling Unit By-law No. 013-2017, the property would only be limited to the coach house and no further additional accessory dwellings in the existing primary dwelling would be permitted.

The Zoning By-law allows accessory structures to cover a maximum of 8% of the lot area and a combined lot coverage of 40% for all buildings on the property, including the primary dwelling. As per **Schedule B “Site Plan”**, the proposed accessory structure occupies 14.4% of the maximum lot coverage but only a combined 28% of the allowed 40% lot coverage. Additionally, the proposal illustrates a total livable area of 42.4% compared to the main dwelling, when the By-law only permits a maximum 40%.

The intent of By-law 013-2017 with a maximum floor area of 100 m² and maximum of 40% of the primary dwelling is to ensure that proposed accessory dwelling unit is secondary to the primary dwelling of the lot, and to ensure no additional units are created within the main or accessory dwellings. According to the submitted documents, the proposed development complies with the setback requirements as prescribed under the Accessory Dwelling Unit By-law No. 013-2017.

Additionally, any new asphalted driveway introduced would have to comply with the Town of Cobourg Section 6.1.6.3.iii) and maintain a minimum of 1 metre between the property line. It appears the existing gravel driveway off Park Street complies.

In summary, it is my opinion that this proposed Coach House constitutes good planning and proposed variances are appropriate, and maintain the general intent of the Comprehensive Zoning By-law No. 085-2003.

5. Minor/Desirable

Planning staff has reviewed the application and comments submitted to date and visited the subject property and surrounding neighborhood. For information, an assessment of “minor” is not necessarily a numerical exercise (10 percent, 50 percent, 100 percent. etc.) but must include a review of the impact of a development proposal not only from an appropriate/desirability and compatibility perspective, but also on the Zoning By-law provisions and intent of the regulations as a whole. ‘Desirable’ is a Planning Act test to assess the orderly development of the lot and compatibility with the neighborhood.

After careful consideration, I am of the opinion that the proposed new accessory coach house is consistent with the neighborhood characteristics, massing and would be a desirable addition to the existing built form. As noted above, Cobourg’s Coach Houses have tended to be single-storey larger building rather than above-garage traditional structures. The Town encourages the introduction of accessory dwelling units within single detached, semi-detached and townhouse lots to increase the housing stock availability within municipalities as per provincial direction. Had this lot not been separated halves of a semi-detached dwelling, the lot configuration would have resulted in an overall lot of 921.6 m² and house area of approximately 315 m² and neither minor variance would have been required. It is only that the property in question is half of a semi-detached unit that triggers the concern.

The specific example at 48 Park Street with the semi-detached dwelling located to the west side of the overall parcel, leaves a large area on the east side available for potential development. A modest coach house suits the applicant’s needs rather than a major addition to the house which already has a tenant living in it and extra storage rather than living space is very important as discussed with them. A similar visual situation exists at 44-46 Park Street, where a semi-detached house lies (each on its own lot like 48-50 Park Street), with a smaller cottage at 40 Park Street. In this instance at 48 Park Street, it is a coach house and would not be separated nor potentially severed. 48 and 50 Park Street sit far back from the street (approximately 50 feet) with parking in behind on a joint paved driveway. Parking for both of the semi-detached units will remain intact. Visually 48-50 Park Street

appear as one building and with the proposed coach house, I believe would look similar to the context to the east.

Given the above discussion, it is my opinion that the above proposal is a minor addition to the existing streetscape.

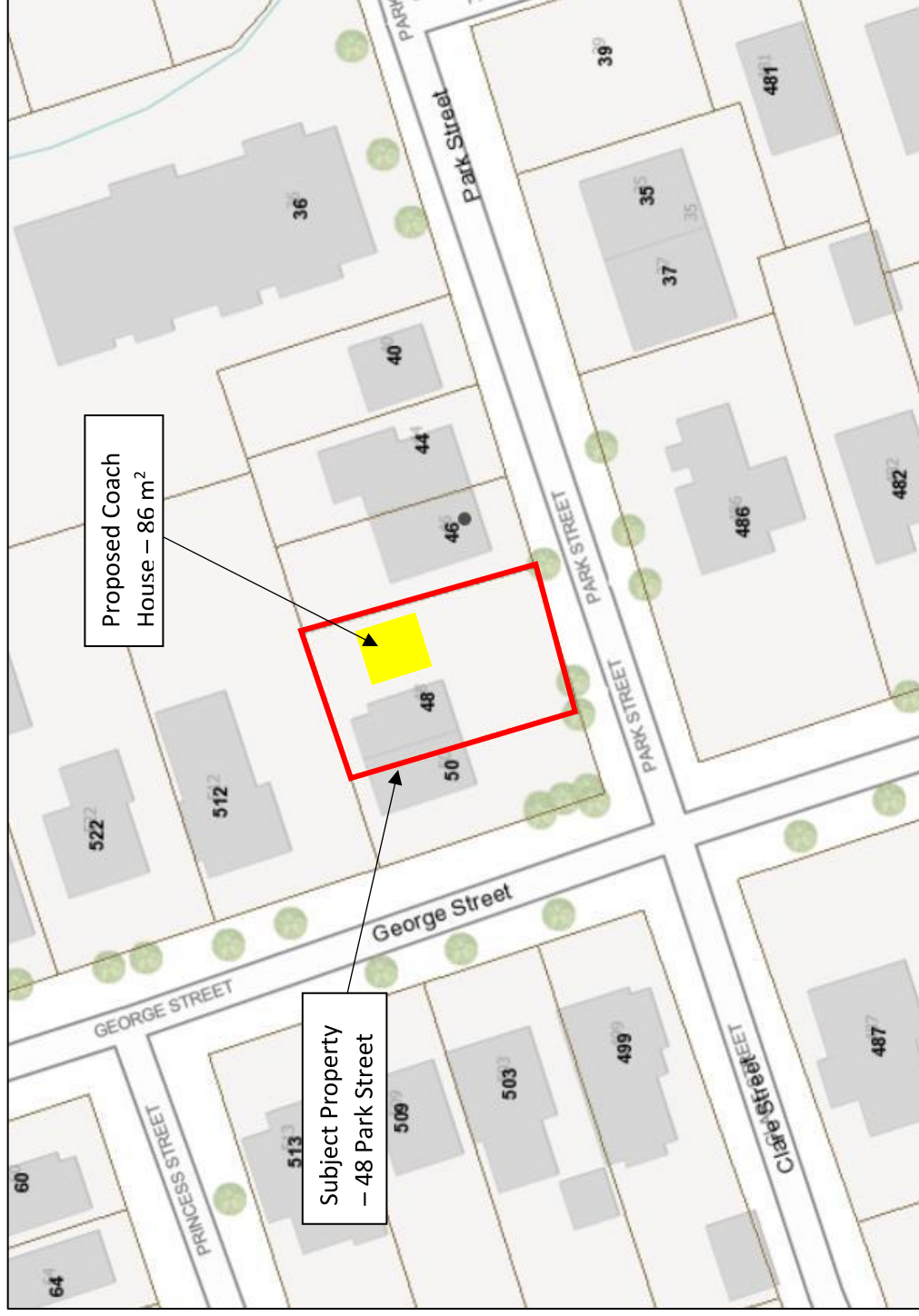
7. FINANCIAL IMPLICATIONS/BUDGET IMPACTS

There are no new anticipated negative financial implications imposed on the Municipality as a result of this minor variance. The requisite application fee and deposit of \$1,850.00 was paid for this application.

8. CONCLUSION

1. The proposed Minor Variance does not conflict with matters of Provincial Interest as outlined in the Provincial Policy Statement and Provincial Growth Plan.
2. The proposed Minor Variance would maintain the general intent and purpose of the County and Cobourg Official Plans.
3. The proposed Minor Variance would maintain the general intent and purpose of the Zoning By-law.
4. The proposed Minor Variance would be generally desirable and consistent with the existing built form in the surrounding area.
5. The proposed Minor Variance is minor in nature.
6. The development is subject to Heritage and Building Permits from Town of Cobourg Planning and Building Departments.

CONTEXT MAP



<p>The undersigned has reviewed and is responsible for this design and the information contained herein. The undersigned certifies that the design is original and that the information is true and correct.</p> <p>DESIGNATION: RECORD SETS</p> <p>Registered architect design is exempt under the D.C. 2-213.1 of the building code</p>	<p>NAME</p> <p>ANDREW SMITH</p> <p><i>Andrew Smith</i></p> <p>SIGNATURE</p> <p>28072</p> <p>DATE</p>
<p>The undersigned has reviewed and is responsible for this design and the information contained herein. The undersigned certifies that the design is original and that the information is true and correct.</p> <p>DESIGNATION: INFORMATION</p> <p>Registered architect design is exempt under the D.C. 2-213.1 of the building code</p>	<p>NAME</p> <p>ANDREW SMITH BUILDING DESIGN</p> <p>SIGNATURE</p> <p>12009</p> <p>DATE</p>

ISSUE SCHEDULE				
NO.	DATE	ISSUED	BY	
3	6.14.2022			Issued for construction
2	6.03.2022			Issued for building Permit
1	3.02.2022			Issued for heritage Permit
				Issued for Minor Variance
				Issued for Client Approval
				Issued for Preliminary Review

DRAWING

Site Plan

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2004 studio bits, courtesy of kfu 327

DESIGN	AKS		PROJECT No.	2021-182
	DRAWN	CHK		
	AM	AKS	SHEET No.	A100
DATE	March 2022			
SCALE			1/8"=1'-0"	

PROPERTY LINE	EXISTING CONSTRUCTION	POLE	OVERHEAD SERVICE	EXISTING TREE TO REMAIN
LINE OF SETBACK	NEW CONSTRUCTION	C-CABLE	1-TELEPHONE	
EXISTING SPOT ELEVATION		LI-GHIGHT STANDARD		
NEW SPOT ELEVATION				

SURVEY INFORMATION ON THIS DRAWING
WAS TAKEN FROM:

PLAN OF SURVEY OF
LOT 4, BLOCK 1
TOWN OF CORBOURNE
COUNTY OF NORTHUMBERLAND

SURVEY PREPARED BY:
KEITH F. LASHLEY, ONTARIO LAND SURVEYOR

DATED: _____
(YEAR)

[illegible]

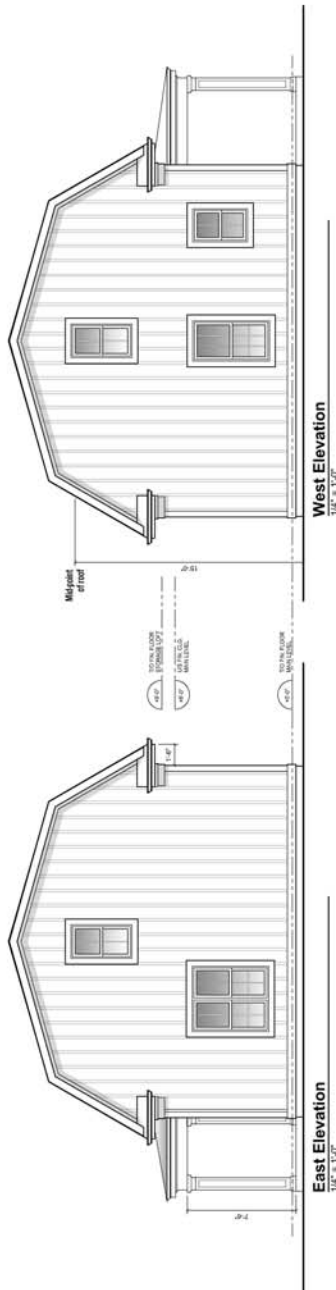
[illegible]

ISSUE DC-REDULE			
			Issued for Construction
			Issued for Building Permit
			Issued for Mortgage Permit
	3	3	6.14.2022
			Issued for Water Variance
	2	2	6.03.2022
			Issued for Client Approval
	1	1	3.02.2022
			Issued for Preliminary Review
	NO.	DATE	ISSUED
			BY

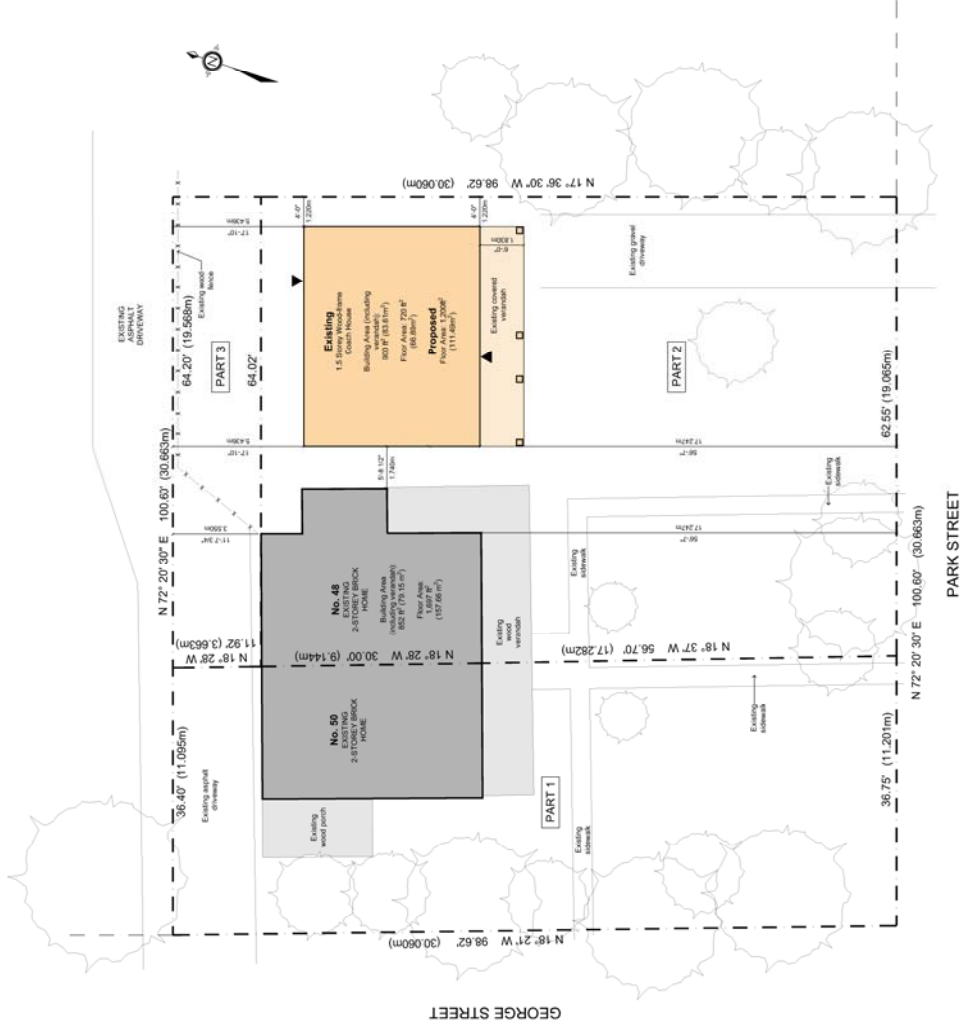
Floor Plans and Exterior Elevations

© 2007-2012 www.danwithings.com
2014 Indian Street, Cambridge, on the 207

DESIGN	AKS		PROJECT No.	2021-182
DRAWN	AW	CHK. AKS	SHEET No.	A200
DATE	March 2022			
SCALE 1/8"=1'-0"				



Attachment 2 - Site Plan



Site Plan
1/8" = 1'-0"

SITE PLAN LEGEND

- PROPERTY LINE
- LINE OF SETBACK
- EXISTING SPOT ELEVATION
- NEW SPOT ELEVATION
- EXISTING CONSTRUCTION
- NEW CONSTRUCTION
- POLE
- CABLE
- UNDERGROUND
- UNDERGROUND
- OVERHEAD SERVICE
- TELEPHONE
- EXISTING TREE TO REMAIN

SITE INFORMATION SOURCE

SURVEY INFORMATION ON THIS DRAWING

WMS TAKEN FROM

PLAN OF SURVEY OF

TOWN OF COBURG

DATE OF SURVEY

SURVEY PREPARED BY

DATED

ZONING & SITE DATA

EXISTING	PROPOSED	COMPLIES
RS	RS	YES
581.00m ²	581.00m ²	YES
112.00m ²	112.00m ²	YES
44.00m ²	44.00m ²	YES
111.00m ²	111.00m ²	YES
42.4%	42.4%	YES
17.7m ²	17.7m ²	YES
4.0m	4.0m	YES
12.24m	12.24m	YES
5.34m	5.34m	YES
1.70m	1.70m	YES
10.60m	10.60m	YES

PROPOSED

NO.	DATE	REVISION
1	6.12.2022	Issued for Review

Bylsma Coach House
Renovation to Existing Lift Space in
Single Family Detached Secondary Suite
48 Park Street, Cobourg, ON

Site Plan

**andrewsmith
buildingdesign**

DESIGN: AS
DRAWN: AS
DATE: June 2023
SCALE: 1/8" = 1'-0"

PROJECT No: 2021-182
SHEET No: A100