



Town of Cobourg

Committee of Adjustment – Notice of Decision

Submission No: **B-03-23**
Date of Hearing: June 20 2023
Date of Decision: June 20 2023

In the matter of Section 53 of the *Planning Act*, an application for a stormwater drainage easement of an area of approximately 12,242 m2 in favour of Lots 1 to 6 and will span across the rear yards of Lots 1 to 6 on Draft Plan Subdivision located on Kerr Street.

Name of Applicant / Agent: Shawn Legere, RFA Planning Consultant Inc. on behalf of Kwendill Holdings Ltd.


Property Address: Kerr Street

The request is hereby granted for the following reasons:

1. The proposed easement is consistent with and does not conflict with the Provincial Policy Statement and the Growth Plan, respectively;
2. The proposed easement conforms to both the County of Northumberland and the Town of Cobourg Official Plan;
3. The proposed development and easement comply with the Town’s Zoning By-law. The industrial lots are permitted and comply with the zone regulations.;
4. The proposed easement will be generally desirable and allow for the appropriate development of the subject lands for six (6) industrial lots with a shared internal road and drainage via the stormwater management facility. Each of the lots are subject to site plan control; and,
5. The proposed consent satisfies the criteria of Section 51 (24) of the Planning Act.

Subject to following conditions:

- a) That the Owner submit a Draft Reference Plan to the satisfaction of the Secretary-Treasurer prior to registration.
- b) That the easement also be conveyed to the Town.
- c) That the Subdivision Agreement for the subject lands reflect the location of the proposed easement and the necessary maintenance obligations.
- d) That all conditions are subject to the specifications and approvals of the Town of Cobourg, but at no cost to the Municipality.


Robert Marr, Member ~~Chair~~


David Dexter, Member


Peter Delanty, Member


Brian Murphy, Member


Terry Brown, Member

Signed on: June 20, 2023

Last date of Appeal of Decision: **July 10, 2023**

CERTIFICATION:

I, Vanessa Reusser, Secretary-Treasurer hereby certify that this is a true copy of the decision of Town of Cobourg Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.



Vanessa Reusser,
Secretary-Treasurer to the Committee of Adjustment

Appealing to the Ontario Land Tribunal
The Planning Act, R.S.O. 1990, as amended, Section 53

The applicant, the Minister or any specified person or public body who has an interest in the matter may within twenty (20) days after the giving of notice appeal to the Ontario Land Tribunal (OLT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal under the Ontario Land Tribunal Act.

Note: The *Planning Act* defines a "specified person" which does not include a neighbouring landowner.

When no appeal is lodged within twenty (20) days after the giving of notice the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

Please mail or courier appeals and prescribed fees to:

Office of the Municipal Clerk - Committee of Adjustment
55 King Street Cobourg, ON
K9A 2M2

If you have questions regarding the appeal process, please email clerk@cobourg.ca

Ontario Land Tribunal - Appeal Fees & Forms

The OLT appeal fee is \$400 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The OLT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Appeal forms (A1 Appeal Form – Consent) can be obtained at www.elfto.gov.on.ca or by contacting our office at 905-372-4301 or clerk@cobourg.ca.