



Town of Cobourg

Committee of Adjustment – Notice of Decision

Submission No: **B-05-24**
Date of Hearing: December 17, 2024
Date of Decision: December 17, 2024

In the matter of Section 53 of the *Planning Act*, an application to sever a 666.7 m² parcel from the subject lands, retaining a 715.5 m² parcel for the existing residence.

Name of Applicant / Agent: Nancy Richardson and Len Van Wyk (Clark Consulting)

Property Address: 16 Parkwood Drive

The request is hereby granted for the following reasons:

1. The proposed consent does not conflict with matters of Provincial Interest as outlined in the Provincial Policy Statement and A Place to Grow Plan;
2. The proposed Consent would maintain the general intent and purpose of the County of Northumberland and Town of Cobourg Official Plans;
3. The proposed Consent would maintain the general intent and purpose of the Zoning By-law;
4. The proposed Consent would be generally desirable and consistent with existing accessory buildings in the surrounding area.

Subject to following conditions:

- a. That each condition shall be fulfilled no later than two (2) years from the date of mailing of the decision;
- b. That the Owner(s) obtain approval in the form of a Zoning Bylaw Amendment or Minor Variance for the lot area of the severed lot and any other applicable provisions, to the satisfaction of the Town of Cobourg;
- c. That road widening or confirmation thereof for the provision of 10 metres (33 feet) of road allowance width along Parkwood Drive clear of encumbrances, building, structures, and fencing from the centerline of the travelled portion across the frontage of the severed and retained parcels in this proposal to the satisfaction of the Director of Planning and Development;
- d. That the Owner(s) install individual servicing connections for both the severed lot and the retained lot;
- e. That the Owner(s) remove all structures on the proposed severed lot;
- f. That the Owner(s) remove portion of the deck on the retained parcel to comply with the encroachment provisions set out in the Zoning By-law;
- g. That prior to the stamping of a Deed, a Severance Agreement, if applicable, be registered on Title of the new lot to address all future development requirements such as but not limited to servicing; stormwater; grading; driveway and access; tree identification and protection; Arborist Report; buffering/screening; urban design, all to the satisfaction of the Town;
- h. That the Owner(s) applies for and obtains an entrance permit and constructs and maintains the approved entrance to the severed and retained lands;
- i. That the owner applies for municipal civic address for the severed lot and retained lot;
- j. That a Cash-in-lieu of parkland payment equal to 5% of the value of the subject severed lands be provided to the Municipality in accordance with Section 51.1 of the Planning Act;
- k. That the Owner(s) provide confirmation of no outstanding taxes on the Subject Lands;
- l. That for Consent File Nos. B-05-24, the owner(s) shall provide two (2) white prints of a deposited plan of reference of the severed lands, including any required road widening or easements, which conform substantially to the application as approved to the Municipality's Planning Department and a digital copy of the final survey also be provided in a suitable format (preferably .dwg) to the Municipality at planninginfo@cobourg.ca referencing the Planning Department file number, the name of the client, and the registered plan number (if appropriate) in the subject line;
- m. That the Owner(s) provide the Municipality with a registrable description on a deed conveying the severed lands, for use for the issuance of the official Certificate of Consent; and,
- n. That all conditions are subject to the specifications and approvals of the Town of Cobourg, but at no cost to the municipality.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

CERTIFICATION:

I, Nicole Lizotte, 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 with by a majority of the members who heard the application.



Nicole Lizotte,
Secretary-Treasurer to the Committee of Adjustment

Signed on: December 20, 2024

Last date of Appeal of Decision: **January 9, 2025**

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

The applicant, the Minister or a specified person or public body that has an interest in the matter may, within 20 days of the making of the decision, appeal to the Tribunal against the decision of the committee by filing a notice of appeal with the City Clerk either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting [Town of Cobourg] as the Approval Authority or by mail [Town of Cobourg, Committee of Adjustment, 55 King Street West, Cobourg, ON K9A 2M2], no later than 4:30 p.m. on or before **January 9, 2025**. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day.

The appeal fee of \$1,100 can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca. If the e-file portal is down, you can submit your appeal to committeeofadjustment@cobourg.ca

Note: In accordance with Section 53 of the *Planning Act* third party appeals by persons or individuals are not permitted. When no appeal is lodged within twenty days after the giving of notice, the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

For more information on the appeal process to the Ontario Land Tribunal (OLT), please contact: [Appeals Process - Tribunals Ontario - Environment & Land Division \(gov.on.ca\)](#) or (416) 212-6349 / 1-866-448-2248.