



Town of Cobourg

Committee of Adjustment – Notice of Decision

Submission No: **A-06-2023**
Date of Hearing: February 20, 2024
Date of Decision: February 20, 2024

In the matter of Section 45 of the *Planning Act*, an application for minor variances for the property municipally known as 111 Hibernia Street to:

- increase the maximum permitted number of dwelling units from 172 units for the elderly and disabled and 32 hostel dwelling units to a maximum of 400 dwelling units, regardless of type;
- increase the permitted maximum height from four (4) storeys to five (5) storeys;
- decrease the landscaped open space from the existing 65% to 42%; and,
- increase the maximum net density of 100 units per net hectare to 150 units per net hectare.

Name of Applicant / Agent: Michael Eden on behalf of Branch 133 Legion Village Inc.
Property Address: 111 Hibernia Street:

The request is hereby **granted** for the following reasons:

1. The proposed minor variance maintains the general intent and purpose of the Official Plan;
2. The proposed minor variance maintains the general intent and purpose of the Zoning By-law;
3. The proposed minor variance is generally desirable for the appropriate development or use of the land, building, or structure; and,
4. The proposed variance is minor in nature.

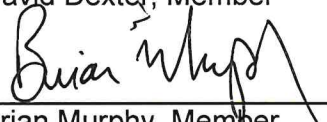
Subject to the following conditions:

- a) The completion of a Shadow Impact Study to determine shadow impacts to surrounding lands including any necessary adjustments to site and building design to the satisfaction of the Planning Department.
- b) The completion of a comprehensive downstream sanitary capacity study which will include all known future development to the satisfaction of the Municipal Engineering Department. The Owner shall be 100% responsible for any identified works to facilitate this development and such works shall be included in the future development agreement.
- c) The submission of a survey with geodetic elevations prepared by an Ontario Land Surveyor (OLS) or Professional Engineer (P. Eng.) demonstrating all new habitable development is located outside the floodplain to the satisfaction of the GRCA.
- d) The submission of a Functional Servicing Report prepared by a Professional Engineer (P. Eng.) in accordance with GRCA's Technical and Engineering Guidelines for Stormwater Management Submissions addressing stormwater management to the satisfaction of the GRCA and the Municipal Engineering Department.
- e) The submission of any other technical reports and drawings identified during the Town of Cobourg's pre-consultation process.
- f) Entering into a development agreement including the submission of all securities, deposits, and payments to the satisfaction of the Manager of Development Review.
- g) All conditions are subject to the approval of the Town of Cobourg, but no cost to the Municipality.


Robert Marr, Chair


David Dexter, Member


Peter Delanty, Vice Chair


Brian Murphy, Member


Terry Brown, Member

Signed On: February 20, 2024

Last date of Appeal of Decision: **March 11, 2024**

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 45

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 making of the decision 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 – Minor Variance) can be obtained at www.elfto.gov.on.ca or by contacting our office at 905-372-4301 or clerk@cobourg.ca.