



The Corporation of The Town of Cobourg
COMMITTEE OF THE WHOLE MEETING
AGENDA

Monday, November 16, 2020

6:00 P.M.

Electronic Participation

Please note, the Presentation from Lakefront Utilities Inc. and Item 10.2 under Parks and Recreation, named Memo from the Deputy Director of Public Works, regarding Cobourg Community Centre (CCC)– Micro-Turbine Combined Heat and Power Proposal has been removed from the Agenda.

Pages

***2. ADDITIONS TO THE AGENDA**

- *2.1. Notice of Hearing of the Committee of Adjustment for the severance of a new lot for the lands known as 105 Havelock Street, Cobourg;
- *2.2. Notice of Hearing of the Committee of Adjustment for the severance of a new lot for the lands known as 163 Ontario Street, Cobourg;
- *2.3. Memo from the Secretary, Cobourg Heritage Advisory Committee, regarding 520 William Street, Cobourg, Building C (Certo Building).

Action Recommended:

THAT the matters be added to the Agenda.

8. PLANNING AND DEVELOPMENT SERVICES

- *8.4. Notice of Hearing of the Committee of Adjustment for a Consent for Severance – New Lot and a Minor Variance from Comprehensive Zoning By-law No. 85-2003 on lands known municipally as 105 Havelock Street, Cobourg 3

Action Recommended:

THAT the report be received for information purposes.

- *8.5. Notice of Hearing of the Committee of Adjustment for the severance of a new lot for the lands known as 163 Ontario Street, Cobourg 45

Action Recommended:

THAT the report be received for information purposes.

- *8.6. Memo from the Secretary, Cobourg Heritage Advisory Committee, regarding 520 William Street, Cobourg, Building C (Certo Building) 61

Action Recommended:

THAT Council endorse the recommendation of the Cobourg Heritage Advisory Committee and grant a Heritage Permit Application HP-2020-

031, submitted by Keith Colterman of Historic Carpentry Inc. on behalf of FV Pharma, for the proposed roof replacement, building stabilization and masonry restoration of Building "C" (Certo building) as specified in the engineered design drawings in *Appendix "A"*, be approved and implemented subject to the finalization of details by Building and Heritage staff.



The Corporation of the Town of Cobourg

NOTICE OF HEARING OF
THE COMMITTEE OF ADJUSTMENT

SUBJECT LANDS: 105 Havelock Street

FILE NO: A-05/20
B-06/20

The Town of Cobourg Committee of Adjustment has received an application from Shawn Legere of RFA Planning Consultant Inc. on behalf of 2471366 Ontario Inc. for a Consent for Severance – New Lot and a Minor Variance from Comprehensive Zoning By-law No. 85-2003 on lands known municipally as 105 Havelock Street in accordance with Sections 53 and 45 of the Planning Act, R.S.O. 1990, c.P.13, as amended. Please see the Key Map below.

The proposed Consent – New Lot will sever the vacant area of land to the west of the existing dwelling at the corner of Spring and Havelock Streets (105 Havelock Street) for a residential building lot having a frontage of 14.8 m on Havelock Street and a lot area of 367 m² (the “Severed Lands”). The “Retained Lands” occupied by the existing dwelling would have a frontage of 18.2 m on Havelock Street and a lot area of 470 m² under this proposal.

A number of Variances to the Zoning By-law have been requested on the **Severed Lands**: to reduce the lot area from 370 m² to 367 m²; to increase the maximum permitted lot coverage from 40% to 45% and; to decrease the required exterior side yard setback from 6.0 m to 4.5 m where there is no established side yard. The applicant is also requesting a variance to increase the lot coverage on the **Retained Lands** from 40% to 50% and to recognize the existing detached accessory building setback of 0.6 m (a reduction of 0.4 m from the required 1.0 m).

A Hearing of the subject application, pursuant to *Planning Act* requirements, will be held by the Committee of Adjustment on **Tuesday, November 17th 2020** via Zoom Video Conference at **4:00 p.m.** Please note if a party who is notified does not attend the hearing or make written submissions prior to the Hearing, the Committee can proceed and the party is not entitled to any further notice.

NOTE TO THE PUBLIC:

Due to the COVID-19 Pandemic, Committee of Adjustment Hearings will be conducted through Zoom Video Conference Applications. If you wish to be a Participant at the Video Hearing, **you should register** with Brent Larmer, Municipal Clerk, via e-mail at clerk@cobourg.ca or by phone at (905)372-4301 no later than **12:00 pm (noon) on November 16th**. Please ensure that you have a computer or tablet with good internet access to enable you to participate in the Public Meeting electronically. If you do not wish to participate by video, or do not have the necessary technology, you may use a telephone and call in to participate. Alternatively, written submissions to the Municipal Clerk, 55 King Street West, Cobourg, Ontario, K9A 2M2 in advance of the Video Hearing are encouraged and will be made available to any interested person at the Hearing.

The details for participating in the Hearing are as follows:

Web: <https://us02web.zoom.us/j/87173414333?pwd=REtSTW42aDRpa1E1THhSaDhmS0NsQT09>

Phone: +1 647 374 4685 or 1 647 558 0588 Canada

Meeting ID: 871 7341 4333

Password: 878720

Citizens may tune into the LIVE YouTube feed to watch the Hearing at www.youtube.com/towncobourg.

Additional information which will enable the public to understand the proposed application is available upon request by contacting the Town's Planning Department, c/o Rob Franklin, Manager - Planning, Victoria Hall, 55 King Street West, Cobourg, K9A 2M2, via e-mail at rfranklin@cobourg.ca or by phone at 905-372-1005 during regular office hours.

DATED at Cobourg this 29th day of October, 2020

ZONE: Residential Type 3 (R3) Zone

Adriane Miller, Secretary-Treasurer


Committee of Adjustment

amiller@cobourg.ca

(905)372-1005

KEY MAP



 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG	
	STAFF REPORT	
TO:	Committee of Adjustment	
FROM:	Rob Franklin, MCIP, RPP	
TITLE:	Manager of Planning	
DATE OF MEETING:	November 17 th , 2020.	
TITLE / SUBJECT:	Application for Minor Variance, and: Application for Severance: 105 Havelock Street (2471366 Ontario Inc.)	
REPORT DATE:	November 13 th , 2020	File #: A-05/20 B-06/20

1.0 CORPORATE STRATEGIC PLAN OBJECTIVES

N/A

2.0 RECOMMENDATION

The following actions are recommended:

THAT the requested minor variances on the **Severed Lands**: to reduce the lot area from 370 m² to 367 m²; to increase the maximum permitted lot coverage from 40% to 45% and; to decrease the required exterior side yard setback from 6.0 m to 4.5 m where there is no established side yard; and,

FURTHER THAT the requested minor variances on the **Retained Lands** to increase the lot coverage from 40% to 50% and to recognize the existing detached accessory building setback of 0.6 m (a reduction of 0.4 m from the required 1.0 m);

All to permit a new infill lot on the property known municipally as 105 Havelock Street be granted subject to the following conditions:

1. That the Variances generally relate to the plans submitted in **Schedule "B"**.

2. All conditions are subject to the specifications and approval of the Town of Cobourg, but at no cost to the Municipality.

And:

THAT the requested Consent for an infill lot from 105 Havelock Street with 14.8 m frontage and 367 m² lot area be granted subject to the following conditions:

1. That prior to the stamping of a Deed, a Severance Agreement be registered on Title of the new lot to address all future development requirements such as but not limited to servicing, grading, driveway and access, heritage conservation including compatible heritage design following approved guidelines, urban design and landscaping including screening, all to the satisfaction of the Town.
2. That 5% of the value of the land be paid to the Town as cash-in-lieu of parkland.
3. All conditions are subject to the specifications and approval of the Town of Cobourg, but at no cost to the Municipality.

3.0 PUBLIC ENGAGEMENT

Section 45 (5) of the Planning Act, R.S.O. 1990, c.P. 13, as amended, prescribes statutory notice requirements for consent and minor variance applications. The Planning Act requires that at least fourteen (14) days notice for a consent and ten (10) days notice for a minor variance be given 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 Town of Cobourg implements both a) and b) above in excess of the prescribed timelines, therefore 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.

4.0 ORIGIN

The subject property known as 105 Havelock Street is an established residential property, improved with a one and a half storey single-unit residential dwelling. The subject property has approximately 25.6 m (84 ft) in frontage on Spring Street, and approximately 884 m² (9, 515 ft²) in lot area. See **Schedule "A"** Key Map.

The applicant wishes to sever a new infill lot on the vacant lands to the west of the existing residential structure. Accordingly, the applicant is proposing the following Consent:

Proposed Consent for a New Lot: Approximately 367 m² in area with 14.8 m frontage on Havelock Street.

The subject property is located in a Residential Three (R3) Zone the applicant is seeking the following variances:

On The Severed Lot:

- To permit a lot area of 367 m² for a new infill lot, a variance of 3 m²;
- To permit a lot coverage of 45%, a variance of 5%;
- To permit an exterior side yard of 4.5 m where there is no established exterior side yard, a variance of 1.5 m.

On The Retained Lot:

- To permit a lot coverage of 50%, a variance of 10%;
- To recognize the existing detached accessory structure building setback of 0.6 m, a variance of 0.4 m.

5.0 ANALYSIS

In the analysis of this application, a number of items have been reviewed as outlined below:

- Key Map (**Schedule A**) showing the surrounding area;
- Concept Plan (**Schedule B**) by RFA Planning Consultant Inc.;
- Air Photo (**Schedule C**);
- Planning Rationale (**Appendix I**) by RFA Planning Consultant Inc.
- Letter of Opinion by Martindale Planning Services (attached to **Appendix I**)

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 A Place to Grow Growth Plan and include:

- promoting efficient, cost-effective and financially sustainable development and land use patterns;

- 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.

Beyond the above items, Section 1.4.3 of the PPS directs municipalities to permit all forms of housing to provide an appropriate range and mix of housing types and densities – including affordable housing. Further, municipalities should permit and facilitate residential intensification and redevelopment within existing, built-up serviced areas. However, it is not development at all costs, Section 2.3.1 requires that significant heritage resources shall be conserved. The subject lands are located within the George Street Heritage Conservation District (HCD). As part of this application, a Letter of Opinion - Heritage was submitted by Martindale Planning Services and is included in **Appendix I**. Mr. Martindale, a certified heritage professional (CAHP), finds that a new structure on a new lot with 3.2m separation distance does not adversely affect the cultural heritage value or heritage attributes of the District nor of the existing house at 105 Havelock Street. Although not specified in the Letter, it is my opinion that if the District Guidelines are being met, that the heritage resource is being conserved meeting the PPS requirement (see further discussion below in the George Street HCD section).

The proposal will create a new infill lot is of a suitable size and configuration to support a modest new house without disturbing the surrounding land uses, or negatively impacting the existing use of the residential property. It also, as noted above, conserves the heritage home.

Overall, it is my opinion that the proposal reflects the provincial directive to create strong, liveable, healthy and efficient communities through efficient land use. The application will maintain the character of the established, heritage neighbourhood. In my opinion, this property is a suitable candidate for a minor residential intensification.

Given the above discussion it is my opinion that the proposal maintains the general intent and purpose PPS and A Place to Grow Growth Plan.

2. Northumberland County Official Plan

The Official Plan for the County of Northumberland was approved by the Ontario Municipal Board on November 23, 2016 and is now in full force and effect. The purpose of this 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 subject lands are located within the Built Boundary of the Urban Area, as designated in the County Official Plan. 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.

It is my opinion that this proposal supports the policies of the Northumberland County Official Plan by providing residential intensification within the urban serviced area of the municipality.

3. Official Plan

The subject property is designated Stable Residential Area in the approved Town of Cobourg Official Plan (2010). Applications for new development in such areas are to be evaluated based on their ability to generally maintain the structure and character of the surrounding area. The land use policies of the Stable Residential Area designation provide a number of elements that new development applications should be evaluated on. The following elements were considered as part of this variance application:

i) scale of development respects the height, massing and density of adjacent buildings and is appropriate for the site;

The proposed infill lot will be situated to the west of the existing heritage building. A new dwelling would be required to be set back from the street in line with other buildings on the street. Height and massing considerations would be a requirement of any future design via a CHIA and/or architectural plans prepared by a qualified heritage architect/designer, and be reviewed by the Cobourg Heritage Advisory Committee and Council as part of a Heritage Permit process.

ii) respects the nature of the streetscape as defined by such elements as landscaped areas, and the relationship between the public street, front yards and primary entrances to buildings;

Front yard setback, primary entrances and landscaped yard areas would be part of any future design and approval. A new house may front Havelock or Spring Street.

iii) respects the relationship between the rear wall of buildings and rear yard open spaces;

The relationship between the rear wall of any new dwelling and the rear yard open space area will be part of any future design and approval. The proposed building will need to comply with the rear yard setback requirement of 7.0 m per the R3 Zone (being the south

side of the lot) and would provide reasonable spatial separation from the dwelling to the south.

iv) 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.

There is no current design for a new building – this will be subject to further review as part of the Heritage Permit approval process. A CHIA and/or detailed architectural plans will be required as part of this process. As noted above, the south side of the lot would be the rear yard for the new residence and would be subject to a min. 7.0 m setback to act as a spatial buffer from the dwelling to the south. Although a narrow lot, there are other examples in this neighbourhood of similar-sized or smaller lots that appear to be compatible with the neighbourhood. See **Schedule “C”** Air Photo and discussion below.

v) conforms with density provisions of Section 3.4.3.3;

The proposal for a new infill lot would be 22.6 units per hectare, within the range of medium density permitted in the Residential Area designation and slightly above the low density range of 20 units per hectare.

vi) Town is satisfied with the proposed grading, drainage and storm water management and, in particular that there is no impact on adjacent properties;

The new infill lot would be required to submit a grading and drainage plan for approval by Cobourg Public Works as part of its Building Permit should it be approved.

vii) does not hamper or prevent the orderly development of adjacent properties;

This application will not hamper or prevent the orderly development of adjacent properties.

viii) garages are designed so that they are not the dominant feature in the streetscape.

Any proposed garage would be reviewed as part of the architectural design and permit process to ensure a garage, if proposed, is not the dominant feature on the street. It is anticipated that a driveway will service the new lot with surface parking.

ix) is in accordance with the Town’s Urban and Landscape Design Guidelines

Further discussion on the Urban and Landscape Design Guidelines is included below.

Therefore, it is my opinion that the proposal as shown in the Schedules attached hereto maintains the general intent and purpose of the Official Plan.

The proposal to reduce the required frontage of a new infill lot and sever said lot will also need to conform to the West Heritage Conservation District policies and guidelines as described in Section 5.5 of the Official Plan. See below discussion.

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 and consent applications.

Section 4.5.2 Residential Buildings provides a general outline of principles for residential design. These principles speak to creating strong public face with attractive and animated building frontages that incorporate large windows and front porches, and also ensuring creative, high quality and diverse design that is context sensitive. Also the mass, scale and architectural elements should be sensitive to adjoining areas.

Based on the above discussion, it is my opinion that the proposal would maintain the intent of the Town’s Urban and Landscape Design Guidelines.

George Street Heritage Conservation District Guidelines

The George Street Heritage District Guidelines (George Street HCD) Section 7.1 have specific criteria for new construction requiring that it be compatible with the heritage character and attributes of adjacent heritage properties and the cultural heritage values of the District. This will require the review of the lot pattern, height, massing, setbacks, building scale, roof pitch and exterior materials. Maintaining the height and rhythm of the existing streetscape are needed to unify the District with no blank facades. Without a design concept, at this point of the process, we can only look at the pattern of lots. The Statement of District Significance and List of Heritage Attributes in Sections 2.2 and 2.3 were reviewed noting that lot sizes vary and that Spring Street’s size reflects its former use as a railway corridor and that setbacks are generally consistent to the street.

The Letter of Opinion from Martindale Planning Services attached to **Appendix 1**, was reviewed in support of this application. It describes the conservation goals and objectives of the George Street HCD but focuses on this site and concludes that the 3.2 m separation between the existing residential building and any new building is sufficient to conserve its heritage attributes and those of the District. Any future development will need *“careful attention to design details such as height, massing, bulk and materials so that any adverse impacts can be avoided and that a new dwelling fits into the neighbourhood”*. This will be required through a heritage permit application and supporting CHIA or equivalent documentation.

With the driveway and garage located on the east side of the existing home at 105 Havelock Street, the west exterior side yard is vacant and is not being used currently (other than occasional RV parking by the past owner on a driveway entrance from Spring

Street). The mid-twentieth century home to the south at 350 Spring Street is built all the way to its north property line with an attached garage facing Spring Street. It is my opinion that the vacant land to the west of 105 Havelock Street is not integral to the conservation of the heritage character of the house as the house faces north, not west and there are no porches or other architectural features on the west face of the building that require this space to remain open.

The Cobourg Heritage Advisory Committee (CHC) reviewed the subject application and passed a Motion at its meeting of November 4, 2020 (refer to **Appendix 2**) of no objection to the application and conditions for any future development in conformance with the policies of the George Street HCD.

4. Zoning By-law

The subject property is located in a Residential Three (R3) Zone. The R3 Zone permits single-unit and two-unit dwellings including semi-detached and duplex or converted dwellings, public and accessory uses. The R3 Zone has a number of requirements defining setbacks, lot coverage, density, etc. The proposed lot would have a frontage of 14.8 m and a full depth of 25.6 m resulting in a lot area of 367 m². A new dwelling on the severed lot will need to comply with the R3 Zone provisions (front yard, side yards, rear yard, coverage, etc.). The retained lot with the occupied dwelling would have a frontage of 18.2 m and a lot area of 470 m². The proposed new lot line would maintain a 1.6m setback from the front corner of the existing historic residence, in compliance with the R3 Zone requirements.

A number of variances have been requested to the Zoning By-law, which are discussed in more detail in Sec. 5 below.

Given an evaluation of the proposal and background materials submitted with the application and the discussion in this Report, it is my opinion that the proposal maintains the general intent and purpose of the Zoning By-law.

5. Minor/Desirable

It is important to note that the determination of “minor” in the context of a variance application such as this, is not a numeric exercise. The requested variances are assessed individually with respect to potential impact on surrounding land uses, and evaluated comprehensively with consideration to the overall proposed development.

To start there are a number of requests for minor variance, as summarized below:

On The Severed Lot:

- To permit a lot area of 367 m² for a new infill lot, a variance of 3 m²;
- To permit a lot coverage of 45%, a variance of 5%;

- To permit an exterior side yard of 4.5 m where there is no established exterior side yard, a variance of 1.5 m.

On The Retained Lot:

- To permit a lot coverage of 50%, a variance of 10%;
- To recognize the existing detached accessory structure building setback of 0.6 m, a variance of 0.4 m.

The majority of these variances directly relate to the 1.5 m road widening allowance dedication required along Spring Street and a daylighting triangle at the intersection pursuant to the Zoning By-law. If not for these requirements, the severed lot would have complied with the R3 Zone requirements. Therefore the majority of these variances are caused by the Municipal road requirements and are not development driven. The variances for the retained lot pertain to the increased lot coverage and the existing garage setback resulting from the new lot severance, and my analysis concludes that this is not out of character with properties within the neighbourhood nor should they impose any adverse impacts on adjacent properties.

An analysis of a number of lots in the general vicinity (150 m – 200 m radius, or approx. two (2) block area) of the subject property was undertaken to determine neighbourhood character. Overall, there is a mix of smaller and larger lots and homes, smaller semi-detached homes as well as multi-unit dwellings in this area along with several irregular shaped lots developed over time. It appears that several lots in the vicinity (Spring Street, Havelock Street and Bond Street) are smaller and narrower than this lot and the worker 'cottages' were the primary building form here. This analysis demonstrates that the lotting pattern of the general neighbourhood is diverse and varied.

Thus, the neighbourhood characteristics in this case are, in my opinion, supportive of the proposed lot frontage and severance of an infill lot from the subject property. In my opinion, when observing the size, context and location of the subject property relative to the surrounding neighbourhood, the property characteristics support the proposed lot.

Based on the above discussion, it is my opinion that the proposed variances, as discussed in this report, are minor. The proposed decrease in lot area, exterior side yard and lot coverage for a new infill lot and lot coverage on the retained lot, are minimal relative to the overall neighbourhood, and would be desirable for the appropriate development of the subject lands given that a reasonable building envelope and yard area exists for a new infill dwelling.

6. Section 51(24) of the Planning Act

The subdivision criteria of Section 51 (24) of the Planning Act provides criteria to be considered when evaluating the subdivision of land. Provincial Interest, the potential of whether an application is premature or in the public interest, the suitability of the land for development, affordable housing, adequacy of services including transportation links for

the property, the dimensions and shape of a lot, protection of natural resources, etc. are all items to be reviewed when commenting on a severance application. It is my opinion that the application to sever a new infill residential lot at 105 Havelock Street does not conflict with any of these items.

7. The requested minor variance and consent do not appear to create a traffic hazard or perpetuate an existing traffic problem. There is an existing curb cut for the severed lot on Spring Street (Collector Road), however it would be preferable to have it accessed from the local road, Havelock Street and maintain a modest amenity space. A daylighting triangle is identified in the application and should ensure that sightlines at the intersection are maintained in this urban downtown location.

8. The requested minor variance and consent do not appear to be impacted by any natural hazards.

9. The requested minor variances and consent do not appear to pose a negative impact on surrounding land uses. The neighbouring house to the south has its garage situated right on or next to the property line and may result in some future fencing and maintenance issues, however this is an existing, long-standing scenario and is not altered by the subject proposal.

The Cobourg Heritage Advisory Committee offered a number of comments included in its Motion affixed as **Appendix 2**.

The Committee of Adjustment will be informed of any further Department or Agency comments that have been received or any Public comments submitted on or before the meeting date.

6.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

There are no new anticipated negative financial implications imposed on the Municipality as a result of these minor variances. The applicant submitted the required \$5,000.00 application fees, stamping fee and deposit.

7.0 CONCLUSIONS VARIANCE

1. The proposed minor variances do not conflict with matters of Provincial Interest as outlined in the Provincial Policy Statement and the Place to Grow Growth Plan.

2. The proposed minor variances would maintain the general intent and purpose of the County and Cobourg Official Plans.

3. The proposed minor variances would maintain the general intent and purpose of the Zoning By-law.

4. The proposed minor variances would be generally desirable and allow for the appropriate development of the subject lands.

5. The proposed variances would be considered minor.

CONSENT

1. The proposed consent does not conflict with matters of Provincial Interest as outlined in the Provincial Policy Statement and A Place to Grow Growth Plan.
2. The proposed consent would maintain the general intent and purpose of the County and 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 allow for the appropriate development of the subject lands.

Suggested Conditions, if approved (Variance):

1. That the Variances generally relate to the Concept Plan as shown on **Schedule "B"**.
2. All conditions are subject to the specifications and approval of the Town of Cobourg, but at no cost to the Municipality.

Suggested Conditions, if approved (Consent):

1. That prior to the stamping of the Deed, a Severance Agreement be registered on Title of the new lot to address all future development requirements such as but not limited to servicing, grading, driveway and access, heritage conservation including heritage design following approved guidelines, urban design and landscaping including screening, all to the satisfaction of the Town.
2. That 5% of the value of the severed land be paid to the Town as cash-in-lieu of parkland.
3. All conditions are subject to the specifications and approval of the Town of Cobourg, but at no cost to the Municipality.

8.0 POLICIES AFFECTING THE PROPOSAL

The primary policies affecting this application relate to the policies of the Provincial Policy Statement, County and Cobourg Official Plan, particularly the Residential Area, Consent and Heritage policies.

9.0 COMMUNICATION RESULTS

That the request for minor variances on lands known municipally as 105 Havelock Street and further that the request for consent of a new infill lot, be granted by the Committee of Adjustment.

Approved by:

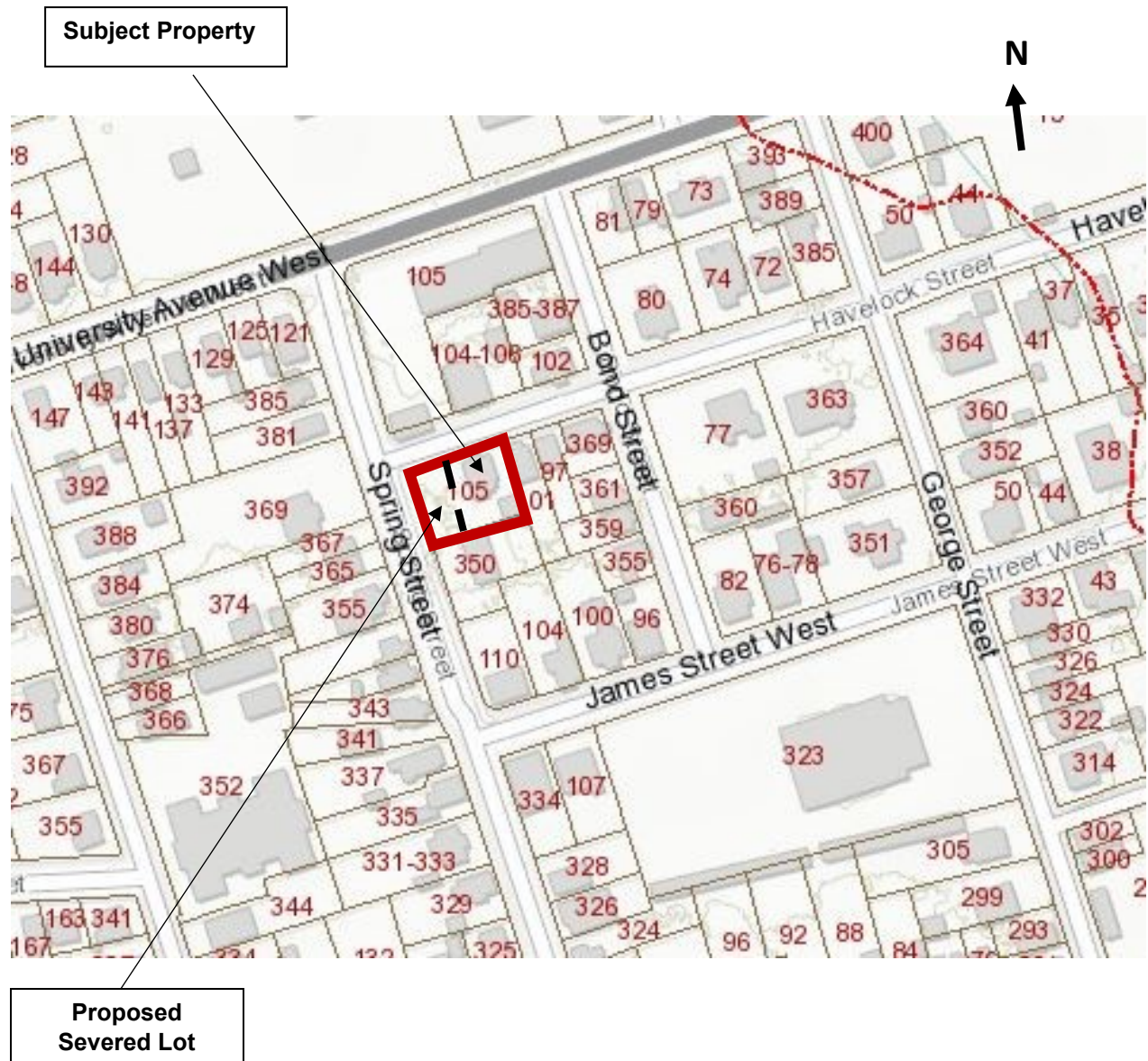


A blue ink signature of Glenn J. McGlashon.

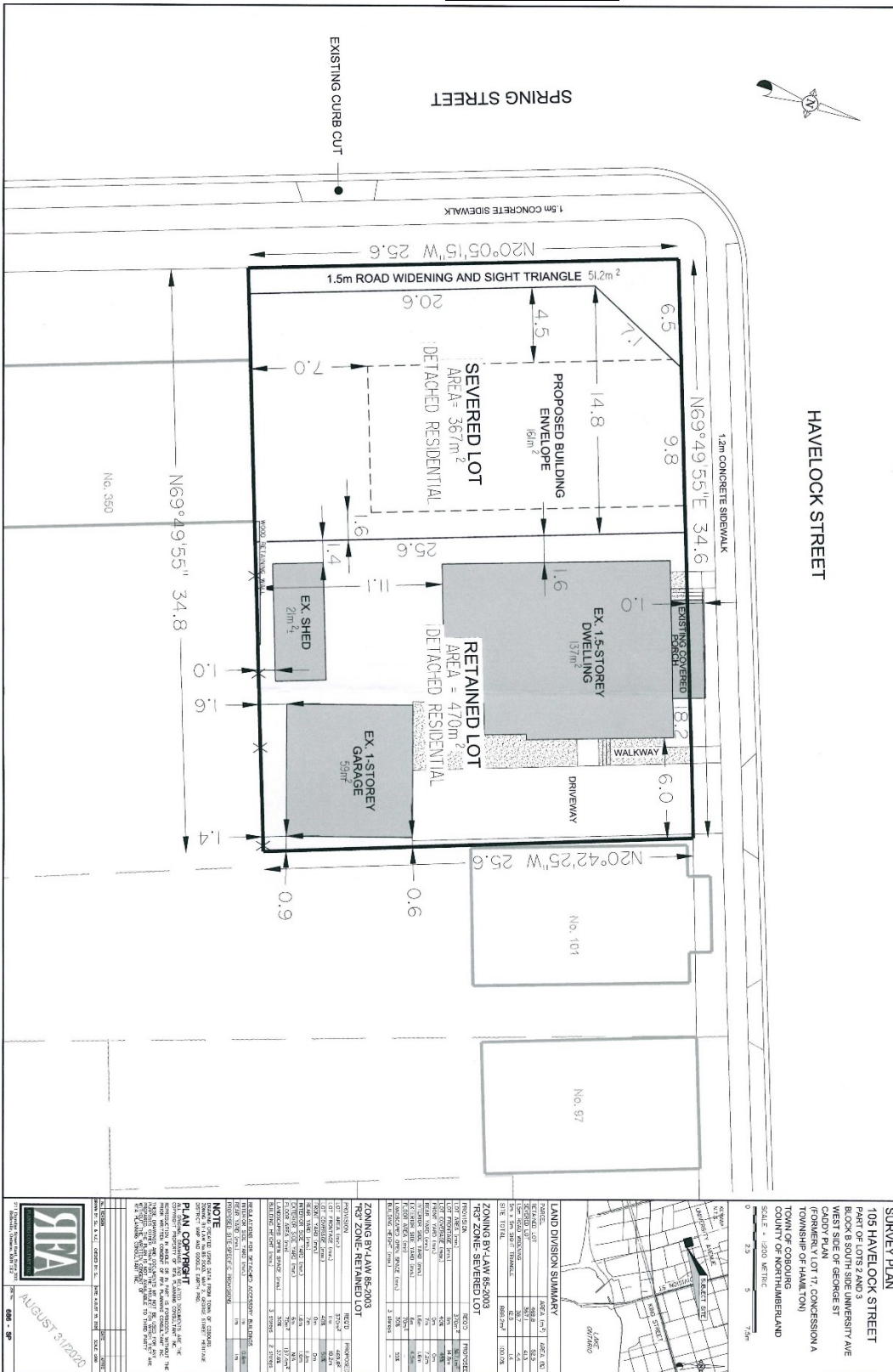
Glenn J. McGlashon, MCIP, RPP
Director of Planning & Development



Schedule "A" Key Map



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Schedule "C"
Air Photo



Appendix 1
Planning Rationale –RFA Planning Consultant Inc.
And
Letter of Opinion – Martindale Planning Services
(Attached under separate cover)

Appendix 2

Cobourg Heritage Advisory Committee Motion

	THE CORPORATION OF THE TOWN OF COBOURG
	COBOURG HERITAGE ADVISORY COMMITTEE
TO:	Brent Larmer, Municipal Clerk/Manager of Legislative Services
FROM:	Adriane Miller, Recording Secretary
MEETING DATE:	November 4, 2020
SUBJECT:	Notice of Consent and Minor Variance -105 Havelock Street

The following Motion was adopted at the November 4, 2020 Cobourg Heritage Advisory Committee Meeting:

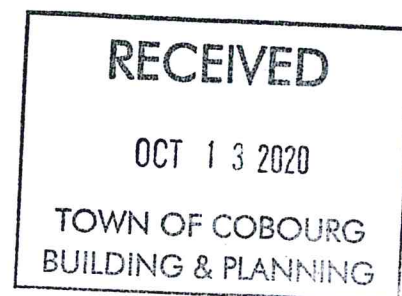
Moved by Member N. Beatty

WHEREAS the Cobourg Heritage Advisory Committee has reviewed the Consent and Minor Variance Application 105 Havelock Street;

NOW THEREFORE the Cobourg Heritage Advisory Committee hereby advises that it has no objection to the application, however the Committee recommends to/advises the Owner that:

- i) new development shall conform to the policies of the George Street Heritage Conservation District Plan and Guidelines for Infill Development in Heritage Conservation Districts and be subject to the approval of a Heritage Permit;
- ii) a Certified Heritage Professional (CAHP) or an Architect with significant heritage experience be enlisted for the design of the new dwelling on the severed lot; and
- iii) a Cultural Heritage Impact Assessment (CHIA) be prepared by a CAHP prior to approval of any new development on the severed lot.

CARRIED



Planning Rationale

To: Rob Franklin, MCIP, RPP, Manager of Planning Services
From: RFA Planning Consultant Inc.
Cc: 2471366 Ontario Inc., Owner/Applicant
Date: September 23, 2020
Re: Applications for Consent and Minor Variance – 105 Havelock Street,
Town of Cobourg, County of Northumberland (2471366 Ontario Inc.,
Owner/Applicant)

Applications for Consent and Minor Variance have been filed with the Town of Cobourg Planning & Development Department to request a single-lot consent and site-specific relief from certain R3 Zone provisions, respectively. We have reviewed the Provincial Policy Statement (PPS), Growth Plan, the County of Northumberland Official Plan, Town of Cobourg Official Plan, have assessed the applicable Zoning By-law provisions, and offer the following planning opinion in support of the applications. Below is a summary of our analysis.

BACKGROUND

RFA Planning Consultant Inc. was retained in October, 2019 by the owner/applicant, 2471366 Ontario Inc., to undertake consent and minor variance applications for the subject property. The land is municipally known as 105 Havelock Street and legally described as Part of Lots 2 and 3, Block B, South Side of University Avenue and West Side of George Street, Caddy Plan (Formerly Lot 17, Concession A, Township of Hamilton), Town of Cobourg, County of Northumberland. The subject property has an area of 837 square metres (9,009 square feet) with 34.6 metres (113.5 feet) of frontage on the south side of Havelock Street and 25.6 metres (84.0 feet) of frontage on the east side of Spring Street. The subject lands currently consist of a 137-square-metre, 1.5-storey single-detached dwelling, a 59-square-metre detached garage and a 21-square-metre shed. The dwelling (No. 105) is currently serviced by municipal water and sanitary services.

211 Dundas Street East, Suite 202, Belleville, Ontario K8N 1E2

613.966.9070 www.rfaplanningconsultant.ca

The subject property is designated “Residential Area” on Schedule ‘A’ Land Use Plan of the Town of Cobourg Official Plan, and is within the “Built Boundary” and “Neighbourhood Planning Area 1” on Schedule ‘C’ Neighbourhood Planning Area. Spring Street is designated “Existing Collector” and “Transit Routes” on Schedule ‘E’ Transportation Plan. The site is within the “Residential 3 (R3) Zone” on Schedule A – Map 2 of the Town of Cobourg Zoning By-law No. 85-2003, as amended. The surrounding land uses along the portions of Spring Street, Havelock Street, Bond Street and James Street West are predominantly residential. Further to the north and south are other commercial uses (“Speedy Glass” and “Ready Print,” respectively).

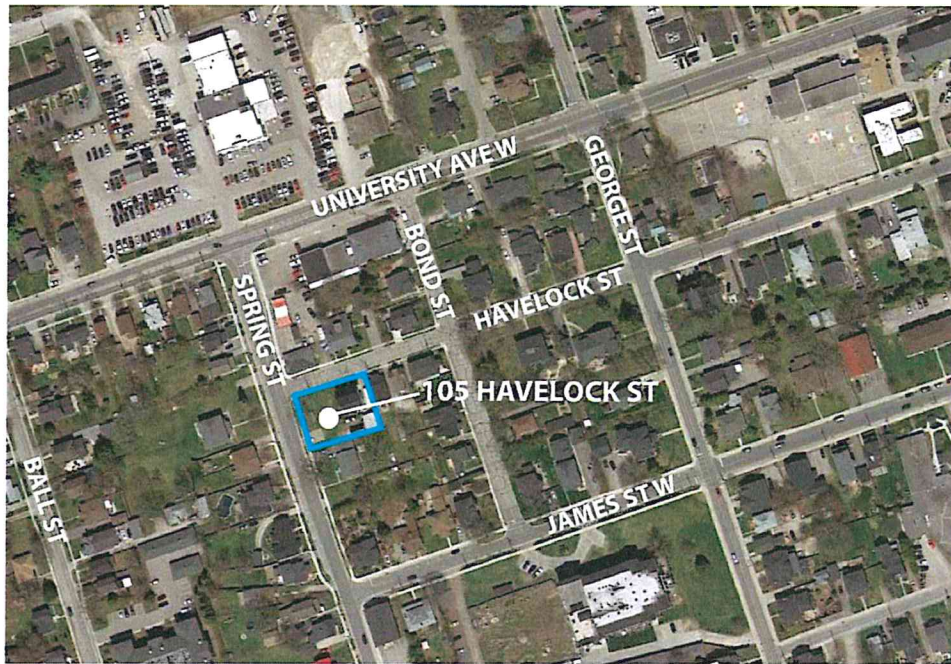
The site is also within the George Street Heritage Conservation District. This generally extends north of the site to Princess Street, south to Orange Street, west of George Street to Spring Street and east to Division Street, excluding St. Michael’s School.

A summary of the subject lands is provided in Table 1, below:

TABLE 1: BACKGROUND SUMMARY

PIN 51094-0262	
Legal Description	Part of Lots 2 and 3, Block B, South Side of University Avenue and West Side of George Street, Caddy Plan (Formerly Lot 17, Concession A, Township of Hamilton), Town of Cobourg, County of Northumberland
Civic Address	105 Havelock Street
Lot Area	837 square metres (9,009 square feet)
Lot Frontage	34.6 metres (113.5 feet) – Havelock Street; 25.6 metres (84.0 feet) – Spring Street
Access	Havelock Street and Spring Street
Official Plan Designation	Residential Area (Schedule ‘A’ Land Use Plan)
Zoning	Residential 3 (R3) Zone (Schedule A – Map 2)

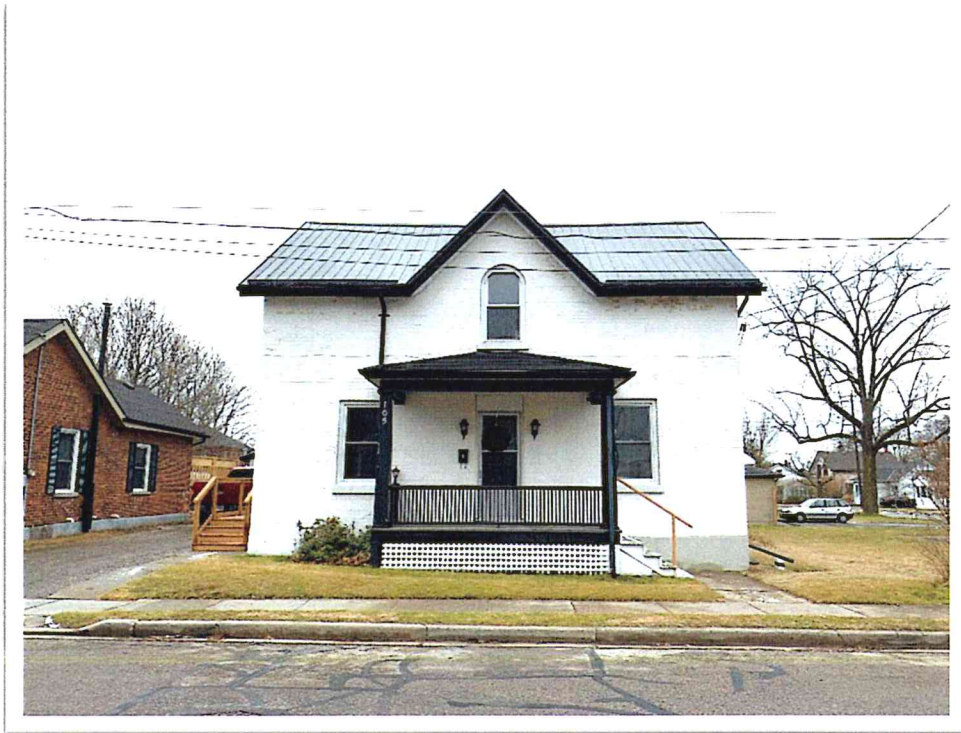
The following images and photographs depict the existing conditions of the subject lands:



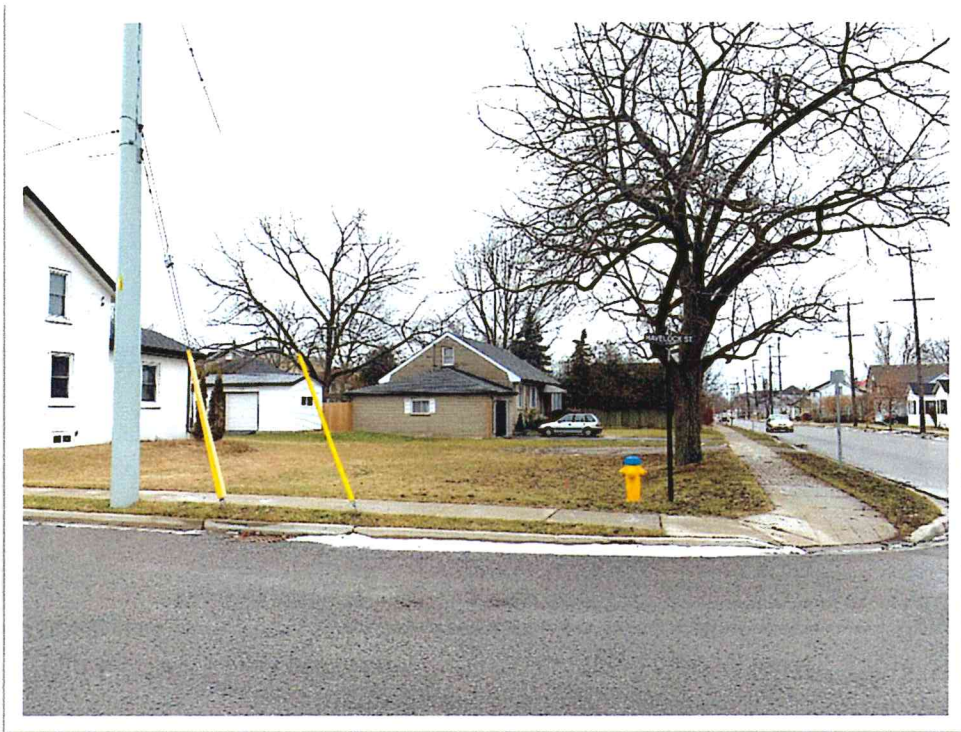
Subject Property – Outlined in blue.



105 Havelock Street – View of Retained Lot interior side yard looking south. Detached garage in background.



105 Havelock Street – View of Havelock streetscape looking south.



Severed Lot – View from the Havelock Street and Spring Street intersection looking south.



Severed Lot – View looking east. No. 105 in background.



Severed Lot – View of exterior side yard looking east from Spring Street. No. 105 in background.



Severed Lot – View of rear yard looking east from Spring Street. No. 105 and shed in background.

APPLICATION FOR CONSENT

The nature of the consent application is for a single-lot severance, with the intent of creating one new residential lot. The Severed Lot will have an area of 367 square metres (3,950 square feet) with 14.8 metres (48.6 feet) of lot frontage on the south side of Havelock Street and 20.6 metres (67.6 feet) on the east side of Spring Street. It is the intent of the owner to divest of the Severed Lot. The Retained Lot will have an area of 470 square metres (5,059 square feet) with 18.2 metres (59.7 feet) of lot frontage on the south side of Havelock Street. Havelock Street and Spring Street are public roads maintained year-round and will provide access to the severed and retained lots. Further to pre-consultation with Town planning staff, a 1.5-metre road widening has been provided as well as a 5-metre sight triangle.

APPLICATION FOR MINOR VARIANCE

The extent of the minor variance is to request site-specific relief from certain Residential 3 (R3) Zone provisions for both the Severed and Retained Lots. The nature of the minor variance is to request:

Severed Lot:

Lot Area (minimum) – from 370m² to 367m²

Lot Coverage (maximum) – from 40% to 45%

Exterior Side Yard (minimum) – from 6m to 4.5m

Retained Lot:

Lot Coverage (maximum) – from 40% to 50%

Detached Accessory Building Interior Side Yard (minimum) – from 1m to 0.6m

For the Severed Lot, flexibility is needed to facilitate the construction of decks, porches, sheds, etc. and negate the need for a future minor variance. In addition, the proposed exterior side yard setback is intended to account for the required 1.5-metre Spring Street road widening, to both mimic the setback of No. 350 Spring Street abutting to the south and negate the need for a future minor variance application by creating a more flexible building envelope. This is deemed appropriate, as access to the Severed Lot is ideal from Havelock Street, being a local road, versus Spring Street, a collector. Access from Spring Street is considered undesirable, as a driveway and potential garage would occupy what is intended to be the private rear yard amenity area, affecting the amount of landscaped open space. For the Retained Lot, the higher lot coverage is a result of the severance application and the existing interior side yard setback for accessory buildings is to be recognized. All other provisions of the R3 Zone can be met.

CONFORMITY TO THE PROVINCIAL POLICY STATEMENT (2020)

The Provincial Policy Statement (PPS) has applied to all planning applications since May 1, 2020. It provides direction on matters of provincial interest related to land use planning and development. All decisions related to land use planning matters “shall be consistent with” the PPS. The consent and minor variance applications for 2471366 Ontario Inc. are consistent with the 2020 PPS.

PPS POLICIES		PLANNING ANALYSIS
1 BUILDING STRONG HEALTHY COMMUNITIES		
1.1 MANAGING AND DIRECTING LAND USE TO ACHIEVE EFFICIENT AND RESILIENT DEVELOPMENT AND LAND USE PATTERNS		
1.1.3 Settlement Areas		
1.1.3.1	<i>Settlement areas shall be the focus of growth and development.</i>	The subject property is within the Town of Cobourg built boundary, a designated settlement area within the Growth Plan.
1.1.3.2	<i>Land use patterns within settlement areas, land use patterns shall be based on densities and a mix of land uses which: a) efficiently use land and resources; b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; c) minimize negative impacts to air quality and climate change, and promote energy efficiency; e) support active transportation; f) are transit-supportive, where transit is planned, exists or may be developed;</i>	The subject property is already serviced by available municipal water and sanitary systems. The proposed development is considered residential infill intensification. On this basis, land and resources are being used efficiently along with existing infrastructure and public service facilities. Due to the central location of the subject property and considering the proposed development as residential infill, negative impacts to air quality and climate change are anticipated to be negligible. The Severed Lot is within 95 metres of University Avenue West (a designated pedestrian/bicycle path) and a transit stop. On this basis, the proposed development will support active transportation and be transit supportive, respectively.

PPS POLICIES	PLANNING ANALYSIS
<p><i>1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.</i></p>	<p>The proposed residential infill development is considered appropriate and compact and is encouraged within Growth Plan settlement areas. The building envelope on the Severed Lot is limited, and it is intended to consist of a single-detached dwelling. A heritage letter of opinion has been completed in support of the subject applications assessing the proposed development within the George Street Heritage Conservation District in order to consider it appropriateness. It concluded that the 3.2-metre separation of the existing and prospective dwellings will not detract from the heritage attributes of the District or violate the goals, objectives or design guidelines. The site is serviced by municipal water and sanitary and there are no apparent risks to public health and safety.</p>
1.6 INFRASTRUCTURE AND PUBLIC SERVICE FACILITIES	
<p><i>1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.</i></p>	<p>The site is already serviced by municipal sewage and water and the proposed development will optimize its use.</p>
<p><i>1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.</i></p>	<p>The central location of the subject property, proximity to a school (St. Michael's School – 285 metres) and other commercial uses and proximity to a pedestrian/bicycle path and transit stop will facilitate minimizing the length and number of vehicle trips as the public can make use of the existing active transportation infrastructure.</p>

PPS POLICIES		PLANNING ANALYSIS
2.6 CULTURAL HERITAGE AND ARCHAEOLOGY		
<p><i>2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.</i></p> <p><i>2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.</i></p>		<p>The subject property is within the George Street Heritage Conservation District. The intent of the of the George Street Heritage Conservation District is to protect and enhance its existing 19th century residential character through allowing changes that are compatible with the cultural heritage value of the District.</p> <p>On this basis, and further to pre-consultation with Town planning staff, a heritage letter of opinion has been prepared in support of the subject applications. It concluded that the 3.2-metre separation of the existing and prospective dwellings will not detract from the heritage attributes of the District or violate the goals, objectives or design guidelines. It is presumed that further approval of a Heritage Permit is required once building plans are known.</p>

CONFORMITY TO THE GROWTH PLAN (2019)

A Place to Grow: Growth plan for the Greater Golden Horseshoe (Growth Plan) has been applied to all planning applications since May, 2019. It provides policy direction on matters related to land use planning and development within the Greater Golden Horseshoe. All decisions related to land use planning matters “shall be consistent with” the Growth Plan. In reviewing the 2019 Growth Plan, it was found that the intent of the relevant policies has been maintained and the applications for 2471366 Ontario Inc. are consistent with the Plan.

GROWTH PLAN POLICIES		PLANNING ANALYSIS
2 WHERE AND HOW TO GROW		
2.2 POLICIES FOR WHERE AND HOW TO GROW		
2.2.2 Delineated Built-up Areas		
<p>1. By the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:</p> <p>b) The City of Kawartha Lakes and the Counties of Brant, Dufferin, Haldimand, Northumberland, Peterborough, Simcoe and Wellington will, through the next municipal comprehensive review, each establish the minimum percentage of all residential development occurring annually that will be within the delineated built-up area, based on maintaining or improving upon the minimum intensification target contained in the applicable upper- or single-tier official plan.</p>		<p>The County of Northumberland Official Plan provides further direction on this Section 2.2.2.1.b). See Conformity of the County of Northumberland Official Plan planning analysis below.</p>

GROWTH PLAN POLICIES	PLANNING ANALYSIS
<p>2. <i>Until the next municipal comprehensive review is approved and in effect, the annual minimum intensification target contained in the applicable upper- or single-tier official plan that is approved and in effect as of July 1, 2017 will continue to apply.</i></p>	<p>See Conformity of the County of Northumberland Official Plan planning analysis below.</p>
<p>3. <i>All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:</i></p> <ul style="list-style-type: none"> a) <i>identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;</i> b) <i>identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas;</i> c) <i>encourage intensification generally throughout the delineated built-up area;</i> d) <i>ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;</i> e) <i>prioritize planning and investment in infrastructure and public service facilities that will support intensification; and</i> f) <i>be implemented through official plan policies and designations, updated zoning and other supporting documents.</i> 	<p>The Town of Cobourg does not have a specific intensification plan. This said, the proposed development is considered appropriate residential infill within an established neighbourhood, which is generally encouraged by the Plan.</p>

CONFORMITY TO THE COUNTY OF NORTHUMBERLAND OFFICIAL PLAN (2016)

The County of Northumberland Official Plan was approved by the OMB on November 23, 2016. The lands are designated “Urban Area” on Schedule ‘A’ – Land Use Plan of the County of Northumberland Official Plan. A full range of uses are permitted with Urban Areas (C1.4). The Applications for Consent and Minor Variance conform to the policies of the County Official Plan. The policies of the County Official Plan have incorporated relevant policies of the Growth Plan.

Sections B, C and E provide policies that apply to consents and residential development within urban areas.

COUNTY OF NORTHUMBERLAND OFFICIAL PLAN POLICIES	PLANNING ANALYSIS
B GROWTH MANAGEMENT	
B1 URBAN AREAS/RURAL SETTLEMENT AREAS	
<i>Urban areas and rural settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.</i>	The proposed development is located within the Cobourg Urban Area, which shall be the focus of growth.
B9 MINIMUM INTENSIFICATION TARGET	
<i>The Cobourg Urban Area has a minimum intensification target of 39% of the projected population growth for the County of Northumberland in the form of intensification (Table 1 Minimum Intensification Target in Planning Period).</i>	The proposed development will assist the County in achieving their minimum intensification target.
C LAND USE DESIGNATIONS	
C1 URBAN AREAS/RURAL SETTLEMENT AREAS	
C1.2 GENERAL LAND USE OBJECTIVES FOR URBAN AREAS	
C1.2.1 Residential Areas	
<i>It is the objective of this Plan to:</i> a) Maintain and enhance the character and identity of existing residential areas;	The character of the existing residential area will be maintained through the proposed building envelope.

COUNTY OF NORTHUMBERLAND OFFICIAL PLAN POLICIES	PLANNING ANALYSIS
b) <i>Promote the efficient use of existing and planned infrastructure and public service facilities by supporting opportunities for various forms of residential intensification, where appropriate;</i>	The Severed Lot will further optimize existing infrastructure and public services facilities through residential infill intensification.
c) <i>Encourage increases in density in new development areas to maximize the use of infrastructure and minimize the amount of land required for new development;</i>	The subject Application for Minor Variance is requesting to increase the maximum lot coverages to 45% and 50% and decrease the minimum Severed Lot area to 367 square metres, respectively, in order to allow for appropriate and desirable development, and effectively permit the proposed lot configuration.
d) <i>Encourage a high standard of urban design for development and redevelopment;</i>	The Severed Lot is within the George Street Heritage Conservation District and will be subject to a Heritage Permit. This will ensure a high standard of urban design for the new dwelling.
e) <i>Encourage local municipalities to establish comprehensive design guidelines and policies to foster the establishment of communities that are safe, functional and attractive; and,</i>	Cobourg has Urban and Landscape Design Guidelines. These will be reviewed during Heritage Permit process.
E GENERAL DEVELOPMENT POLICIES	
E1 SUBDIVISION OF LAND	
E1.5 NEW LOTS BY CONSENT	
E1.5.1 General Criteria	
a) <i>Fronts on and will be directly accessed by a public road that is maintained on a year-round basis unless otherwise permitted in the local Plan;</i>	The Severed Lot will have dual frontage onto Spring Street and Havelock Street and direct access by a public road that is maintained on a year-round basis.

COUNTY OF NORTHUMBERLAND OFFICIAL PLAN POLICIES	PLANNING ANALYSIS
c) <i>Will not cause a traffic hazard;</i>	There is an existing curb cut on Spring Street where the Severed Lot may gain access. Otherwise, access may be from Havelock Street. A site visit indicates no apparent traffic hazards of limited sight lines, curves or grades.
d) <i>Has adequate size and frontage for the proposed use in accordance with the local zoning by-law;</i>	A review of available mapping indicated the Severed Lot is similar in size and frontage to the Retained Lot and other lots within the block and in the immediate vicinity. A Minor Variance has been submitted concurrently with the Application for Consent to request relief for lot area, lot coverage, exterior side yard and detached accessory building interior side yard, which are either existing, a result of the application or a result of the required Spring Street road widening.
e) <i>Notwithstanding d) above, where a zoning by-law amendment or minor variance is required, approval of such amendment or variance shall be included as a condition of the approval of the consent;</i>	This is a typical condition of consent approval and the applicant agrees. An Application for Minor Variance application has been confirmed with Town planning staff and has been filed concurrently with the Application for Consent.
f) <i>Can be serviced with an appropriate water supply and means of sewage disposal, provided there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services;</i>	The subject property is currently serviced with municipal water supply and sewage disposal. The Severed Lot is proposed to be serviced with municipal water and sewage disposal. Further to pre-consultation with Town planning staff, we are not aware of any municipal service constraints within the vicinity of the subject property.

COUNTY OF NORTHUMBERLAND OFFICIAL PLAN POLICIES	PLANNING ANALYSIS
<i>g) Will not have a negative impact on the drainage patterns in the area;</i>	Appropriate drawings will be required at the time of building permit that will demonstrate the proposed drainage pattern will not have a negative impact in the area, post development.
<i>h) Will not restrict the development of the retained lands or other parcels of land, particularly as it relates to the provision of access, if they are designated for development by this Plan;</i>	The Retained Lot is already developed and its access will not be affected by the Severed Lot.
<i>m) Conforms with the local Official Plan;</i>	See Conformity to the Town of Cobourg Official Plan planning analysis below.

CONFORMITY TO THE TOWN OF COBOURG OFFICIAL PLAN (2017)

The Town of Cobourg Official Plan was approved by the Ministry of Municipal Affairs and Housing (MMAH) in May, 2017. The subject lands are designated "Residential Area" on Schedule 'A' Land Use Plan of the Town's Official Plan. The subject lands are also designated "Built Boundary" and "Neighbourhood Planning Area 1" on Schedule 'C' Neighbourhood Planning Area. Spring Street is designated "Existing Collector" and "Transit Routes" on Schedule 'E' Transportation Plan.

The table below demonstrates how the proposal is consistent with the Cobourg Official Plan land use policies.

TOWN OF COBOURG OFFICIAL PLAN POLICIES	PLANNING ANALYSIS
3. LAND USE STRATEGY	
3.4 RESIDENTIAL AREA	
3.4.2 Permitted Uses, Buildings and Structures	
<i>The permitted uses, buildings and structures are:</i> <i>i) low density residential including single detached, semi-detached and duplex dwellings; and,</i>	While building plans are not known at this time, the building envelope is limited and it is intended that a single-detached dwelling will be built on the Severed Lot.

TOWN OF COBOURG OFFICIAL PLAN POLICIES		PLANNING ANALYSIS
<i>ii) medium density residential including townhouse dwellings, low rise apartments and stacked townhouses.</i>		
3.4.3 Land Use Policies		
3.4.3.1 Stable Residential Areas		
<i>i) scale of development with respect to the height, massing and density of adjacent buildings and is appropriate for the site;</i>		Only two storeys has been contemplated as the impact on the building envelop was considered too great for a three-storey dwelling. The proposed low-density is consistent with the surrounding residential density and is appropriate for the site. The available building envelope will ensure massing is consistent with the Retained Lot.
<i>ii) respects the nature of the streetscape as defined by such elements as landscaped areas, and the relationship between the public street, front yards and primary entrances to buildings;</i>		The proposed front yard setback and exterior side yard setback is consistent with those along Havelock Street and Spring Street. A Heritage Permit will be required in order to ensure the dwelling that is constructed respects the nature of the streetscape.
<i>iii) respects the relationship between the rear wall of buildings and rear yard open spaces;</i>		In accordance with the Zoning By-law, the front lot line is considered the Havelock Street frontage. Therefore, the rear yard of the Severed Lot is opposite of Havelock Street along the south property line. Despite the existing curb cut on Spring Street, it is presumed the driveway and primary entrance to the dwelling will be on Havelock Street. It is intended that the south yard area illustrated on the Survey Plan to consist of the traditional and private rear yard amenity space, maximizing landscaped open space for the Severed Lot.

TOWN OF COBOURG OFFICIAL PLAN POLICIES	PLANNING ANALYSIS
<i>iv) siting of buildings 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;</i>	The proposal will be a continuation of the current abutting property relationship, where the rear yard of the Severed Lot will interface with the interior side yard of No. 350 Spring Street. Given that the minimum rear yard setback is being provided and that it will about a garage to the south, negative impacts appear to be negligible for the property to the south. Fencing already exists along the south property line, providing an appropriate buffer for this low-density residential context.
<i>v) conforms with density provisions of the Section 3.4.3.3;</i>	See response below.
<i>vii) respects the residential lotting pattern in the immediate surrounding area;</i>	In review of the available mapping, the proposed lot configuration is consistent with the lotting pattern both within the block the subject property is located and those immediately to the west.
<i>ix) development has direct access from a public or condominium road;</i>	The lots will gain access from Havelock Street, which is publicly maintained on a year-round basis. The Severed Lot may gain access from Spring Street, which is also publicly maintained on a year-round basis.
<i>xii) protection of trees and other natural features identified as significant by the Town in consultation with the Ministry of Natural Resources and/or the Conservation Authority;</i>	The protection of trees does not appear necessary. There is one street tree located near the intersection of Spring Street and Havelock Street and a second near the southwestern corner of the site, both within the road allowance and under the jurisdiction of the Town. The subject property otherwise includes no trees.

TOWN OF COBOURG OFFICIAL PLAN POLICIES	PLANNING ANALYSIS
<i>iii) does not hamper or prevent orderly development of adjacent properties;</i>	The proposed development is considered residential infill and is within an existing built-up neighbourhood. In review of available mapping, there does not appear to be opportunities for further lot creation within the immediate area and the proposed development does not appear to hamper or prevent orderly development of adjacent properties.
<i>xiv) garages are designed so that they are not the dominant feature in the streetscape;</i>	A Heritage Permit is required, which will ensure a garage is designed to not be the dominant feature of the streetscape.
<i>xvi) is in accordance with the Town's Urban and Landscape Design Guidelines.</i>	A Heritage Permit will ensure the new dwelling will conform to the Town's Urban and Landscape Design Guidelines.
In addition, regard shall be had to the policies of Section 5, and particularly in areas of historical or architectural interest to the	
<i>For the purposes of this policy, the immediate surrounding residential area shall be defined by: ii) the existing lotting pattern;</i>	In review of available mapping the proposed lot configuration is consistent with that of the block the subject property is located and other lots in the immediate area. The heritage letter of opinion concludes that the Severed Lot may afford sufficient setbacks to the dwelling on the Retained Lot.
<i>iv) the prevailing building type including any special built form features; and,</i>	The prevailing housing type in the immediate area is single-detached. A single-detached dwelling is intended for the Severed Lot.
3.4.3.3 Density	
<i>The density ranges for residential development shall be: i) Low Density a) 12 units per net hectare (5 units per net acre) minimum</i>	The density of the proposed development is 21 units per net hectare, which is in the higher range of low density and lower range of medium density.

TOWN OF COBOURG OFFICIAL PLAN POLICIES	PLANNING ANALYSIS
<p>b) 20 units per net hectare (8 units per net acre) maximum</p> <p>ii) Medium Density</p> <p>a) 20 units per net hectare (8 units per net acre) minimum</p> <p>b) 50 units per net hectare (20 units per net acre) maximum.</p>	

The table below demonstrates how the proposal conforms with the Cobourg Official Plan relevant general design policies.

TOWN OF COBOURG OFFICIAL PLAN POLICIES	PLANNING ANALYSIS
5. COMMUNITY DESIGN AND IMPROVEMENT	
5.2 GENERAL DESIGN POLICIES	
5.2.3 Areas of Heritage, Interest or Significance	
<p>i) Designated Heritage Conservation Districts and properties shall be subject to the provisions of the Ontario Heritage Act and the Heritage District Guidelines where applicable. However, there are other areas in the Town which can be regarded as having heritage value, interest or significance, including areas identified in consultation with the Municipal Heritage Committee (Heritage Cobourg), which the Town may establish as requiring special consideration with respect to the review of development applications. In those areas:</p> <p>a) the scale and massing of new construction shall be consistent with surrounding buildings to ensure a visual connection; and,</p> <p>b) the general design and style of new construction shall be considered on an individual basis through the site plan approval process recognizing that contemporary styles may be more</p>	<p>a) The available building envelope on the Severed Lot limits the potential dwelling footprint to that similar to the other dwellings along Havelock Street, ensuring a similar scale and massing for the new construction.</p> <p>b) A Heritage Permit will be required as the new construction is within the George Street Heritage Conservation District.</p>

TOWN OF COBOURG OFFICIAL PLAN POLICIES	PLANNING ANALYSIS
<i>appropriate in certain cases than emulating turn of the century designs.</i>	
The table below demonstrates how the proposal conforms with the Cobourg Official Plan consent policies.	
TOWN OF COBOURG OFFICIAL PLAN POLICIES	PLANNING ANALYSIS
9. IMPLEMENTATION	
9.5 CONSENTS	
<p><i>1)a) a plan of subdivision is not required to ensure the proper and orderly development of the lands, which shall generally be where more than five lots are being created;</i></p> <p><i>b) the proposed consents will not adversely affect the financial status of the Town;</i></p> <p><i>c) the proposed use is compatible with adjacent land uses;</i></p> <p><i>d) the proposed lot fronts on an improved public road which is maintained on a year-round basis and which is of a reasonable standard of construction;</i></p> <p><i>e) the access to the proposed lot shall not create a traffic hazard or serve to increase an existing traffic hazard as a result of limited sight lines, curves or grades;</i></p> <p><i>f) the additional lots do not extend or create a strip of development nor limit the potential for development of the remaining lands and a consent shall be given favourable consideration if it has the effect of infilling; and,</i></p>	<p>a) The proposal is for a single-lot severance.</p> <p>b) The proposed development will increase the tax base for the Town and further optimize use of municipal services.</p> <p>c) It is intended to construct a single-detached dwelling on the Severed Lot, which is consistent with predominant housing type in the immediate vicinity and is compatible on this basis.</p> <p>d) The Severed Lot fronts on Havelock Street and Spring Street, improved public roads, which are maintained on a year-round basis.</p> <p>e) There is an existing curb cut on Spring Street where the Severed Lot may gain access. Otherwise, access may be from Havelock Street. A site visit indicates no apparent traffic hazards of limited sight lines, curves or grades.</p> <p>f) The proposed severance is considered residential infill within a built-up area. There is no potential for further</p>

TOWN OF COBOURG OFFICIAL PLAN POLICIES	PLANNING ANALYSIS
	development of the remaining lands, as the Retained Lot is already developed, and there is no potential for further lot creation on either proposed lot.
<i>iv) A consent to a land severance shall generally be denied where the effect is to create a lot of disproportionate depth and width. For the purposes of this Plan the depth of a lot should generally not be greater than three times the frontage.</i>	The proposed lot depths are approximately 1.5 times the frontage and within the lot ratio criteria.

PLANNING OPINION AND CONCLUSION

The subject property is located within the Residential Area designation of the Town of Cobourg Official Plan and is within George Street Heritage Conservation District. It is also designated as a Delineated Built-up Area within the Growth Plan and designated Urban Area within the County of Northumberland Official Plan. The subject property currently consists of a 138-square-metre, 1.5-storey single-detached dwelling, municipally known as No. 105 Havelock Street. The existing dwelling is currently serviced with municipal water and sanitary. The site also includes detached garage and shed accessory buildings. The subject property has frontage on both Havelock Street and Spring Street.

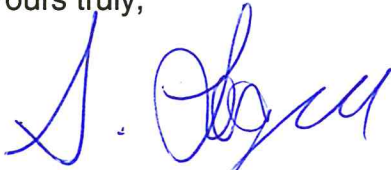
It is proposed to create one new building lot as a single-lot severance. The requested Minor Variance will recognize the proposed 367-square-metre lot area, 45% lot coverage and 4.5-metre exterior side yard for the Severed Lot. The variance will also recognize the proposed 50% lot coverage and existing 0.6-metre detached accessory building interior side yard for the Retained Lot, resulting from the consent and an existing condition, respectively. The proposed development will optimize use of existing infrastructure and public service facilities and is considered residential infill intensification. The Cobourg urban area shall be the focus of growth and intensification is encouraged. The Severed Lot is within 95 metres of University Avenue West (a designated pedestrian/bicycle path) and a transit stop, facilitating active transportation and supporting transit.

The Residential Area, design and consent policies of the Cobourg Official Plan that set out criteria to be considered when developing within this area and have guided the planning process for the project. As the proposed building envelope is limited and single-detached dwelling intended for construction, there will be negligible change to character of the area. The prospective new dwelling will be subject to a Heritage Permit that will review conformity to the George Street Heritage Conservation District and the Cobourg Urban Design and Landscape Guidelines. On this basis, it is our professional planning opinion that there are sufficient controls to ensure that the proposed development will be compatible with surrounding land uses and that its character is appropriate. The proposal maintains the general intent and purpose of the Official Plan.

It is our professional planning opinion that the Applications for Consent and Minor Variance for the subject property are consistent with the policies of the Provincial Policy Statement and Growth Plan and conform to the County and Cobourg Official Plans. Aside from the requested special provisions for lot area, lot coverage, exterior side yard and detached accessory building interior side yard, the proposed development will comply with all other R3 Zone provisions and general provisions of Zoning By-law No. 85-2003, and represents good planning.

If you have any questions about this information, please do not hesitate to contact our office at 613-966-9070.

Yours truly,



Shawn Legere, MCIP, RPP
Senior Planner
RFA Planning Consultant Inc.



/ Encl.



The Corporation of the Town of Cobourg

NOTICE OF HEARING OF
THE COMMITTEE OF ADJUSTMENT

SUBJECT LANDS: 163 Ontario Street

FILE NO: B-05/20

The Town of Cobourg Committee of Adjustment has received an application from Anne Marie Cummings for a Consent for Severance – New Lot for the lands known municipally as 163 Ontario Street (called the “Subject Lands”) in accordance with Section 53 of the Planning Act, R.S.O. 1990, c.P.13, as amended. Please see the Key Map below.

The proposed Consent for Severance – New Lot will sever the western quarter of land (primarily occupied by the tennis court) at 163 Ontario Street having a frontage of 16.76 m on Clyde Street, a depth of 50.29 m and an approximate area of 844 m² (the “Severed Lands”). The “Retained Lands” at 163 Ontario Street will have 15.34 m frontage on Ontario Street, a depth of 49.04 m and an area of approximately 2,468 m² (occupied by the existing dwelling house).

A Hearing will be held by the Committee of Adjustment on **Tuesday, November 17th 2020** via Zoom Video Conference at **4:00 p.m.** Please note if a party who is notified does not attend the hearing or make written submissions prior to the Hearing, the Committee can proceed and the party is not entitled to any further notice.

NOTE TO THE PUBLIC:

Due to the COVID-19 Pandemic, Committee of Adjustment Hearings will be conducted through Zoom Video Conference Applications. If you wish to be a Participant at the Video Hearing, **you should register** with Brent Larmer, Municipal Clerk, via e-mail at clerk@cobourg.ca or by phone at (905)372-4301 no later than **12:00 pm (noon) on November 16th**. Please ensure that you have a computer or tablet with good internet access to enable you to participate in the Public Meeting electronically. If you do not wish to participate by video, or do not have the necessary technology, you may use a telephone and call in to participate. Alternatively, written submissions to the Municipal Clerk, 55 King Street West, Cobourg, Ontario, K9A 2M2 in advance of the Video Hearing are encouraged and will be made available to any interested person at the Hearing.

The details for participating in the Hearing are as follows:

Web: <https://us02web.zoom.us/j/87173414333?pwd=REtSTW42aDRpa1E1THhSaDhmS0NsQT09>

Phone: +1 778 907 2071 Canada

Meeting ID: 871 7341 4333

Password: 878720

Citizens may tune into the LIVE YouTube feed to watch the Hearing at www.youtube.com/towncobourg.

Additional information which will enable the public to understand the proposed application is available upon request by contacting the Town's Planning Department, c/o Rob Franklin, Manager - Planning, Victoria Hall, 55 King Street West, Cobourg, K9A 2M2, via e-mail at rfranklin@cobourg.ca or by phone at 905-372-1005 during regular office hours.

DATED at Cobourg this 29th day of October, 2020

ZONE: Residential Three (R3) Zone

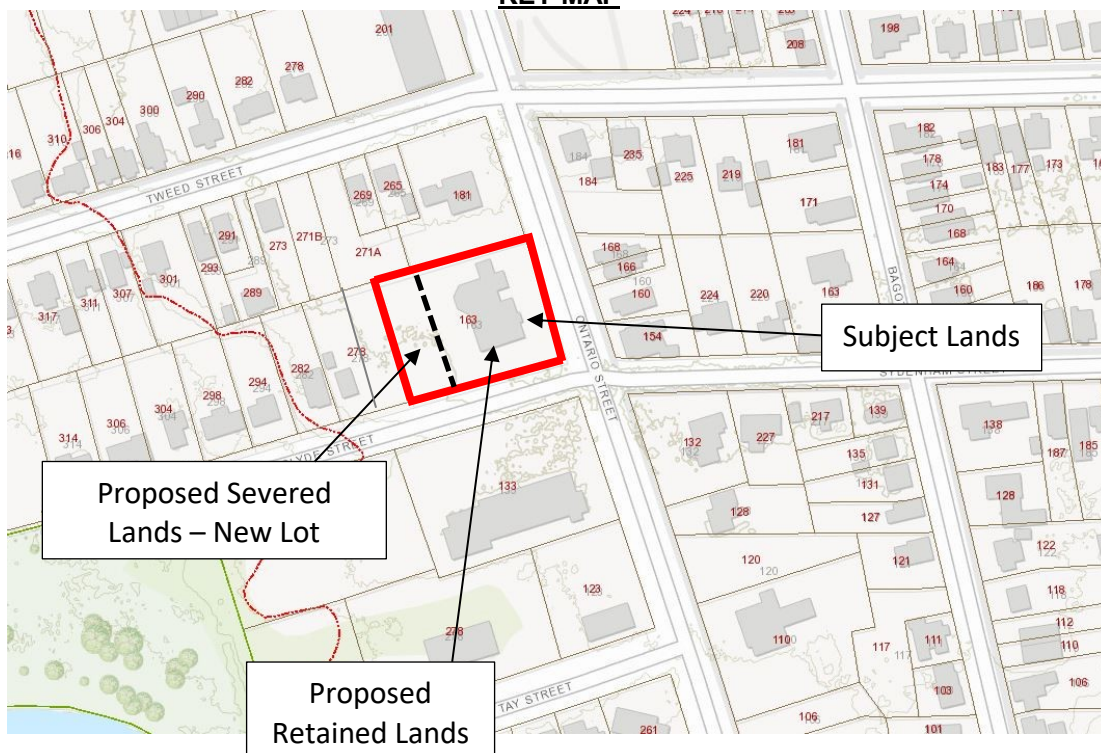
Adriane Miller, Secretary-Treasurer


Committee of Adjustment

amiller@cobourg.ca

(905)372-1005

KEY MAP



 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG	
	STAFF REPORT	
TO:	Committee of Adjustment	
FROM:	Rob Franklin, MCIP, RPP	
TITLE:	Manager of Planning	
DATE OF MEETING:	November 17 th , 2020.	
TITLE / SUBJECT:	Application for Severance: 163 Ontario Street (Anne Marie Cummings)	
REPORT DATE:	November 13 th , 2020	File #: B-05/20

1.0 CORPORATE STRATEGIC PLAN OBJECTIVES

N/A

2.0 RECOMMENDATION

The following actions are recommended:

THAT the requested Consent for an infill lot from 163 Ontario Street with 16.76 m frontage on Clyde Street and 844 m² lot area be granted subject to the following conditions:

1. That a Severance Agreement be registered on Title of the new lot to address all future development requirements such as but not limited to servicing, grading, driveway and access, urban design and landscaping including screening, all to the satisfaction of the Town.
2. That prior to the stamping of a Deed, a payment equal to 5% of the value of the land by made to the Town as cash-in-lieu of parkland.
3. All conditions are subject to the specifications and approval of the Town of Cobourg, but at no cost to the Municipality.

PUBLIC ENGAGEMENT

3.0

Section 53 (5) of the Planning Act, R.S.O. 1990, c.P. 13, as amended, prescribes statutory notice requirements for Consent applications. The Planning Act requires that at least fourteen (14) days notice for a consent be given 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 via the use of both mail-out and newspaper advertisement. The notice of application is also posted on the Town of Cobourg website.

4.0 ORIGIN

The subject property known as 163 Ontario Street is an established residential property, improved with a two-storey single-unit residential dwelling. The subject property is approximately 50.34 m (165.2 ft) in frontage on Ontario Street, and approximately 3,310 m² (35,630 ft²) in lot area. See **Schedule “A”** Key Map.

The subject property is located in a Residential Three (R3) Zone.

The applicant wishes to sever a new infill lot to the west of the existing residential structure on what contained a tennis court. Accordingly, the applicant is proposing the following Consent:

Proposed Consent for New Lot: Approximately 844 m² in area with 16.76 m frontage on Clyde Street.

Proposed Retained Lands at 163 Ontario Street: Approximately 50.34 m frontage on Ontario Street, a depth of 49.04 m and an area of approximately 2,468 m² (occupied by the existing dwelling house). Note: The Notice of Hearing mistakenly identified a retained frontage of 15.34 m.

5.0 ANALYSIS

In the analysis of this application, a number of points have been reviewed:

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 A Place to Grow Growth Plan and include:

- promoting efficient, cost-effective and financially sustainable development and land use patterns;
- 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.

Beyond the above items, Section 1.4.3 of the PPS directs municipalities to permit all forms of housing to provide an appropriate range and mix of housing types and densities – including affordable housing. Further, municipalities should permit and facilitate residential intensification and redevelopment within existing, built-up serviced areas. However, it is not development at all costs, Section 2.3.1 requires that significant heritage resources shall be conserved. The subject lands are listed on the Town of Cobourg Heritage Registry (which provides protection from demolition), however no demolition is being proposed by this application, only the severing off of a new lot occupied by yard space and a reduction in overall land area. A more detailed heritage assessment is not required.

The proposal will create a new infill lot, of a suitable size and configuration to support a modest new house without disturbing the surrounding land uses, or negatively impacting the existing use of the residential property. It will also conserve the existing heritage home at 163 Ontario Street, which is presently undergoing renovations. The proposed lot is of similar size to other lots west of the subject property on Clyde Street.

Overall, it is my opinion that the proposal reflects the provincial directive to create strong, liveable, healthy and efficient communities through efficient land use. The application will facilitate intensification while maintaining the character of the established neighbourhood. In my opinion, this property is a suitable candidate for a minor residential intensification.

Given the above discussion it is my opinion that the proposal maintains the general intent and purpose of the PPS and A Place to Grow Growth Plan.

2. Northumberland County Official Plan

The Official Plan for the County of Northumberland was approved by the Ontario Municipal Board on November 23, 2016 and is now in full force and effect. The purpose of this 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 subject lands are located within the Built Boundary of the Urban Area, as designated in the County Official Plan. 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.

It is my opinion that this proposal supports the policies of the Northumberland County Official Plan by providing residential intensification within the urban serviced area of the municipality.

3. Official Plan

The subject property is designated Stable Residential Area in the approved Town of Cobourg Official Plan (2010). Applications for new development in such areas are to be evaluated based on their ability to generally maintain the structure and character of the surrounding area. The land use policies of the Stable Residential Area designation provide a number of elements that new development applications should be evaluated on. The following elements were considered as part of this variance application:

i) scale of development respects the height, massing and density of adjacent buildings and is appropriate for the site;

The proposed infill lot will be situated to the west of the existing heritage building. Any proposed buildings would be required to be set back from the street in line with other buildings on the side street.

ii) respects the nature of the streetscape as defined by such elements as landscaped areas, and the relationship between the public street, front yards and primary entrances to buildings;

Front yard setback and primary entrances would be consistent with the established built form and would be part of any future design and approval. Currently there is a large hedge with a new driveway.

iii) respects the relationship between the rear wall of buildings and rear yard open spaces;

The relationship between the rear wall of any new dwelling and the rear yard open space area will be part of any future design and approval. The lot is of sufficient depth to permit a generous rear yard open space, and the proposed building will need to comply with the rear yard setback requirements of the R3 Zone.

iv) 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.

There is no current design for a new building, however the lot size and configuration is conducive to appropriately siting a dwelling on the site in a manner consistent with the surrounding neighbourhood.

v) conforms with density provisions of Section 3.4.3.3;

The proposal for a new infill lot would conform to the low density requirements of the Residential Area designation.

viii) Town is satisfied with the proposed grading, drainage and storm water management and, in particular that there is no impact on adjacent properties;

The new infill lot would be required to submit a grading and drainage plan for approval by Cobourg Engineering/Public Works as part of its Building Permit should the severance be approved.

ix) does not hamper or prevent the orderly development of adjacent properties;

This application will not hamper or prevent the orderly development of adjacent properties. This appears to be the last infill opportunity in the immediate area given other developments along Clyde Street.

x) garages are designed so that they are not the dominant feature in the streetscape.

Any proposed garage would be reviewed to ensure it is not dominant on the street. It is anticipated that the recent driveway will service the new lot with surface parking.

xi) is in accordance with the Town's Urban and Landscape Design Guidelines

Further discussion on the Urban and Landscape Design Guidelines is included below.

Therefore, it is my opinion that the proposal as shown in the Schedules attached hereto maintains the general intent and purpose of the Official Plan.

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 and consent applications.

Section 4.5.2 Residential Buildings provides a general outline of principles for residential design. These principles speak to creating strong public face with attractive and animated building frontages that incorporate large windows and front porches, and also ensuring creative, high quality and diverse design that is context sensitive. Also the mass, scale and architectural elements should be sensitive to adjoining areas.

Based on the above discussion, it is my opinion that the proposal would maintain the intent of the Town's Urban and Landscape Design Guidelines.

4. Zoning By-law

The subject property is located in a Residential Three (R3) Zone. The R3 Zone permits single-unit and two-unit dwellings including semi-detached and duplex or converted dwellings, public and accessory uses. The proposed lot would have a frontage of 16.76 m on Clyde Street and a full depth of 50.29 m resulting in a lot area of 844 m². The retained lot with the occupied dwelling would have a 50.34 m frontage on Ontario Street and a lot area of 2,468 m². Any new dwelling on the severed lot will need to comply with the R3 Zone provisions (front yard, side yards, rear yard, coverage, etc.). Both the severed and retained lots comply with Zoning By-law provisions.

Given the above discussion, it is my opinion that the proposal as discussed in the report, maintains the general intent and purpose of the Zoning By-law.

5. Section 51(24) of the Planning Act

The subdivision criteria of Section 51 (24) of the Planning Act provides criteria to be considered when evaluating the subdivision of land. Provincial Interest, the potential of whether an application is premature or in the public interest, the suitability of the land for development, affordable housing, adequacy of services including transportation links for the property, the dimensions and shape of a lot, protection of natural resources, etc. are all items to be reviewed when commenting on a severance application. It is my opinion that the application to sever a new infill residential lot at 163 Ontario Street does not conflict with any of these items.

7. The requested consent does not appear to create a traffic hazard or perpetuate an existing traffic problem.

8. The requested consent does not appear to be impacted by any natural hazards.

9. The requested consent does not appear to pose a negative impact to surrounding land uses.

It should be noted that new individual water and sanitary sewer services were pre-installed to the severed lot this Summer/Fall at the risk of the owner as part of other sewer and water construction activity being undertaken on Clyde Street by an adjacent developer.

The Committee of Adjustment will be informed of any further Department or Agency comments that have been received or any Public comments submitted on or before the meeting date.

6.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

There are no new anticipated negative financial implications imposed on the Municipality as a result of these minor variances. The applicant submitted the required \$4,000.00 application and stamping fee plus deposit.

7.0 CONCLUSIONS

1. The proposed consent does not conflict with matters of Provincial Interest as outlined in the Provincial Policy Statement and A Place to Grow Growth Plan.
2. The proposed consent would maintain the general intent and purpose of the County and 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 allow for the appropriate development of the subject lands.

Suggested Conditions, if approved (Consent):

1. That a Severance Agreement be registered on Title of the new lot to address all future development requirements such as but not limited to servicing, grading, driveway and access, urban design and landscaping including screening, all to the satisfaction of the Town.
2. That prior to the stamping of the Deed, a payment equal to 5% of the value of the severed land be made to the Town as cash-in-lieu of parkland.
3. All conditions are subject to the specifications and approval of the Town of Cobourg, but at no cost to the Municipality.

8.0 POLICIES AFFECTING THE PROPOSAL

The primary policies affecting this application relate to the policies of the Provincial Policy Statement, County and Cobourg Official Plan, particularly the Residential Area, Consent and Heritage policies.

9.0 COMMUNICATION RESULTS

That the request for consent of a new infill lot on lands known municipally as 163 Ontario Street be granted by the Committee of Adjustment.

Approved by:

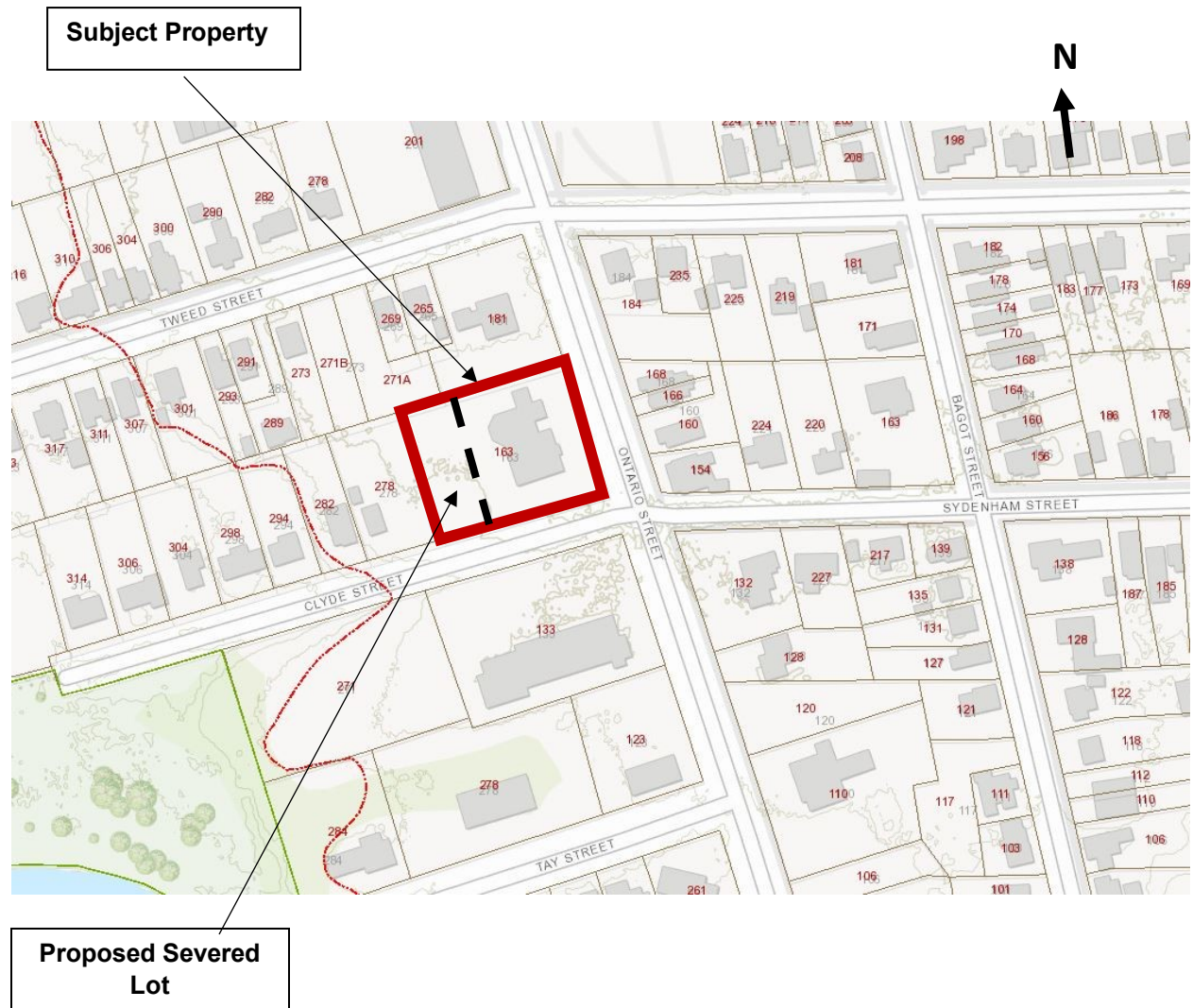


A blue ink signature of Glenn J. McGlashon.

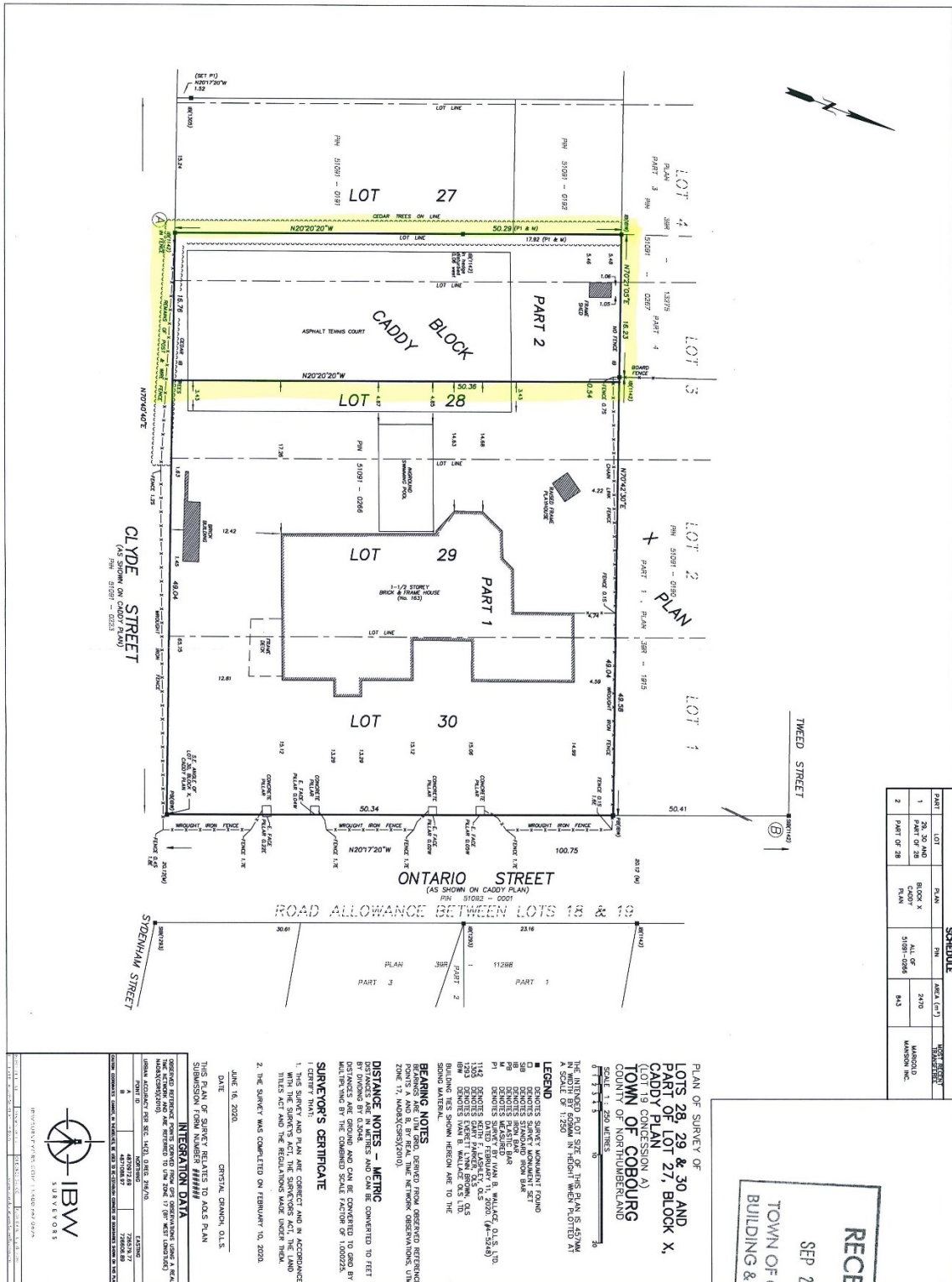
Glenn J. McGlashon, MCIP, RPP
Director of Planning & Development



Schedule "A" Key Map



Schedule "B" Concept Survey Plan



SCHEDULE				
PLAN	LOT	PLAN	NO.	AREA (m ²)
1	LOT 27	PLAN	1	1,128.88
2	LOT 28	PLAN	2	1,128.88
3	LOT 29	PLAN	3	1,128.88
4	LOT 30	PLAN	4	1,128.88

RECEIVED
SEP 20
TOWN OF COBURG
BUILDING & P

PLAN OF SURVEY OF
LOTS 27, 28, 29 & 30 AND
PART OF LOT 27, BLOCK X,
CADDY BLOCK (SUBDIVISION A)
TOWN OF COBURG
COUNTY OF NORTHUMBERLAND

SCALE 1:250 METRES

THE INTENDED LOT SIZE OF THIS PLAN IS 457M² IN WHOLE BY ROOM IN REPORT WHEN PLOTTED AT A SCALE OF 1:250

LEGEND

1. DENOTES SURVEY MONUMENT FOUND
2. DENOTES SURVEY MONUMENT SET
3. DENOTES SURVEY MONUMENT SET
4. DENOTES SURVEY MONUMENT SET
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BEARING NOTES

1. BEARING NOTES - METRIC
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9. BEARING NOTES - METRIC
10. BEARING NOTES - METRIC

SURVEYOR'S CERTIFICATE

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATION MADE UNDER THEREOF.

2. THE SURVEY WAS COMPLETED ON FEBRUARY 10, 2020.

DATE: JUNE 16, 2020

DATE: JUNE 16, 2020

DATE: JUNE 16, 2020

DATE: JUNE 16, 2020

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DATE: JUNE 16, 2020

DATE: JUNE 16, 2020

Schedule "C"
Air Photo





Martindale Planning Services

**Urban Planning, Heritage
& Development Consultants**

23 Elizabeth Street
Ajax, Ontario
Canada L1T 2X1

Phone: (905) 427-7574
Email: bob@martindaleplanning.ca

www.martindaleplanning.ca

April 13, 2020

Shawn Legere
Senior Planner
RFA Planning Consultant Inc.
211 Dundas St. E., Ste. 202
Belleville, ON K8N 1E2

Dear Shawn:

**Re: Letter of Opinion
Proposed Severance Application
105 Havelock St., Cobourg**

I am a land use planner, certified by the Canadian Institute of Planners and the Ontario Professional Planning Institute, with a specialty in heritage planning. As a member of the Canadian Association of Heritage Planners, I have been qualified to give evidence as a heritage planner by the Ontario Municipal Board (now Local Planning Appeal Board) on several occasions.

On April 2 I was retained by Gordon Rees, owner of the above-noted lot located at the southeast corner of Havelock St. and Spring St., to provide a heritage letter of opinion with respect to the proposed 1.6 m side yards resulting from the intended severance. I understand that this letter was requested by the Town of Cobourg in view of the fact that the property is located within the George Street Heritage Conservation District.

For the purposes of this assignment, I inspected the subject property and the surrounding lots on April 8 and reviewed the applicable provisions of the District Plan. My observations are as follows:

(a) Description of Neighbourhood

The District is located several blocks north of downtown Cobourg, west of Division Street, as outlined on the attached map. It illustrates the incremental growth of residential development in Cobourg from the 1830's onwards from south to north. This settlement pattern results in a varied character which includes several architectural styles, including Neoclassical, Regency, Classical Revival, Gothic Revival, Italianate, Ontario Cottage Vernacular, Queen Anne Revival, Arts and Crafts, Edwardian Classical, Georgian Revival, Dutch Colonial and Tudor Revival.

Quoting from the District Plan (p. 10), *"Despite the variety in architectural styles, materials and lot sizes, the predominant residential character results in a sense of visual coherence ...*

Generally consistent setbacks from the street and a lack of front yard fencing provide consistency in streetscape that links the residential buildings to the street grid patterns that were part of the original plans of subdivision."

The George Street District is predominantly residential, although it has contained other uses over time. The prevailing character of the neighbourhood consists of one to two ½ storey residential buildings with typical gable and hip roof types, featuring predominantly red brick cladding, typical patterns of two and three bay facades and varied setbacks from the street.

(b) Applicable District Plan provisions

There are four conservation goals set out in the District Plan, all aimed at protecting and enhancing the existing 19th century residential character of the District by allowing only changes that are compatible with the built form and are consistent with the cultural heritage value of the District.

In this regard, dwellings in the neighbourhood generally have ample yards which reflect the generous lots on which they are placed. However, it should be noted that the subject property is at the edge of the District and the homes in its immediate environs are typically more modest than those further to the east. A separation of 3.2 m between the existing structure and the proposed one would not, in our opinion, detract from the character of the District. The design of the new dwelling and its setback from Havelock Street would be more important influences in this regard. While the porch of the existing home encroaches slightly into the road allowance and the front wall is set back only 0.5 m, the new dwelling could be set back further and possibly have an indentation towards the rear, thereby minimizing any adverse effect of the proposed side yards.

There are 11 conservation objectives outlined in the District Plan, building on the general goals and providing more detailed direction for implementing the Plan. One of these, in section 2.4.2 of the Plan, states as follows:

"f) to accommodate new development only where it respects or otherwise complements the prevailing low profile (one to two and one-half storey) and heritage character of existing buildings and structures within the District and does not adversely affect the cultural heritage character of the District."

As stated above, the intended separation between the existing and proposed dwellings is only one of many criteria that would define compatibility, and is not considered a major factor in this discussion. It is suggested that the design, massing and materiality of the new home are more significant criteria for evaluating impact. In this respect, we are not privy to the footprint, height, bulk or building materials proposed for the new house.

Finally, section 7.0 of the Plan provides seven specific design guidelines for infill development projects. Policy a) states that *"new freestanding construction will be required to be compatible with the heritage character and attributes of adjacent heritage properties and the cultural heritage value of the District."* The remaining guidelines elaborate on this policy by listing specific architectural features that will be required for infill construction, including heights, massing, setback, building scale, roof pitches, exterior materials, facades, roof forms, windows and entrance doors and views. In

addition, policy b) states that *"new construction shall be a product of its time and not pretend to be historic by incorporating historic detail that is inappropriate in contemporary construction"*.

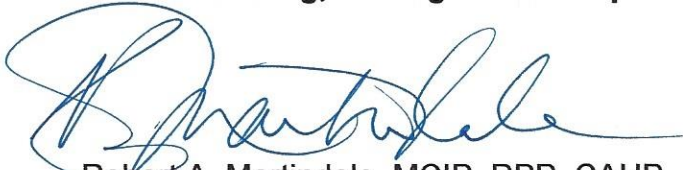
It is noted that setbacks are mentioned as only one consideration in a long list of design attributes that new construction should incorporate. Notwithstanding that the intended side yards are no doubt less than the average in the District, the compatibility of the new dwelling can be ensured by paying close attention to the rest of the factors outlined above.

c) Conclusion

In the absence of a proposed site plan and elevations for the new dwelling, I have reviewed the proposed side yards resulting from the severance in light of the character of the immediately surrounding neighbourhood (most of which is located outside the Heritage District) and the relevant provisions of the George Street Heritage Conservation District Plan. It is my conclusion that the proposed 3.2 m separation between dwellings will not detract from the heritage attributes of the District or violate any of the goals, objectives or design guidelines contained in the Plan. Through careful attention to design details such as height, massing, bulk and materiality, any adverse impacts can be avoided so that the new dwelling fits in well with its surroundings.

Yours very truly,

MARTINDALE PLANNING SERVICES
Urban Planning, Heritage & Development Consultants

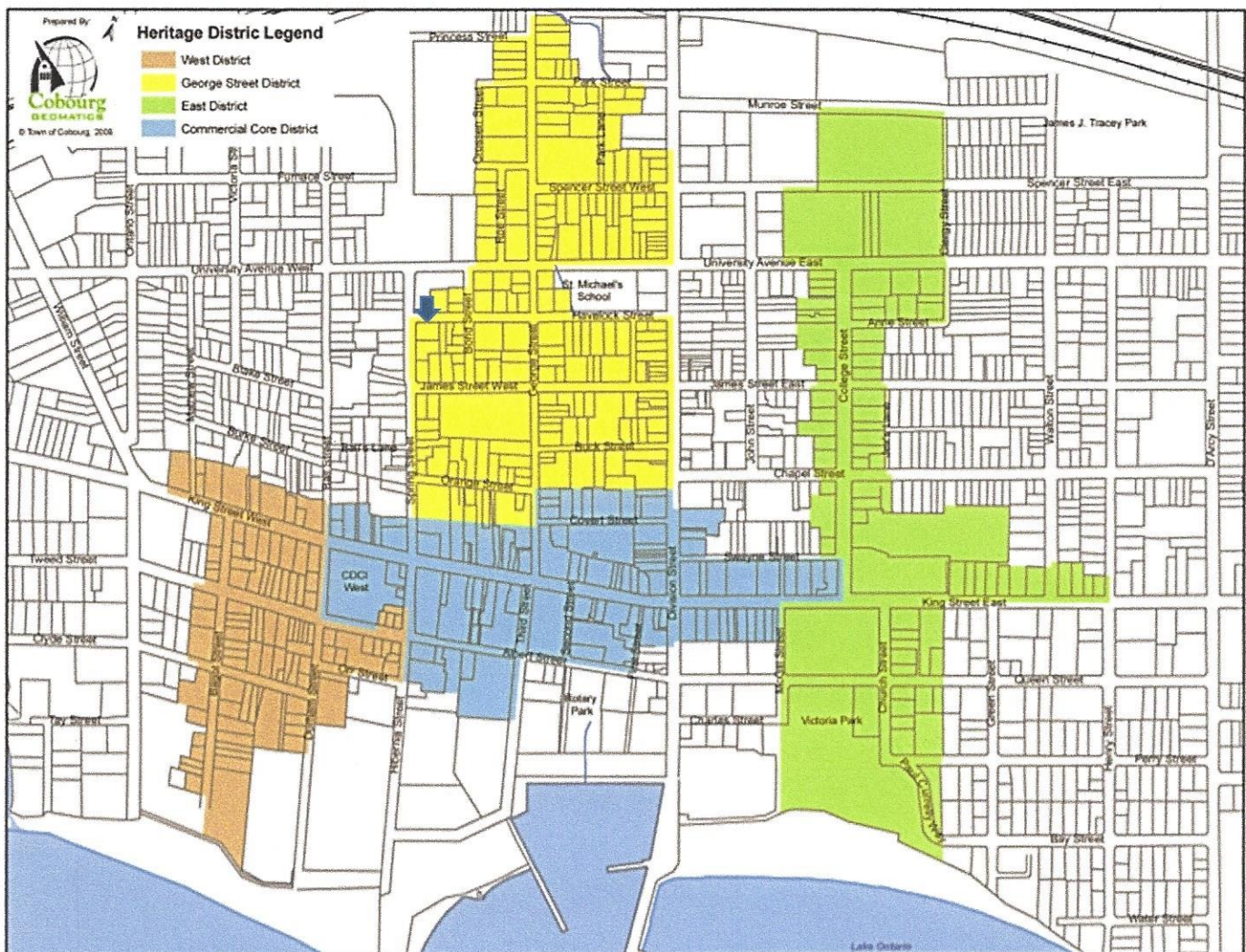



Robert A. Martindale, MCIP, RPP, CAHP
Principal

Town of Cobourg

Heritage Conservation Districts

(George Street HCD shown in yellow,
subject property indicated with blue arrow)



	THE CORPORATION OF THE TOWN OF COBOURG
	COBOURG HERITAGE ADVISORY COMMITTEE
TO:	Brent Larmer, Municipal Clerk/Manager of Legislative Services
FROM:	Adriane Miller, Recording Secretary
MEETING DATE:	November 12, 2020
SUBJECT:	HP-2020-031- 520 William Street Building C (Certo Building)


The following Motion was adopted at the November 12, 2020 Special Cobourg Heritage Advisory Committee Meeting:

Moved by Member N. Beatty

WHEREAS, Heritage and Planning staff has reviewed the proposed building improvements consisting of roof replacement, building stabilization and masonry restoration/rehabilitation work, including all pillars and bond system, for Building “C” (Certo Building) at 520 William Street, and has concluded that the proposed work would generally conform to established Heritage Guidelines and best practices, is consistent with the heritage designation for the subject property and is conducive to retaining an important industrial heritage asset in the community; and,

THEREFORE, it is recommended that Heritage Permit Application HP-2020-031, submitted by Keith Colterman of Historic Carpentry Inc. on behalf of FV Pharma, for the proposed roof replacement, building stabilization and masonry restoration of Building “C” (Certo building) as specified in the engineered design drawings in **Appendix “A”** be approved and implemented subject to the finalization of details by Building and Heritage staff.

CARRIED

 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG	
	STAFF REPORT	
TO:	Cobourg Heritage Advisory Committee	
FROM:	Dave Johnson	
TITLE:	Planner - Heritage	
DATE OF MEETING:	November 12, 2020	
TITLE / SUBJECT:	Roof Replacement and Masonry Restoration Keith Colterman (Historic Carpentry Inc.)/FV Pharma 520 William St. ('Certo' Building)	
REPORT DATE:	November 9, 2020	File #:HP-2020-031

1.0 **STRATEGIC PLAN**

Places: The Town protects, preserves and promotes its natural assets, heritage, arts, culture and tourism.

2.0 **PUBLIC ENGAGEMENT**

The Cobourg Heritage Advisory Committee (CHC) operates in accordance with the Advisory Committee and Local Board Policy and Procedures for municipal boards and committees in the Town of Cobourg.

In general, the CHC is comprised of seven (7) members: one (1) member of Council and six (6) citizen members which reflect the diverse interests of the community.

The agenda for a CHC meeting is prepared and distributed to all committee members and is posted on the Municipal Website at least forty-eight (48) hours in advance of the scheduled meeting date, in an electronic format where possible.

Existing heritage legislation does not prescribe public notification or meetings for approval of alterations to designated properties, however the Cobourg Heritage Master Plan and implementing Heritage Conservation District Plans and associated regulations/guidelines underwent extensive public consultation and engagement prior to their approval. Review and approval of Heritage The CHC also receives public delegations and communications/ correspondence from

citizens in accordance with the Advisory Committee and Local Board Policy and Procedures for municipal boards and committees in the Town of Cobourg. Permits by the Town are undertaken within the context of these documents.

The CHC receives public delegations and communications/correspondence from citizens in accordance with the Advisory Committee and Local Board Policy and Procedures for municipal boards and committees in the Town of Cobourg.

30 **RECOMMENDATION**

WHEREAS, Heritage and Planning staff has reviewed the proposed building improvements consisting of roof replacement, building stabilization and masonry restoration/rehabilitation work, including all pillars and bond system, for Building “C” (Certo Building) at 520 William Street, and has concluded that the proposed work would generally conform to established Heritage Guidelines and best practices, is consistent with the heritage designation for the subject property and is conducive to retaining an important industrial heritage asset in the community; and,

THEREFORE, it is recommended that Heritage Permit Application HP-2020-031, submitted by Keith Colterman of Historic Carpentry Inc. on behalf of FV Pharma, for the proposed roof replacement, building stabilization and masonry restoration of Building “C” (Certo building) as specified in the engineered design drawings in **Appendix “A”** be approved and implemented subject to the finalization of details by Building and Heritage staff.

4.0 **ORIGIN**

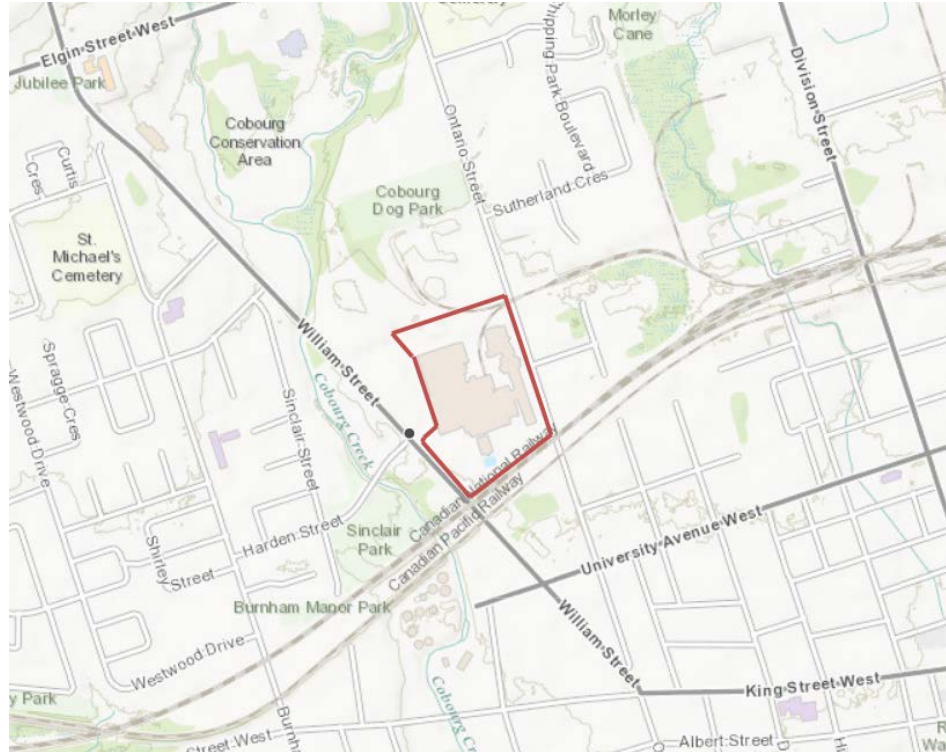
An application for a Heritage Permit was submitted on Thursday, November 5th, 2020 by Keith Colterman, Historic Carpentry Inc., on behalf of FV Pharma to replace the collapsed roof and façade masonry restoration including all pillars and bond system to the historic structure known as the Certo Building (Building “C”) at 520 William Street.

The subject property is designated under Part IV of the Ontario Heritage Act by By-law 092-2017. In accordance with the requirements of the Ontario Heritage Act, the deadline for Council to respond to the Heritage Permit Application is Wednesday February 3rd, 2021.

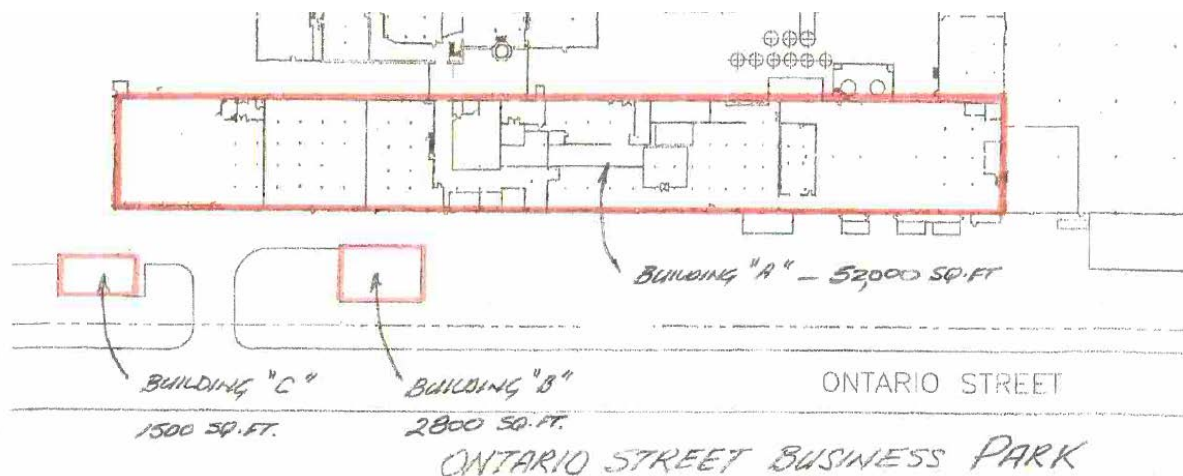
5.0 **BACKGROUND**

Geographic and Historic Context

The subject property at 520 William Street is located north of the CN/CP railway tracks, east of William Street, west of Ontario Street, and south of the future extension of Kerr Street. The site includes a 55, 740 sq. m. (approx. 599,980 sq. ft.) industrial building visible from William Street, and a number of historic buildings along Ontario Street (known as Buildings “A”, “B” and “C”).



Above: The subject property at 520 William Street is outlined in red.



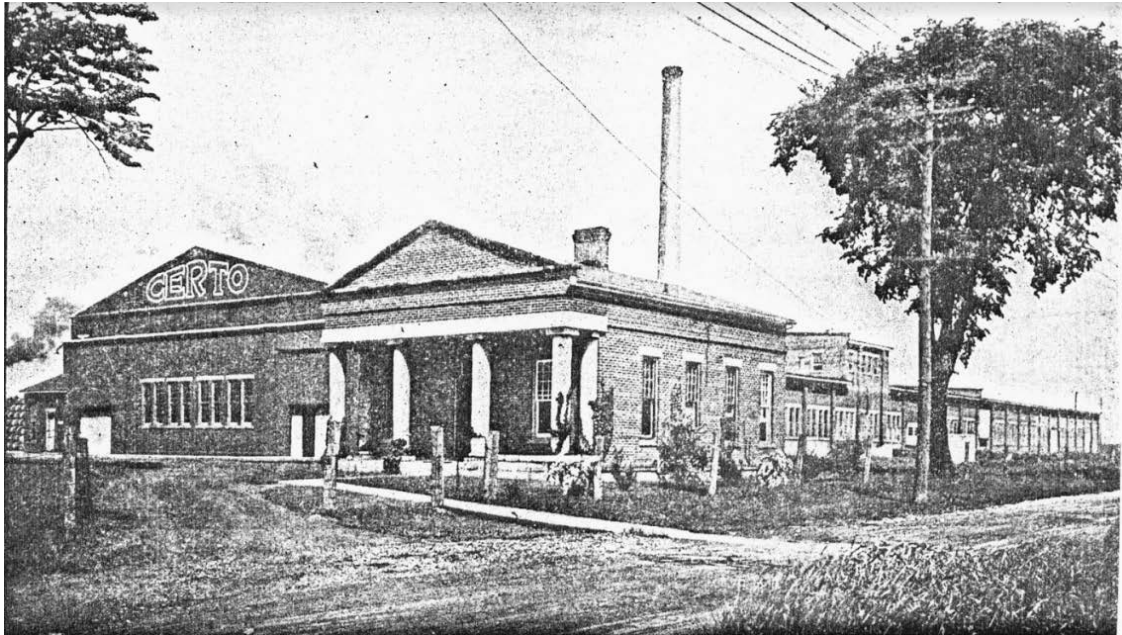
Above: For reference, Buildings “A”, “B”, and “C” are identified in the above diagram. These labels are assigned to facilitate discussion of the property and are consistently used when describing the three historic buildings on the subject property that front on Ontario Street. The building referenced in this Report is identified as Building “C” (also commonly referred to as the “Certo” building).

The buildings and structures at 520 William Street are associated with the Douglas Pectin Company where Certo was manufactured, and General Foods and Kraft Canada, which was a major food employer and was integrated within civic and economic life in the Town of Cobourg for almost a century. According to the heritage

designation description, Building "C" is of neoclassical design, with a four column portico and pediment on the south façade, and red brick cladding.



Above: Building "C" was constructed in 1909 as an administrative office. It is pictured here sometime in the early twentieth century.



Above: The subject property, as seen from Ontario Street with Building "C" in the foreground, in the 1920s.



Above: The historic buildings that front on Ontario Street are landmarks in the area and define the character of the Ontario Street frontage of the property. In the foreground of the picture is Building "C" (Certo).



Above: Building "C" (ca. 1909) is a Greek Revival style building.

Timeline of Relevant Events

➤ Spring 2010: Concurrent Planning Act applications considered

The conservation of heritage resources on the subject property first arose during the consideration of two separate but concurrent applications for the subject property in the Spring of 2010.

An application to amend the Zoning By-law (File Number Z-05-10) was submitted by a previous owner for the purpose of changing the General Industrial (GM) Zone category applicable to the southern portion of the property to permit a broader range of land uses at the existing Cobourg Innovation Centre facility.

An application for consent to sever (File Number B-02/10) the property at 520 William Street was also submitted for the purpose of severing a 1.4 ha. parcel of land with 49 m of frontage on Elgin Street West, and merging it with the adjacent YMCA property on Elgin Street West.

On reviewing these applications, Heritage Planning staff identified, in particular, the older, historic industrial buildings along Ontario Street as being of potential heritage value or interest, and it was suggested that the two outbuildings (Building “B” and Building “C”, ca. 1909) and the primary “Certo” industrial plant (Building “A”, ca. 1909) be added as Listed properties on the municipal Heritage Register. The proposal for the property was well-received by the CHC and the following two motions were carried at this meeting:

a) Severance Application

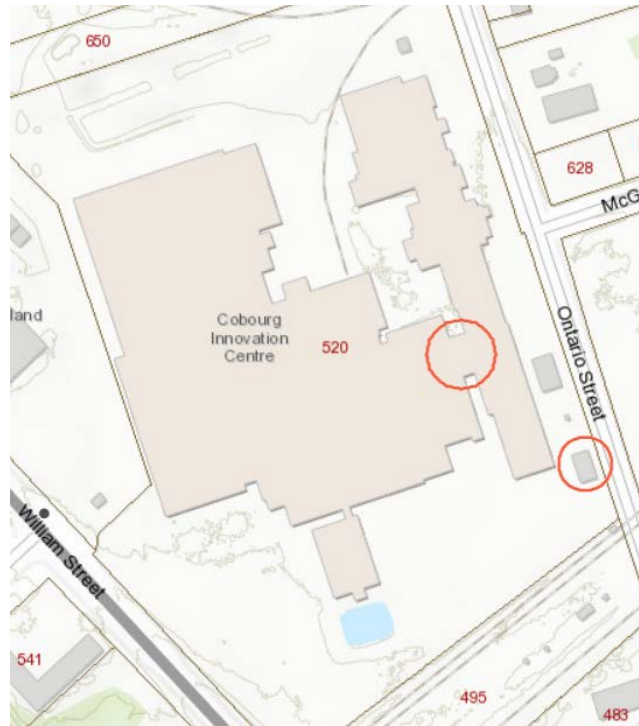
“That Committee supports staff’s recommendation that the Committee of Adjustment consider as a condition of approval for severance that the owner of 520 William Street provide a letter indicating support for inclusion of 520 William Street on the Town’s Heritage Register of Properties of Cultural or Heritage Value (but Not Designated).”

b) Rezoning Application

“Cobourg Heritage Committee is in favour of the rezoning application as proposed by Cobourg Innovation Centre and look forward to working with the applicant in addressing the Heritage Component of the development.”

➤ June 13, 2011: Demolition Permit

A Demolition Permit application by a previous owner was received by the Building Department on June 13, 2011, which included the demolition of the southern outbuilding known as Building “C”, and the removal of a portion of a building connecting Building “A” (the larger historic industrial Certo building) to the newer industrial building complex to the west.



Above: The areas circled in red indicate the outbuilding (Building “C”) and the connection between Building “A” and the modern building complex to the west, that were subject to the application for a Demolition Permit.

Furthermore, conversations and correspondence occurred between the Chief Building Official and the agent for the previous owner of the property regarding the demolition process, applicable fees, and the permit status.

While the application for a Demolition Permit was for one outbuilding (Building “C”) and one building connection/structure only, Heritage Planning staff recognized that there were no protections in place and that the entire complex was vulnerable to significant alterations and/or demolition. Based on Heritage Planning staff’s review, the subject property met the prescribed criteria for designation outlined in O. Reg 9/06, and staff were sufficiently concerned at this turn of events to propose that a Notice of Intention to Designate the historic Certo industrial complex be brought to the Cobourg Heritage Advisory Committee (CHC) and municipal Council for consideration.

The following motion was carried at the June 15, 2011 meeting of the CHC:

“That CHC support the Notice of Intention to Designate – 520 William Street.”

➤ June 20, 2011: Notice of Intention to Designate

The CHC's support for the designation of the subject property was considered by the Committee of the Whole, and subsequently the following motion was carried at the regular Council meeting on June 20, 2011:

"WHEREAS the Committee of the Whole has considered a memo from the Secretary, Cobourg Heritage Committee regarding a Notice to Designate property located at 520 William Street, Cobourg (Old Certo Industrial Building);

NOW THEREFORE BE IT RESOLVED that Council authorize that the notice of intention to designate be issued under Section 29, Part IV of the Ontario Heritage Act, for the Certo Industrial Building and associated accessory buildings including the Certo Office located at 520 William Street, Cobourg."

In accordance with the procedure outlined in the Ontario Heritage Act, the Notice of Intention to designate was subsequently published in the local paper, and served upon the property owner and the Ontario Heritage Trust.

➤ July 2011: Objection to Notice of Intention to Designate

As provided for in the Ontario Heritage Act, the previous owner filed an objection to the designation of the subject property. The agent for the owner presented a delegation to the Committee of the Whole on July 11, 2011 in which he outlined several points in response to the Notice of Intention to Designate.

The presentation included mention of the owner's commitment to retain a heritage professional to prepare appropriate plans for the Ontario Street frontage of the property. Further, it was communicated that the owner had no current plans for Building "C" and would commit to make no alterations without consultation with the Town. He requested that Council consider the owner's objective of creating an industrial space that is viable for tenants and will provide business and employment opportunities.

The formal objection to the Notice of Intention to Designate the subject property was dated July 22, 2011.

➤ 2011 – 2013: Conservation Review Board

The matter was duly referred to the Conservation Review Board (CRB) for a hearing, and Town staff forwarded the required materials to the CRB on October 14, 2011.

The CRB is an adjudicative tribunal that hears disputes on matters relating to the protection of properties of cultural heritage value or interest. As an independent and quasi-judicial body, the CRB mediates and conducts formal hearings around issues such as objections to heritage designations, alterations to heritage properties, and alterations or repeals of designating by-laws.

Through the pre-hearing process and mediation efforts, the CRB attempts to facilitate a settlement of the dispute. Should a settlement not be achieved, the matter proceeds to a hearing. After the hearing, the CRB provides a recommendation on the matter to municipal Council. The final decision on the matter lies with Council, as the recommendation of the CRB is not binding.

Ensuing discussion between the Town of Cobourg and the previous owner resulted in a settlement of the matter that included the development of a comprehensive Rehabilitation Plan for Building “A”.

➤ October 15, 2013: Rehabilitation Plan for Building “A” and Listing of the Property on the Municipal Heritage Register

At the time, there was no mechanism in place to protect the building, nor was there a plan to address future improvements or long term maintenance. The preparation of the Rehabilitation Plan was identified as a means to resolve the issue and avoid a potentially costly hearing at the CRB. The Rehabilitation Plan for the Cobourg Innovation Centre -- Building “A” was developed by Terry Foord, Architect, on behalf of Mr. Mark King, agent for the previous owner of the Cobourg Innovation Centre at 520 William Street, in cooperation with Town of Cobourg Planning staff.

The purpose of the Rehabilitation Plan is to describe the restoration work that was completed to date and to provide a comprehensive set of standards for ongoing maintenance, restoration, and adaptive reuse of Building “A”.

The Plan allows for specific modifications to the building to accommodate new tenants and provides standards for the maintenance and restoration of the character-defining heritage elements of the building. Any future modifications and additions to the building not specifically outlined in the Rehabilitation Plan are subject to the existing development agreement and municipal approval.

The Rehabilitation Plan was reviewed and commented on by the CHC at their February 20, 2013 meeting. The Rehabilitation Plan was also reviewed in detail by planning staff and, following numerous discussions with Mr. King and the architect, the Plan was finalized.

The Rehabilitation Plan was considered at the Committee of the Whole meeting on October 7, 2013. It was accompanied by a report from Planning staff which recommended that the Rehabilitation Plan be registered on title, within a contractual Development Agreement pursuant to the Planning Act, combined with the Listing of the property on the municipal Heritage Register pursuant to the Ontario Heritage Act. It was suggested that these tools would collectively form an appropriate level of regulatory control over the future adaptive re-use, maintenance and restoration of this important historic industrial complex. Listing the property on the Heritage

Register would protect the building from demolition for 60 days until a formal decision on designation could occur.

The following motion was carried at the Council meeting on October 15, 2013:

WHEREAS the Committee of the Whole has considered a report from the Secretary, Cobourg Heritage Committee regarding the Cobourg Innovation Centre Rehabilitation Plan;

NOW THEREFORE BE IT RESOLVED that Council endorse the comments of the Cobourg Heritage Committee and approve the Cobourg Innovation Centre Building 'A' Rehabilitation Plan subject to the following conditions:

- 1. That the property located at 520 William Street, Cobourg be listed on the Municipal Register of properties with 'Cultural Heritage Value or Interest';*
- 2. That the 'Rehabilitation Plan' form part of a registered development plan agreement;*
- 3. A Rehabilitation Plan approved by the Municipality, or designation under the Ontario Heritage Act, shall be required before any alterations are made to Building 'C';*
- 4. Subject to the implementation of the above, that the Notice of Intent to Designate the property known municipally as 520 William Street, Cobourg be withdrawn by the Municipality.*

➤ November 12, 2013: Amending Development Agreement

The owner had previously entered into a Development Agreement with the Municipality that was registered on December 7, 2010 to address a number of re-development and renovation conditions associated with the entire industrial complex. Further to the settlement that was reached between the owner and the Municipality with regards to the Notice of Intention to Designate (2011), both parties agreed to amend the existing Agreement. As such, an Amending Agreement was signed, sealed and delivered on November 12, 2013 and registered on title on November 27, 2013. The Development Agreement, as amended, is binding on all successive owners and assigns.

The Amending Agreement includes an acknowledgement by the owner that the Municipality is not precluded from exercising any and all rights under the Ontario Heritage Act with respect to the owner's lands.

The Amending Agreement added the following applicable clauses to the existing Agreement:

(q) The Owner covenants and agrees that no construction, demolition, maintenance, renovation, rehabilitation, alteration, modification,

addition, improvement or change whatsoever shall occur to Building 'C' as shown on Schedule "B" to this Agreement until a Rehabilitation Plan is prepared by a qualified architect and approved in writing by the Council of the Municipality. Notwithstanding the foregoing, the Director of Planning & Development may, upon the submission of detailed information by the Owner and at his/her sole discretion, approve such works to Building 'C' that are deemed to be of a minor nature (ie: general maintenance, repair) and would not substantially alter or affect the heritage attributes of the building.

(r) The Owner acknowledges and agrees that any attempt to demolish or seek to demolish Buildings 'A', 'B' and/or 'C' on the Subject Lands may result in the Municipality issuing a Notice of Intent to Designate.

Similar clauses also exist within the Agreement with respect to Buildings "A" and "B".

➤ November 14, 2013: Owner withdraws objection

Based on the settlement reached between the parties, and the Town's commitment to withdrawing the Notice of Intention to Designate (per the motion carried at October 15, 2013 Council meeting), the owner indicated in writing that the objection to the intention to designate the property is being withdrawn.

➤ December 2, 2013: Withdrawal of Intention to Designate

As per Council's direction, the Town of Cobourg formally withdrew the Notice of Intention to Designate the property known as 520 William Street. In a letter dated December 3, 2013, the Conservation Review Board acknowledged that the owner had withdrawn their objection, and that the Town had withdrawn the Notice of Intention to Designate the property. As there were no outstanding objections to the matter, the file was closed by the CRB.

➤ 2012 – 2014: ACO partnership proposal

The Architectural Conservancy of Ontario (ACO) Cobourg Branch brought forward a proposal for a partnership between their organization and a local heritage mason who would become the main tenant of Building "C" under the ownership of the ACO and would contribute to its restoration in lieu of rent.

The proposal sought to address maintenance and repair requirements identified at Building "C", including roof replacement, asbestos removal, and masonry restoration. The opportunity for landscaping and interpretive panels was also discussed, as was the long-term full restoration of the building and the possible creation of community meeting/workshop space.

Ongoing discussions between the property owner, the mason, ACO Cobourg branch, Town staff and the Mayor explored the various aspects of the proposal's

feasibility. The proposal was never realized, and the idea was abandoned in January 2014.

➤ November 24, 2016: Property Standards Complaint; followed by March 21, 2017: Order to Remedy

A written complaint was submitted to the municipality on November 24, 2016, raising concern about the condition of the roof and masonry of Building “C”. An investigation was conducted by the Chief Building Official and an Order to Remedy was issued for the property on March 21st, 2017 to address non-compliance with the Town of Cobourg’s Property Standards By-law 18-99, as amended.

The Order to Remedy described the deficiencies identified in relation to the Property Standards By-law 18-99 as amended, and required the following scope of work be undertaken:

DESCRIPTION	REPAIR REQUIRED
Roof is sagging and shows signs of leaking into building.	Restore, repair or replace roof structure and make water tight.
Brick work on exterior walls and south gable end parapet wall has cracks, broken masonry units and loose mortar.	Restore, repair or replace brick work.
Columns and concrete above columns have several large cracks.	Restore, repair or replace columns and concrete above.

➤ August 15, 2017: Engineer’s Report; followed by September 11, 2017: Request to Demolish Building ‘C’

Subsequently, the previous owner of the property commissioned Pichler Engineering to prepare a structural review and assessment of the subject building. The report accompanied a written request to demolish Building ‘C’ that was received by Building and Planning staff on September 11, 2017. The matter was included on the Agenda for the Council meeting on September 18, 2017, at which point the matter was referred to the CHC for a recommendation.

➤ December 11, 2017: Designation By-law Passed by Cobourg Council Building ‘C’

Subsequently, various parties spoke to both CHC and Council about the matter both from the heritage community and the property owners. CHC passed a Motion at their

October 11th, 2017 to designate the historic buildings on the subject property, and Council subsequently passed By-law No. 92-2017 designating the subject property (specifically, Buildings “A”, “B” and “C”) under Part IV of the Heritage Act on December 11th, 2017.

➤ December 12, 2019: Heritage Permit (staff approval) – HP-2019-073 Building ‘C’

In December of 2019, a Heritage Permit was issued to FV Pharma for the following work on Building “C” as per a Rehabilitation Plan prepared by Pichler Engineering on behalf of FV Pharma:

- 1) removal of north and south HVAC unit and the failing roof structure to avoid collapse;
- 2) Cover roof with a weighted tarp to protect through the winter season;
- 3) bracing of south parapet wall, if necessary, to maintain structural integrity and prevent collapse; and,
- 4) all of the above under the supervision of the consulting engineer.

➤ March, 2020: Structure failure, front (south) parapet wall collapse

Despite the supervision of the project by the consulting engineer and numerous reminders by Building and Planning staff to ensure that the south gable/parapet wall was braced and protected, the structure collapsed (see image below).



Above: Photo of Building “C” taken March 20, 2020

Shortly after the collapse, Building and Planning staff met a number of times with the owner and its representatives to develop a methodical plan to stabilize the building and address restoration/rehabilitation of the roof and gable wall.

In the Spring of 2020, FV Pharma attempted to obtain quotes for the restoration of the south gable wall and roof of Building “C”, however this was complicated by the COVID-19 pandemic. In the Summer of 2020, the owner retained Historic Carpentry Inc. to prepare the requisite plans to submit for approval and undertake the necessary work.

The current Heritage Permit application addresses the structure failure and proposes to replace the roof structure, stabilize the building and restore/rehabilitate the masonry façade of Building “C”, including the pillars, bond beam system, eaves trough, fascia and soffit (refer to **Appendix “A”** attached).

6.0 **ANALYSIS**

This Heritage Permit application purposes to re-construct a new roof system, stabilize the walls and restore all masonry including all pillars and the bond system. The Heritage Permit application was received on Thursday November 5, 2020. A copy of the engineered design drawings prepared by Residential Drafting Services (and stamped by a professional engineer) is affixed to this Report as **Appendix “A”**.

Roof

A new roof system will be installed, which will also include the soffit, fascia, and eaves trough systems, which all will be aluminum. The new roof will be an engineered truss system that will replace the former existing rafter framed roof. The new roof will be sheathed with black asphalt shingles and will have a continuous ridge vent at the peak. The eaves trough is being designed to appropriately direct water away from the building. Temporary interior shoring will be erected in order to protect the walls while the roof is being replaced.

Masonry

All façade masonry (red brick) will be restored including the pillars and bond beam system. The bond beam system will be engineered precast. The front gable wall will also be restored as part of this restoration. Engineered scaffolding will be erected around the columns for shoring of the columns and the interior of the building will feature wall stabilizing cross-beams.

Building and Planning Staff is pleased that after many years of advocacy (more than a decade) by the Municipality and others that this important industrial heritage resource in the Town of Cobourg will be appropriately conserved.

7.0 **FINANCIAL IMPLICATIONS/STAFFING/BUDGET IMPACT**

There are no anticipated financial implications on the Municipality as a result of the approval of this Heritage Permit application.

8.0 **CONCLUSION**

Overall, the applicant is proposing to restore the exterior form of Building “C” close to (or better than) pre-existing conditions, including maintaining proportions, colour and massing as well as stabilizing and weather-proofing the structure. It is my opinion that the proposed rehabilitation works consisting of roof replacement, structural stabilization and masonry restoration are in general conformity with established Heritage Guidelines and best practices, are consistent with the heritage attributes identified under the site specific designation Part IV under the Ontario Heritage Act, and conserve an important industrial heritage building in the community.

9.0 **ATTACHMENTS**

Appendix A - Drawings prepared by Residential Drafting Services.

10.0 **AUTHORIZATION/SIGNATURES**

Report Prepared By:



Dave Johnson
Planner I - Heritage

Approved By:

Rob Franklin, MCIP, RPP
Manager, Planning Services



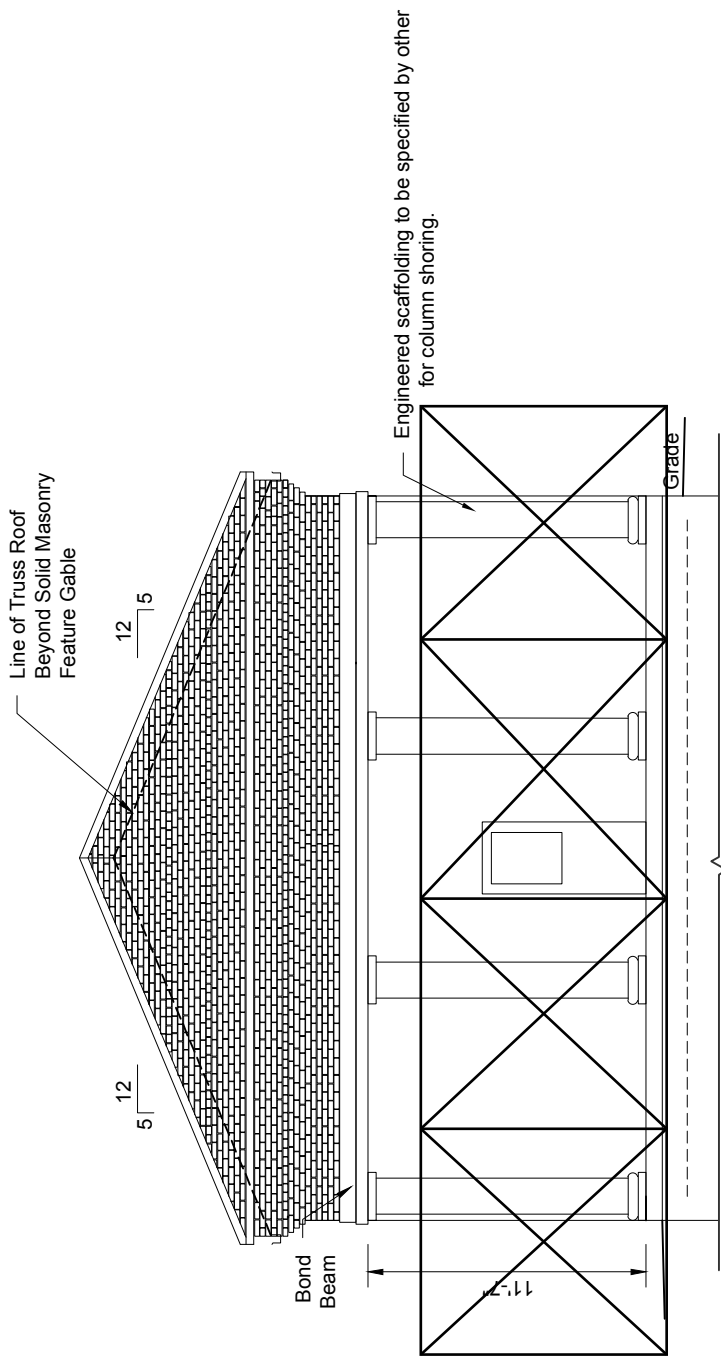
Dave Hancock, C.P.S.O
Chief Building Official



Glenn J. McGlashon, MCIP, RPP
Director of Planning & Development

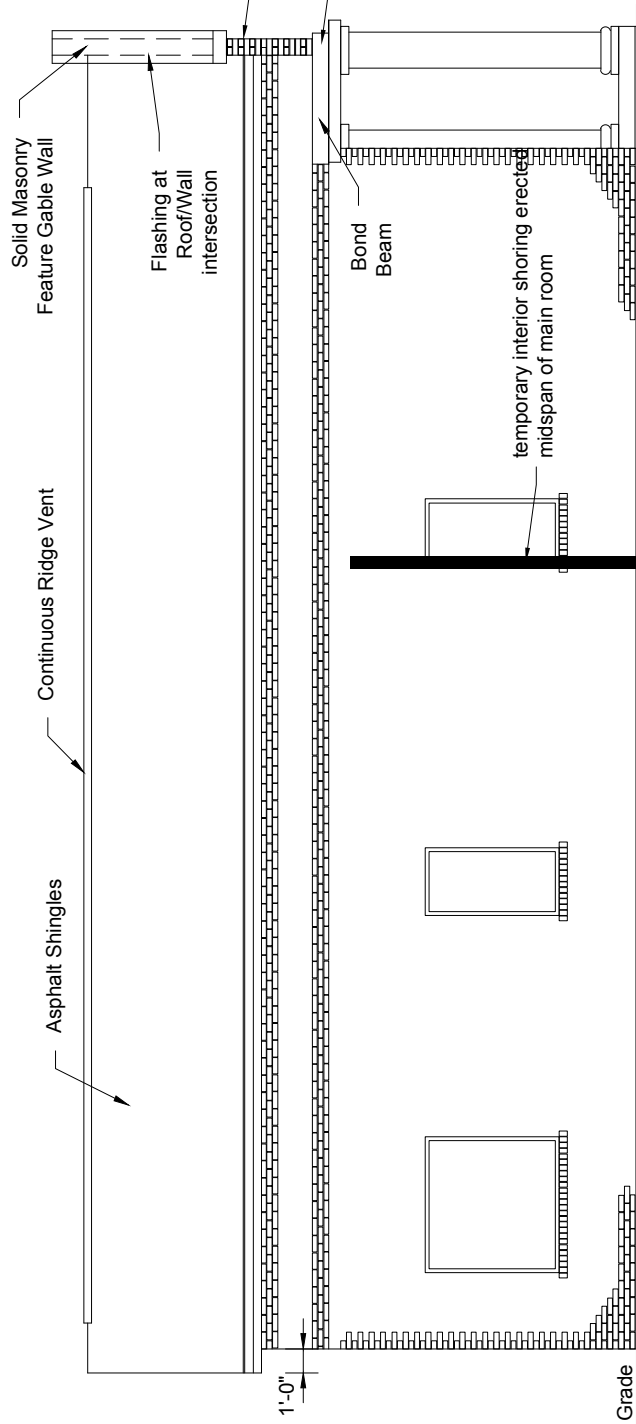


APPENDIX “A”



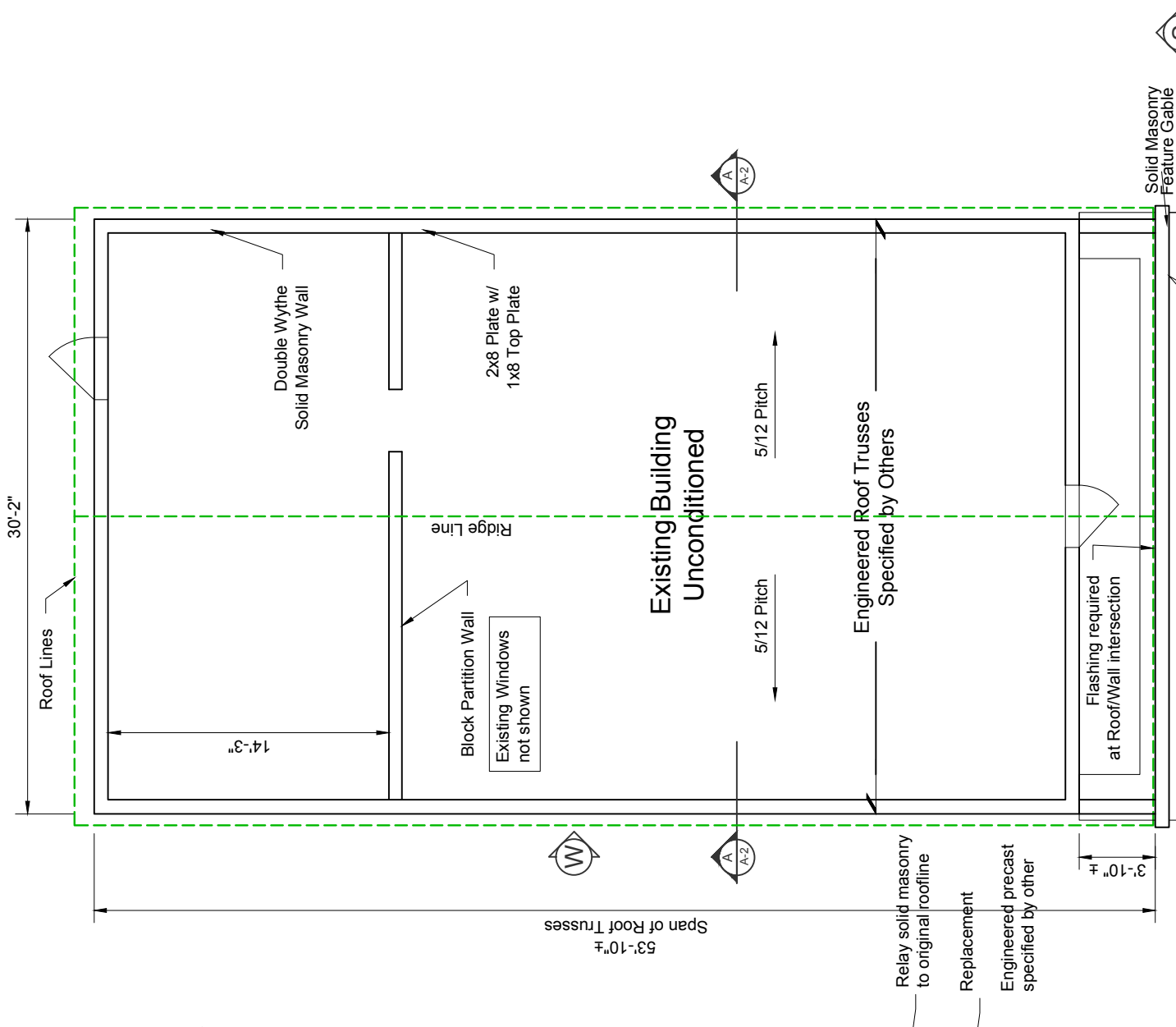
South Elevation

SCALE: 1"=1'-0"



West Elevation

SCALE: 1"=1'-0"



Plan View

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

- [illegible]

DESIGN LOADS:

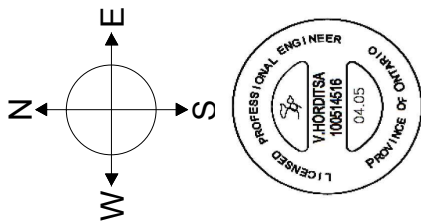
IMPORTANCE FACTOR, I_e	1
ROOF DEAD LOAD	1.0KPa
ROOF LIVE LOAD	1.0KPa
SNOW LOAD	1.6KPa
EQUIPMENT ROOF DEAD LOAD	0.2KPa
MAX. WIND LOAD	0.51KPa
RAIN LOAD	0.1KPa
EARTH QUAKE	
LOCATION: COLOGNE, ONTARIO	
S&O.2:	0
S&O.5:	0
S&1.0:	0
S&2.0:	0
PGR	0
SITE CLASS:	B
MATERIAL:	
SYSTEM:	

TEMPORARY SHORING AND BRACING NOTES

1. THE CONTRACTOR IS RESPONSIBLE FOR THE STRENGTH, SAFETY, AND STABILITY OF THE NEW AND EXISTING STRUCTURES DURING CONSTRUCTION AND SHALL PROVIDE TEMPORARY SHORING, BRACING, AND OTHER ELEMENTS REQUIRED TO MAINTAIN STABILITY UNTIL THE STRUCTURE IS COMPLETE.
2. IT IS CONTRACTORS RESPONSIBILITY TO BE FAMILIAR WITH THE WORK REQUIRED IN THE CONSTRUCTION DOCUMENTS AND THE REQUIREMENTS FOR EXCAVATING PROPERTY.
3. THE CONTRACTOR SHALL AT THIS DISCRETION EMPLOY A REGISTERED PROFESSIONAL ENGINEER FOR THE DESIGN OF ANY TEMPORARY BRACING AND SHORING.

NOTES:
1. CONTRACTOR IS RESPONSIBLE TO PROVIDE SHOP DRAWINGS FOR ENGINEER REVIEW BEFORE CONSTRUCTION.
2. DIMENSIONS AND INSTALLATION SHALL BE DEEPTO SHOP DRAWINGS.

1. *Journal of the American Medical Association*, 1997; 277: 1001-1005.



**RESIDENTIAL DRAFTING
SERVICES**

158 NORTH SHORE ROAD, GRAFTON, ON K0K 2G0
289 251 4144 ellen@residentialdrafting.ca

These drawings and specifications are confidential and proprietary and shall remain the sole property of Residential Drafting Services, which is the owner of the copyright of this Work. These drawings and specifications may not be reproduced (in whole or in part), altered, shared with third parties or used in any manner on other projects or extensions to this project without the express written consent of Residential Drafting Services, and are not to be used for construction unless signed by the Designer.

Examine the drawings carefully before commencing the Work. Report any discrepancies to the Designer and obtain clarification of additional instructions before proceeding with that part of the Work.

Do not commence the Work unless the drawing is issued For Construction.

Do not scale drawings

The undersigned has

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents. See Schedule 1: Designer Information sheet for scope of work.

Qualified Designer:

ELLEN ABRAMCZYK, B.C.I.N. - 28276

Registered Firm:

Registered Firm:
RESIDENTIAL DRAFTING SERVICES, B.C.I.N. - 33083

[illegible]

CLIENT:

FSD Pharma Inc.
520 William Street

DESIGNER:

ELLEN ABRAMCZYK

SITE.

520 William Street
'Certo Building'
Cobourg, ON

TITLE:

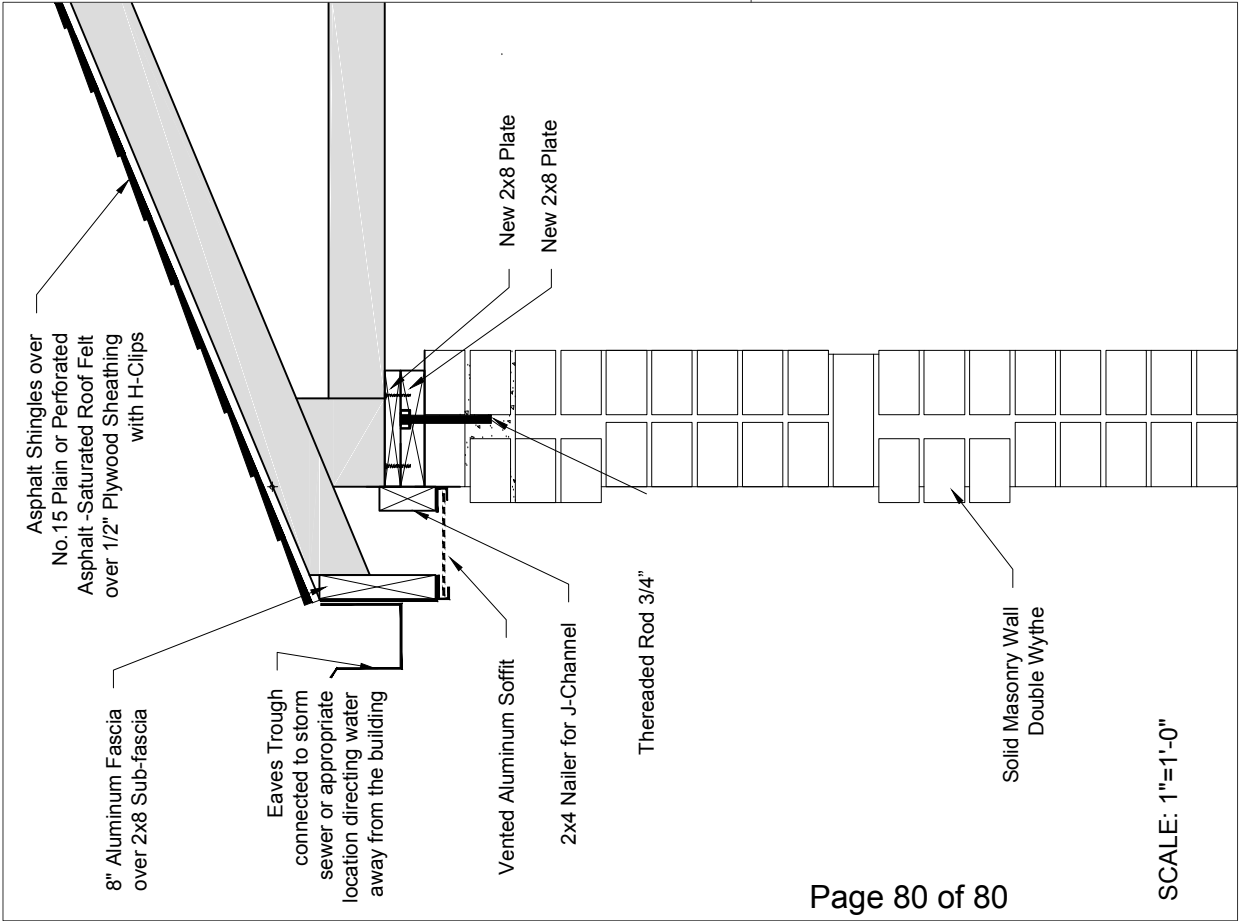
Elevations, Plan View

SCALE:

As shown

PROJECT

10228	Λ 1	1
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GENERAL REQUIREMENTS:

- USE ONLY THE LATEST ISSUES OF ANY GOVERNMENT CODES, STANDARDS, OR REGULATIONS MENTIONED IN THE FOLLOWING NOTES.
- EXCEPT WHERE NOTED OTHERWISE, PROVIDE ALL MATERIALS AND WORKMANSHIP IN ACCORDANCE WITH THE REQUIREMENTS OF THE ONTARIO BUILDING CODE (OBC) AND ITS LATEST REGULATIONS.
- CHECK ALL DIMENSIONS, LEVELS, AND ELEVATIONS PROVIDED BY THE STRUCTURAL DRAWINGS WITH OTHER CONTRACT DOCUMENTS AND REPORT ANY INCONSISTENCIES TO THE ENGINEER BEFORE PROCEEDING WITH THE WORK.
- REPORT ALL DISCREPANCIES IN CONNECTION WITH SPECIFICATIONS AND OTHER CONTRACT DRAWINGS.
- SPECIFIC NOTES AND DETAILS SHOWN ON THE STRUCTURAL DRAWINGS TAKE PRECEDENCE OVER THE GENERAL NOTES AND TYPICAL DETAILS.
- COORDINATE WITH ALL OTHER TRADES WHERE SUCH TRADES AFFECT THE STRUCTURE.
- THE STRUCTURAL DESIGN OF THE BUILDING IS BASED ON THE FULL INTERACTION OF ALL ITS COMPONENT PARTS. NO PROVISIONS HAVE BEEN MADE FOR CONDITIONS OCCURRING DURING CONSTRUCTION. MAKE ADEQUATE PROVISIONS FOR THE PROTECTION OF THE STRUCTURE FROM COLLAPSE DURING ALL PHASES OF SHORING TO KEEP THE STRUCTURE PLUMB AND LEVEL DURING ALL PHASES OF THE WORK.
- NO HOLES, OTHER THAN THOSE APPROVED BY THE ENGINEER, WILL BE PERMITTED THROUGH STRUCTURAL MEMBERS.
- CONTRACTOR SHALL CROSS CHECK ALL STRUCTURAL DRAWINGS AND DIMENSIONS WITH ARCHITECTURAL DRAWING.
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN SITE.
- CONTRACTOR SHALL CONSIDER AND PERFORM ALL SAFETY MEASURES TO PROTECT LABORERS AND PUBLIC.
- CONTRACTOR SHALL VERIFY ALL OPENING SIZES.
- NOTES AND DETAIL DRAWINGS TAKE PRECEDENCE OVER GENERAL STRUCTURAL NOTES AND TYPICAL DETAILS.
- CONTRACTOR SHALL CONTACT ENGINEER IMMEDIATELY BEFORE PROGRESS, IN CASE OF ANY UNUSUAL CONSTRUCTION CONDITION THAT JEOPARDIZE SAFETY OF LABOR AND/OR PUBLIC, AT THE TIME AND/OR IN FUTURE.
- IN CASE OF EXISTENCE OF DISCREPANCIES BETWEEN THE PROJECT SPECIFICATIONS AND THE GENERAL STRUCTURAL NOTES, THE MOST CONSERVATIVE SPECIFICATION SHALL GOVERN UNLESS OTHERWISE SPECIFIED. THIS SHALL NOT BE A BASIS FOR CONTRACTOR FAILURE OR ANY BACK CHARGE OR ADDITIONAL CLAIM.

LG65 ELEMENTS BY OTHERS

DESIGN LOADS:

IMPORTANCE FACTOR, IE:	1
ROOF DEAD LOAD:	1.0KPa
ROOF LIVE LOAD:	1.0KPa
SNOW LOAD:	1.36KPa
EQUIPMENT ROOF DEAD LOAD:	0.2KPa
WALL DEAD LOAD:	0.1KPa
WIND WIND LOAD:	0.51KPa
EARTH QUAKE:	0.1KPa
LOCATION: COBBOURG, ONTARIO	
SII(0.2):	0.179
SII(0.5):	0.106
SII(1.0):	0.059
SII(2.0):	0.03
PGA:	0.113
SITE CLASS:	D
MATERIAL:	BRICK
SYSTEM:	WALLS

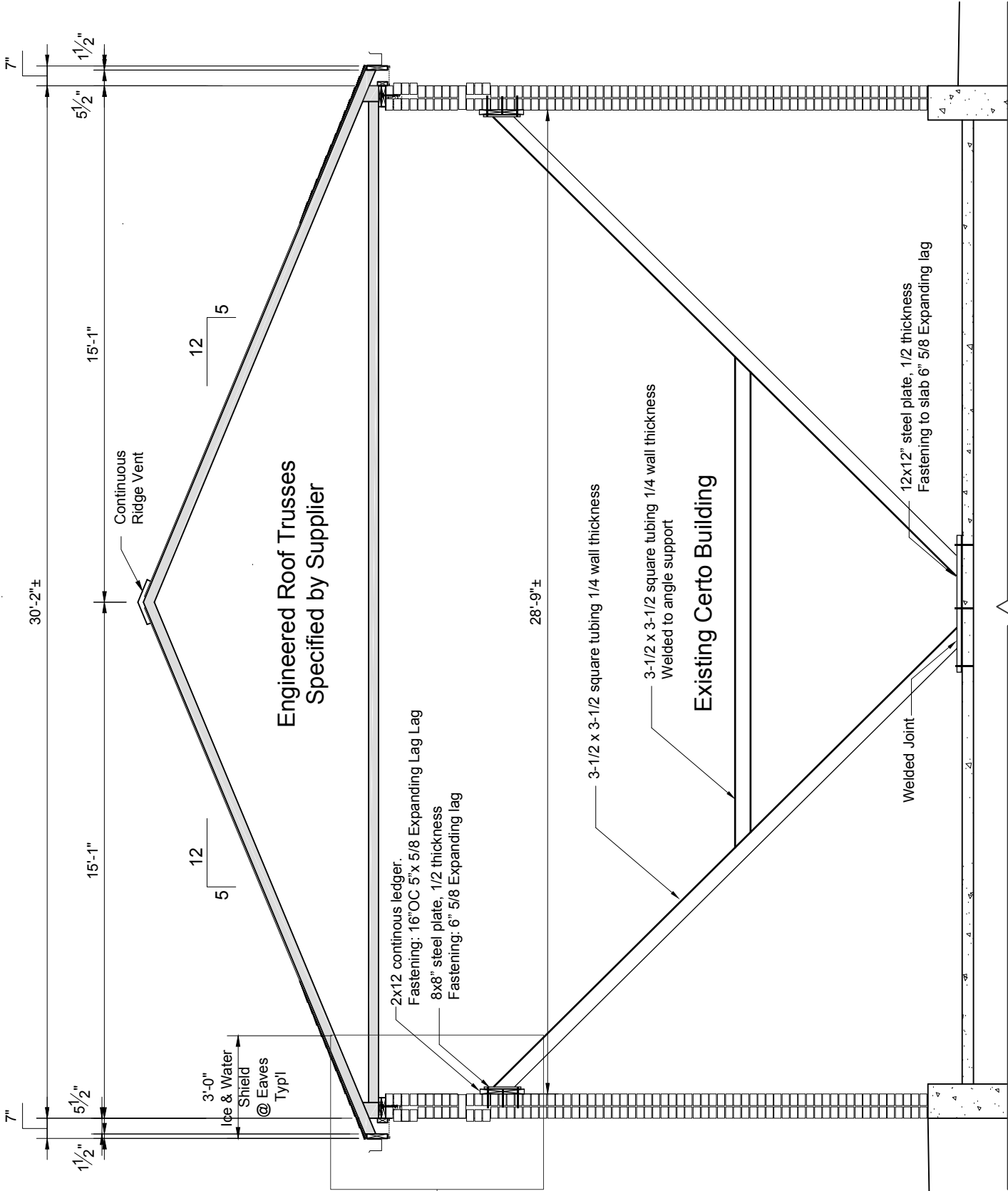
TEMPORARY SHORING AND BRACING NOTES:

- THE CONTRACTOR IS RESPONSIBLE FOR THE STRENGTH, SAFETY, AND STABILITY OF THE NEW AND EXISTING STRUCTURE DURING CONSTRUCTION AND SHALL PROVIDE TEMPORARY SHORING, BRACING AND OTHER ELEMENTS REQUIRED TO MAINTAIN STABILITY, UNTIL THE STRUCTURE IS COMPLETE.
- IT IS CONTRACTOR'S RESPONSIBILITY TO BE FAMILIAR WITH THE WORK REQUIRED IN THE CONSTRUCTION DOCUMENTS AND THE REQUIREMENTS FOR EXECUTING IT PROPERLY.
- THE CONTRACTOR SHALL AT THIS DISCRETION EMPLOY A REGISTERED PROFESSIONAL ENGINEER FOR THE DESIGN OF ANY TEMPORARY BRACING AND SHORING.

NOTES:
1- CONTRACTOR IS RESPONSIBLE TO PROVIDE SHOP DRAWINGS FOR ENGINEER REVIEW BEFORE CONSTRUCTION.
2- FOR DIMENSIONS AND INSTALLATION DETAILS, REFER TO SHOP DRAWINGS.

Section A

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



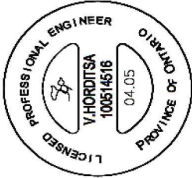
NOTES:

Plans for the replacement of a existing rafter framed roof and ceiling with Engineered Trusses.

Contractor to verify all measures.

All lumber used shall be SPF#1,2 or better unless noted otherwise.

Attachment of roof trusses to sill plate requires min 3 - 3 1/4" nails toe nailed at each truss to sill contact.



RESIDENTIAL DRAFTING SERVICES

158 NORTH SHORE ROAD, GRAFTON, ON K0K 2G0
289 251 4144
ellen@residentialdrafting.ca

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Examine the drawings carefully before commencing the Work. Report any discrepancies to the Designer and obtain clarification of additional instructions before proceeding with that part of the Work.

Do not commence the Work unless the drawing is Issued For Construction.

Do not scale drawings

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents. See Schedule 1: Designer Information sheet for scope of work.

Qualified Designer:

ELLEN ABRAMCZYK, B.C.I.N. - 28276

Registered Firm:

RESIDENTIAL DRAFTING SERVICES, B.C.I.N. - 33083

3	Revised Permit Issue	18/03/20
2	Permit Issue	29/09/19
1	Preliminary Issue	27/09/19
NO.	DESCRIPTION:	DATE:

CLIENT:	FSD Pharma Inc. 520 William Street 'Certo Building' Cobourg, ON
DESIGNER:	Ellen Abramczyk B.C.I.N. 28276

SITE:	520 William Street 'Certo Building' Cobourg, ON
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TITLE:	Section , Detail
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SCALE:	As Shown	DATE:	9/25/19
PROJECT NO:	19228	SHEET NO:	A-2
		REVISION:	1