 <b>COBOURG</b>	<b>THE CORPORATION OF THE TOWN OF COBOURG</b>	
	<b>STAFF REPORT</b>  Regular Council Meeting	
TO:	Mayor, Deputy Mayor and Council Members	
FROM:	Brent Larmer	
TITLE:	Municipal Clerk/Manager of Legislative Services	
DATE OF MEETING:	December 14, 2020	
TITLE / SUBJECT:	Direction on Municipal Staff Involvement Respecting an Appeal to the Local Planning Appeal Tribunal of a Committee of Adjustment Decision Concerning - 171 Bagot Street, Cobourg	
REPORT DATE:	December 9, 2020	File #:

1.0 STRATEGIC PLAN  
Not Applicable

2.0 PUBLIC ENGAGEMENT  
Not Applicable

3.0 RECOMMENDATION  
THAT Council approve and endorse the following recommendation:

1. THAT Council take no position on the appeal of the denial decision of the Committee of Adjustment concerning 171 Bagot Street Cobourg (File A-2-2020 and File B-03-2020) and

FURTHER THAT the Town not seek party or participant status at the Local Planning Appeal Tribunal Hearing;

2. THAT the Local Planning Appeal Tribunal be advised that the Town of Cobourg requests that if the minor variance application and consent to severe application is approved that the following conditions be imposed:  
**Application File A-02-2020 – Minor Variance Application:**

1. That the Variance generally relate to the plans submitted in Schedule "A".

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

AND

**Application File B-03-2020 – Consent to Severe Application:**

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 and compatible building design (following approved guidelines and generally in accordance with the plans submitted in Schedule A), urban design and landscaping including tree re-planting and 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.

4.0 ORIGIN

The Committee of Adjustment is a quasi-judicial decision-making body consisting of five (5) members appointed by Council to consider applications for Consent (to sever land), applications for minor variances from the Zoning By-law, and any other variances specified under the *Planning Act R.S.O 1990*.

Applications to the Committee of Adjustment are processed in accordance with the requirements of Sections 45 and 53 of the *Planning Act R.S.O 1990*, applicable regulations (O.Reg. 200/96 and 197/96 as amended), the Statutory Powers Procedures Act and applicable provincial and municipal policies (ie. Provincial Policy Statement, Official Plan, etc). The Committee has the same powers as Council in considering and approving requests for Consent and Minor Variances.

The goals and purpose of the Committee of Adjustment are to:

- Hear presentations from property owners, applicants, or authorized agents,
- Hear and consider public input; and,
- Make informed decisions on Planning Act matters.

All decisions are subject to notice of the decision and all decisions made under the *Planning Act R.S.O 1990* are subject to appeal to the Local Planning Authority Tribunal (LPAT).

## 5.0 BACKGROUND

The subject property known as 171 Bagot Street is an established residential property, improved with a two-storey single-unit residential dwelling.

The subject property is approximately 27.26 m (89.4 ft) in frontage, and approximately 969.5 m<sup>2</sup> (3,180 ft<sup>2</sup>) in lot area. See Schedule "A" Key Map as attached to the Planning Staff Report dated July 23, 2020.

The subject property is located in a Residential Three (R3) Zone, and presently, the R3 Zone requires an 11m frontage therefore, the applicant is seeking the following variance:

- To permit 9.88 m frontage for a new infill lot, a variance of 1.12 m.

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

Proposed Consent for Lot: Approximately 373m<sup>2</sup> in area with 9.88 m frontage on Bagot Street.

## 6.0 ANALYSIS

The Applicant submitted an application to the Committee of Adjustment for a Minor Variance and a Consent to Sever to permit a 9.88 m frontage for a new infill lot, a variance of 1.12 m located on subject property 171 Bagot Street Cobourg.

The Planning Department advised through a Planning Report as attached to this Council Staff Report as Attachment "A" and Attachment "B" to the Committee of Adjustment that it had no objection to the approval of the applications, subject to conditions as outlined within the recommendations of the report.

The Committee of Adjustment denied the application.

The Applicant has appealed the decision to the Local Planning Appeal Tribunal.

The Committee of Adjustment is an independent Committee appointed by Municipal Council to make decisions on minor variances and consent and severance. The Committee of Adjustment decided that the application did not meet the four tests of a minor variance and consent and Severance, and denied the application.

Municipal Staff recommends that Municipal Council take no position on the Committee of Adjustment decision and that the Town of Cobourg not seek party or participant status at the Local Planning Tribunal (LPAT) hearing. Municipal Staff further recommends that the Local Planning Appeal Tribunal be requested

to impose certain conditions if the minor variance application and consent to severance application is approved.

If Council approves the recommendation of Municipal Staff as noted in the recommendation, the Town will not expend time, effort and money for legal and Planning Staff and third party consultants to prepare for and attend an LPAT hearing at the expense of the general taxpayer. If Municipal Council were to opt to support the Committee of Adjustment decision, and the Town seeks party status at the Tribunal Hearing, the Town will be required to retain external planning and heritage witnesses to support Council's position. This would be necessary given that the Planning Staff is on record as having no objection to the subject applications, subject to conditions. There will be certain costs associated with hiring outside witnesses and the Town's Municipal Solicitor to prepare for and attend the LPAT, hearing at the expense of the general taxpayer.

The Local Planning Appeal Tribunal has the authority, pursuant to the provisions of the *Local Planning Appeal Tribunal Act*, to require certain individuals, such as Town Planning Staff, to give evidence to the LPAT at the hearing, notwithstanding Council's direction. In addition, other persons such as the Applicant or a member of the public who has an interest in the matter, may summon a member of Municipal Staff to give evidence at a hearing.

#### 7.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

There are costs related to staff time to prepare for an appearance at any LPAT hearing if summoned by the LPAT, which is offset by a modest per diem from LPAT.

In addition, if Council were to support the decision of the Committee of Adjustment and seek party status, Council would need to provide budgeted funds in the upcoming budget to cover the costs of external experts to prepare for a LPAT Hearing. Council would need to provide further direction to the Municipal Clerk to provide Council an estimate of the cost associated with the participation in the LPAT Hearing.

#### 8.0 ATTACHMENTS

Attachment "A" – Memo from the Manager of Planning dated July 28, 2020

Attachment "B" – Memo from the Manager of Planning dated November 5, 2020

Attachment "C" – Committee of Adjustment Decision – Minor Variance Application

Attachment "D" – Committee of Adjustment Decision – Consent to Severance Application

Attachment "E" – Committee of Adjustment Minutes – November 10, 2020

10.0 AUTHORIZATION/SIGNATURES


A handwritten signature in black ink, appearing to read "Brent Larmer".

Brent Larmer  
Municipal Clerk  
Manager of Legislative Services

A handwritten signature in black ink, appearing to read "Tracey Vaughan".

Tracey Vaughan,  
Chief Administrative Office

# Attachment "A"

 <b>COBOURG</b>	<b>THE CORPORATION OF THE TOWN OF COBOURG</b>	
	<b>STAFF REPORT</b>	
TO:	Committee of Adjustment	
FROM: TITLE:	Rob Franklin, MCIP, RPP Manager of Planning	
DATE OF MEETING:	July 28 <sup>th</sup> , 2020.	
TITLE / SUBJECT:	Application for Minor Variance, and: Application for Severance: 171 Bagot Street (Jim and Catherine Henderson)	
REPORT DATE:	July 23 <sup>rd</sup> , 2020	File #: A-02/20 B-03/20

1.0 CORPORATE STRATEGIC PLAN OBJECTIVES  
N/A

2.0 RECOMMENDATION

The following actions are recommended:

**THAT** the requested minor variance to permit a 9.88 frontage for a new infill lot on the property known municipally as 171 Bagot Street be granted subject to the following conditions:

1. That the Variance 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 171 Bagot Street with 9.88m frontage and 373m<sup>2</sup> 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 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 by 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.

### PUBLIC ENGAGEMENT

#### 3.0

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 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 171 Bagot Street is an established residential property, improved with a two-storey single-unit residential dwelling. The subject property is approximately 27.26 m (89.4 ft) in frontage, and approximately 969.5 m<sup>2</sup> (3,180 ft<sup>2</sup>) in lot area. See **Schedule "A"** Key Map.

The subject property is located in a Residential Three (R3) Zone, and presently, the R3 Zone requires an 11m frontage therefore, the applicant is seeking the following variance:

- To permit 9.88 m frontage for a new infill lot, a variance of 1.12 m.

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

**Proposed Consent for Lot:** Approximately 373m<sup>2</sup> in area with 9.88 m frontage on Bagot Street.

## 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 located within the West Heritage Conservation District. As part of the pre-consultation for this application, a Cultural Heritage Impact Analysis (CHIA) was conducted and submitted by Branch Architecture and included as **Appendix 1**. Section 4 of that report identifies the Conservation Strategy for the lot analyzing the West HCD Plan, Guidelines for Infill Development in Cobourg's Heritage Conservation Districts, and the Ontario Heritage Tool Kit. It concludes that the proposed severance allows for the preservation of the heritage house at 1741 Bagot Street. It also finds that the new lot would be in keeping with the neighbouring lot sizes and patterns and does not adversely affect the cultural heritage value or heritage attributes of the District.

The proposal will create a new infill lot, although narrow 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 will also conserve the existing heritage home at 171 Bagot 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 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 north of the existing heritage building. It would be required to be setback from the street in line with other buildings on the street. Height and massing would be a requirement of any future design via an updated 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 and primary entrances would be part of any future design and approval.

*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 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 – this will be subject to further review as part of the Heritage Permit approval process. An updated CHIA and/or detailed architectural plans will be required as part of this process. 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 26.8 units per hectare, within the range of medium density permitted in 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 Public Works as part of its Building Permit should it be approved.

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

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

*xiv) 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 a driveway will service the new lot with surface parking.

*xvi) 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 with 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.

#### West Heritage Conservation District Guidelines

The West Heritage District Guidelines (West 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, setback, 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. More detail is below on lot sizes.

The Cultural Heritage Impact Analysis (CHIA) by Branch Architecture attached as **Appendix 1**, was reviewed in support of this application. As noted above, Section 4 of that report identifies the Conservation Strategy for the lot analyzing the West HCD Plan, Guidelines for Infill Development in Cobourg's Heritage Conservation Districts, and the

Ontario Heritage Tool Kit. It concludes that the proposed severance allows for the preservation of the heritage house at 1741 Bagot Street. It also finds that the new lot would be in keeping with the neighbouring lot sizes and patterns and does not adversely affect the cultural heritage value or heritage attributes of the District. The report also acknowledges that any new future development will require a Heritage Permit and will need to follow the requirements in these same source documents.

With the driveway located on the south side of the existing home at 171 Bagot Street, the north side yard is not being used currently other than by a declining apple tree. There is no garage or coach house there. The home to the north at 181 Bagot Street is a corner lot with its access from Albert Street and a detached garage in its rear yard. The estate house to the south at 163 Bagot Street, occupies a large landholding and does not appear to be adversely impacted by the proposal. It is my opinion that the land to the north of 171 Bagot Street is not required to maintain the character of the house and can accommodate a modest house which is compatible with its surroundings and in conformance with the policies of the West 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 also requires an 11m frontage for any new lot. I believe the intent of the R3 frontage requirement is to provide sufficient room for a reasonably-sized residence and parking area. The proposed lot would have a frontage of 9.88 m and a full depth of 37.92 m resulting in a lot area of 373m<sup>2</sup>. It also maintains a 1.6m setback from the front corner of the existing historic residence, in compliance with the R3 Zone requirements. The retained lot with the occupied dwelling would have a 17.38m frontage and a lot area of 596.5m<sup>2</sup>. A new dwelling on the severed lot will need to comply with the R3 Zone provisions (front yard, side yards, rear yard, coverage, etc.).

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. 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.

An analysis of a number of lots in the general vicinity (150 m – 200 m radius, or approx. two 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. There is also a townhouse block on Albert Street, at

Durham Street with smaller building faces. It appears that several of the lots in the neighbourhood were specifically built with a narrow building form such as 171 and 183 Albert Street (just around the corner from the subject property) and 174 and 178 Bagot Street (directly across the road from the subject property). The 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 variance, as discussed in this report, is minor. The proposed decrease in lot frontage for a new infill lot, is minimal relative to the overall neighbourhood, and would be desirable given that there remains adequate space for a new house.

## **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 171 Bagot 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.

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

9. The requested minor variance and consent do not appear to pose a negative impact to surrounding land uses.

The Cobourg Heritage Advisory Committee offered a number of comments included as **Appendix 2**. The Cobourg Engineering Department requires that any new lot have its own independent services; that a lot grading plan will be required for the new lot and; that at the completion of construction a Grading Certificate be provided.

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 \$1,750.00 application fee and deposit.

## 7.0 CONCLUSIONS VARIANCE

1. The proposed minor variance does 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 variance would maintain the general intent and purpose of the County and Cobourg Official Plans.
3. The proposed minor variance would maintain the general intent and purpose of the Zoning By-law.
4. The proposed minor variance would be generally desirable and allow for the appropriate development of the subject lands.
5. The proposed variance 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 Variance 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 variance on lands known municipally as 171 Bagot Street and further that the request for consent of a new infill lot, be granted by the Committee of Adjustment.

**Approved by:**



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



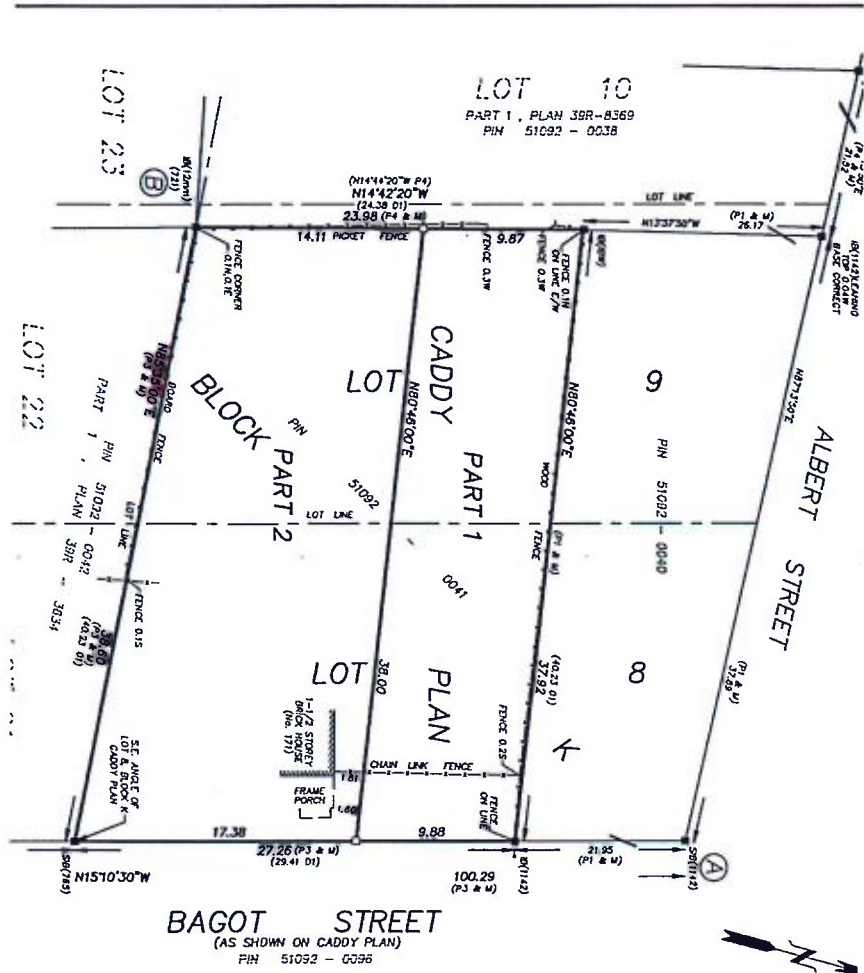
# Schedule "A" Key Map

Subject Property





# Schedule "B" Concept Survey Plan (blow-up)



**DRAFT**

R. WANNACK  
ONTARIO LAND SURVEYOR

REPRESENTATIVE FOR THE  
LAND TITLES DIVISION OF  
NORTHUMBERLAND (No. 39)

SCHEDULE			
PART	LOT	PLAN	PIN
1	PART OF 8 & 9 BLOCK K	CADDY PLAN	ALL OF 51092-0041
2			598.5

**PLAN OF SURVEY OF  
PART OF LOTS 8 & 9,  
BLOCK K, CADDY PLAN**  
(FORMERLY PART OF LOT 18, CONCESSION A & B,  
GEOGRAPHIC TOWNSHIP OF HAMILTON)  
**TOWN OF COBURG**  
COUNTY OF NORTHUMBERLAND



- LEGEND**
- DENOTES SURVEY MONUMENT FOUND
  - DENOTES SURVEY MONUMENT SET
  - SSB DENOTES SHORT STANDARD IRON BAR
  - SIB DENOTES STANDARD IRON BAR
  - IB DENOTES IRON BAR
  - PB DENOTES PLASTIC BAR
  - CP DENOTES CONCRETE PIN
  - DENOTES ROUND
  - WIT DENOTES WITNESS
  - M DENOTES MEASURED
  - P1 DENOTES SURVEY BY KEITH F. LASHLEY LTD., O.L.S.
  - P2 DENOTES SURVEY BY J.L. STALESTER O.L.S.
  - P3 DENOTES SURVEY BY J.L. STALESTER O.L.S.
  - P4 DENOTES SURVEY BY J.L. STALESTER O.L.S.
  - 721 DENOTES SURVEY BY J.L. STALESTER O.L.S.
  - 765 DENOTES SURVEY BY J.L. STALESTER O.L.S.
  - 1150 DENOTES SURVEY BY J.L. STALESTER O.L.S.





**Appendix 1**

**Cultural Heritage Impact Assessment – Branch Architecture**

**(Attached under separate cover)**



# CULTURAL HERITAGE IMPACT ASSESSMENT

171 Bagot Street, Cobourg

**BRANCH**  
ARCHITECTURE

PREPARED FOR:  
Cindy Taylor and Jim Henderson  
171 Bagot Street  
Cobourg, ON K9A 3G3  
E: photo@eagle.ca  
E: jim@island30.com

PREPARED BY:  
Branch Architecture  
2335 County Road 10  
Picton, ON K0K 2T0  
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Issued: 2020.02.25 DRAFT  
2020.05.11 FINAL

Cover Image: 171 Bagot Street, 2020. (Branch Architecture, BA)

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# Executive Summary

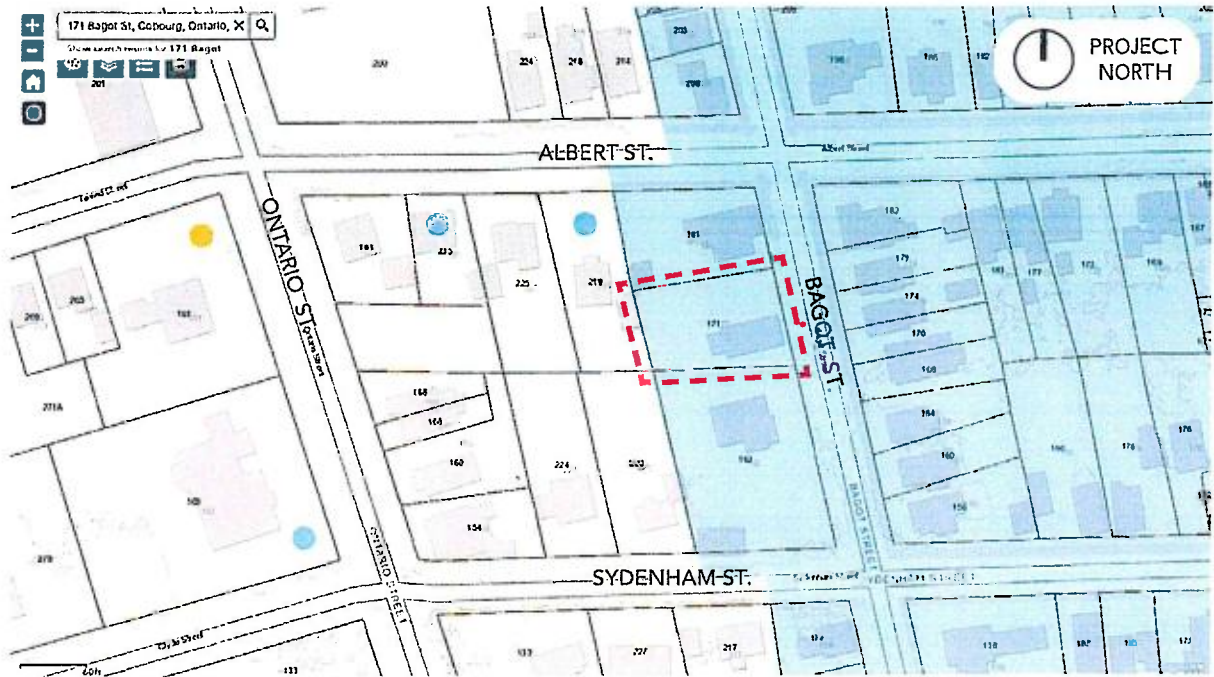
The purpose of this Cultural Heritage Impact Assessment (“CHIA”) is to evaluate the potential impact of the proposed severance of the property at 171 Bagot Street on the cultural heritage value and heritage attributes of the West Heritage Conservation District (“West HCD”).

The single family residence at 171 Bagot Street forms part of the West HCD designated under Part V of the *Ontario Heritage Act*. The West HCD Plan conservation objectives include:

- a) To ensure the conservation, maintenance, enhancement and protection of the heritage character and heritage attributes of Cobourg’s West District residential neighbourhood.*
- e) To maintain the residential environment within the District and to discourage the establishment of land uses which would be incompatible with or have adverse effects upon the predominantly residential character of the District.*
- f) To accommodate new development only where it respects or otherwise complements the prevailing low profile (one to two storey) and heritage character of existing buildings and structures within the District and does not adversely affect the cultural heritage character of the District.<sup>1</sup>*

This CHIA finds that the proposed severance allows for the preservation of the heritage house at 171 Bagot Street and provides for a new lot that is in keeping with neighbouring lot sizes and patterns. It was not found to have an adverse effect on the cultural heritage value and heritage attributes of the District.

Further, this assessment acknowledges that future new infill on this lot will require a Heritage Permit from the Town.



1. Location of 171 Bagot Street shown above. (Town of Cobourg Map, annotated by BA)
  - The subject property delineated with a red dashed line.
  - West HCD area shown in blue overlay.
  - Neighbouring Part IV heritage properties are identified with a yellow dot.
  - Neighbouring non-designated heritage properties identified with a blue dot.

# 1 Introduction

## 1.1 Project Framework

With regard to the proposed severance at 171 Bagot Street, Branch Architecture was retained as the Heritage Consultant. The purpose of this Cultural Heritage Impact Assessment is to comment on the potential impact of this proposed change on the cultural heritage value and heritage attributes of the site. This property is designated under Part V of the *Ontario Heritage Act*; it forms part of the West Heritage Conservation District (“HCD” or “District”).

This CHIA forms part of the Heritage Permit application requirement under the HCD Plan.

The scope of this CHIA (as per discussions with Town Staff) includes:

- Historic research on site development in the form of historic maps;
- A description of proposed development / site alteration, impact analysis, and consideration of mitigation measures; and,
- Conservation recommendations.

This CHIA has been prepared with respect to the: *Town of Cobourg’s Cultural Heritage Impact Assessment Terms of Reference*, *Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada*, *Ontario Heritage Act*, *Provincial Policy Statement (2014)*, the *Ministry of Culture’s Ontario Heritage Tool Kit* as well as other charters and guidelines that exemplify best practice.

## 1.2 Property Description

171 Bagot Street is located on the west side of the street, mid block between Albert and Sydenham streets. The property contains a single family dwelling; a one-and-a-half storey wood frame building clad in brick.

## 1.3 Present Owner Contact

Cindy Taylor and Jim Henderson

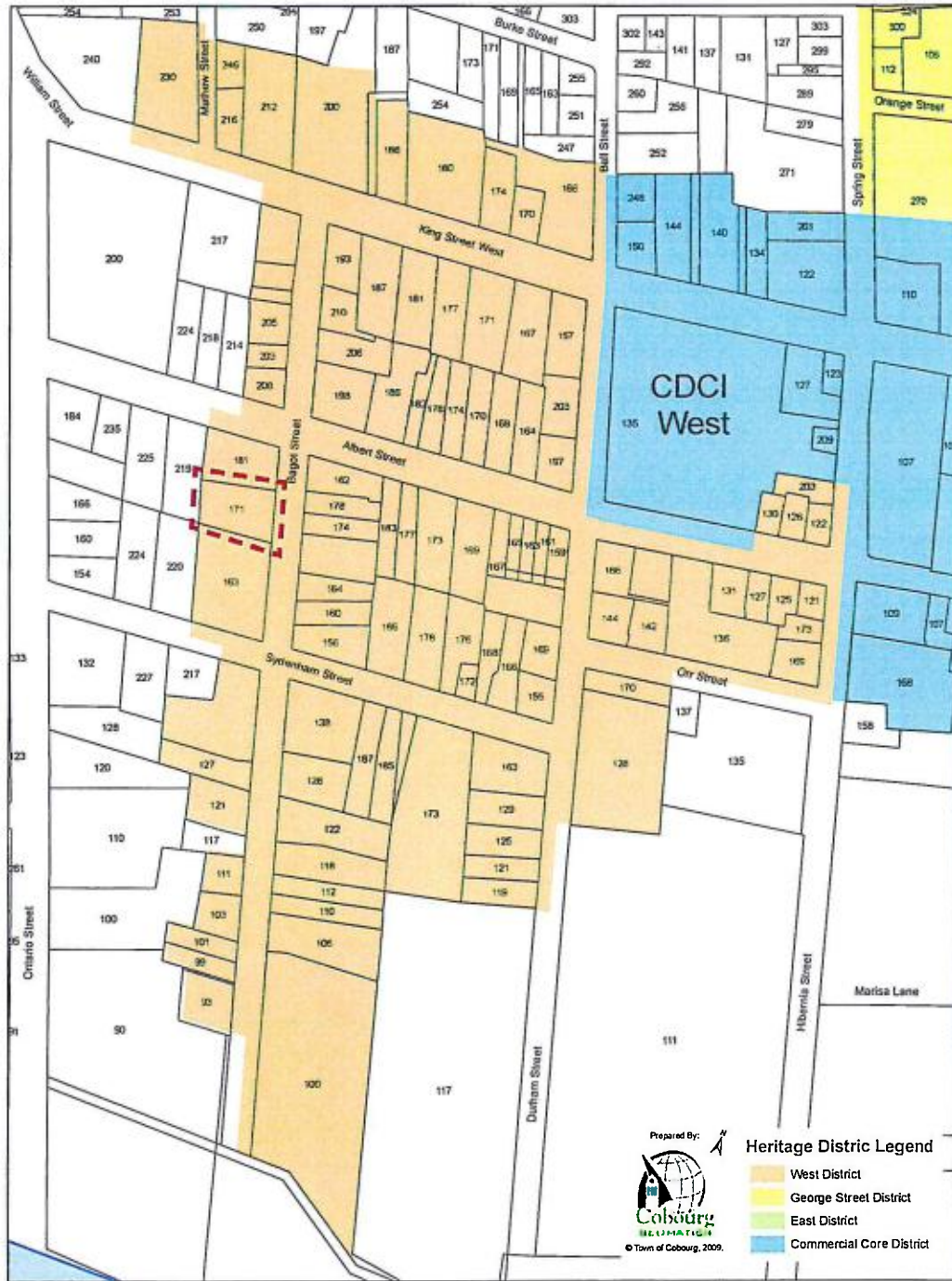
171 Bagot Street

Cobourg, ON K9A 3G3

E: [photo@eagle.ca](mailto:photo@eagle.ca) and [jim@island30.com](mailto:jim@island30.com)

## 1.4 Existing Heritage Recognition

The property at 171 Bagot Street is designated under Part V of the *Ontario Heritage Act* as it forms part of the West HCD. The HCD by-law (no. 118-92A) was passed in 1992. The HCD Plan was updated as part of the Town's Heritage Master Plan by MHBC, George Robb Architect, Wendy Shearer, and AECOM (May 2016).



2. West HCD boundary indicated in orange. (Town of Cobourg website)

## 1.5 Heritage Policy and Guidelines

### 1.5.1 Ontario Heritage Act

Under the *Ontario Heritage Act*, municipalities have the authority to designate individual properties (Part IV) and heritage conservation districts (Part V) that are found to have cultural heritage value. Heritage conservation districts (HCDs) are designated with an aim to achieve a set of objectives particular to the District. Properties within an HCD require a Heritage Permit to undertake alterations to the property and are subject to the policies and design guidelines set out in the HCD Plan.

As per the *Ontario Heritage Act*, applications to alter a property with a District require written consent from Council, however, this application falls within the Town's Heritage Permit delegation by-law (#097-2009). The municipal heritage committee also provides input on heritage permit applications.

### 1.5.2 Provincial Policy Statement

The *Provincial Policy Statement* (PPS) provides policy direction on matters of Provincial interest related to land use planning and development. The PPS "is intended to be read in its entirety and the relevant policies are to be applied to each situation" (Part III).

Section 2.6 of the PPS titled "Cultural Heritage and Archaeology" provides particular direction concerning heritage sites.

*Policy 2.6.1: Significant built heritage resources and significant cultural heritage landscapes shall be conserved.*

*Policy 2.6.3: Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the*

#### Definition of Select Terms in PPS

*Adjacent lands:* d) for the purpose of policy 2.6.3, those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.

*Conserved:* Means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

*Protected heritage property:* means property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the *Ontario Heritage Act*; property identified by the Province and prescribed public bodies as provincial heritage property under the *Standards and Guidelines for Conservation of Provincial Heritage Properties*; property protected under federal legislation, and UNESCO World Heritage Sites.

Source: *Provincial Policy Statement* (2014)

*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.*

This CHIA has been prepared according to the PPS's definition of 'conserved' as a means of addressing the heritage values, attributes and integrity of the applicable properties. There are two Part V protected heritage properties adjacent to the subject property: 163 and 181 Bagot Street.

This review considered the potential impact of the proposal on the adjacent Part V properties in relation to the guidance in the *Ontario Heritage Tool Kit* and found that it did not affect their heritage attributes.



3. 163 Bagot Street, 2020 (BA).



4. 181 Bagot Street, 2020. (BA)

### 1.5.3 *Town of Cobourg Heritage Master Plan, 2016*

The Master Plan ("Plan") provides a vision for heritage conservation in Cobourg:

*To conserve and enhance cultural heritage resources and manage change so that the community can continue to grow in keeping with the heritage character of Cobourg while also preserving the vibrant small-town feel.*

*The vision is supported by several goals to serve the vision related to conservation of buildings, neighbourhoods, streetscapes, waterfront and general character as well as the downtown as an economic and cultural hub.*

The Plan also encourages the dedicated management of the Town's Heritage Conservation Districts and recommends tools to support new development that is compatible with the "generally low-mid rise scale and small town character of Cobourg."

#### 1.5.4 *Standards and Guidelines for the Conservation of Historic Places in Canada*

The Parks Canada *Standards and Guidelines* is intended to “achieve good conservation practice” and to establish “a pan-Canadian set of Standards and Guidelines [for] conserving Canada’s historic places” (2nd ed.). The *Standards and Guidelines* are based on a sequence of steps: understanding, planning, and intervening. This approach allows for informed decision making, heritage conservation planned with regard to other planning objectives, and interventions to realize long term, viable uses of heritage sites.

The Standards and Guidelines describe three approaches to conserving a heritage site:

*Preservation: The action or process of protecting, maintaining, and /or stabilizing the existing materials, form, and integrity of a historic place or of an individual component, while protecting its heritage value.*

*Rehabilitation: the action or process of making possible a continuing or compatible contemporary use of a historic place, or an individual component, while protecting its heritage value.*

*Restoration: The action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, while protecting its heritage value.*

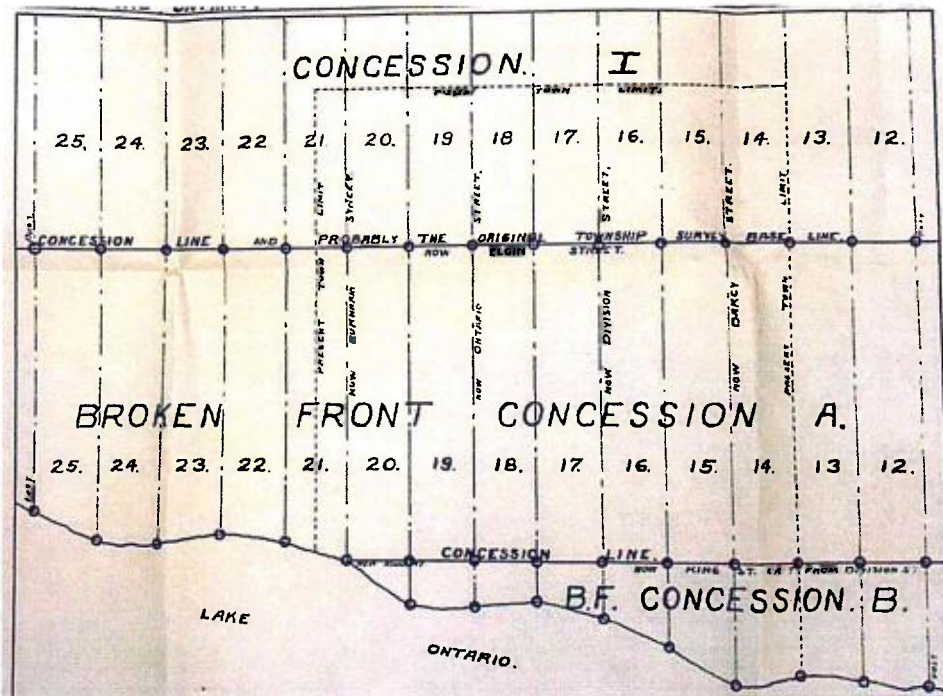
#### 1.5.5 *Eight Guiding Principles in the Conservation of Built Heritage Properties*

Originally developed in relation to the province’s 1980s Heritage Grant Program, these principles are now widely accepted guidance concerning good practice in heritage conservation in Ontario. The base principles call for consideration of the following: respect for documentary evidence; respect for original location; respect for historical material; respect for original fabric; respect for building’s history; reversibility; legibility; and maintenance.

## 2 Historical Background & Site Evolution

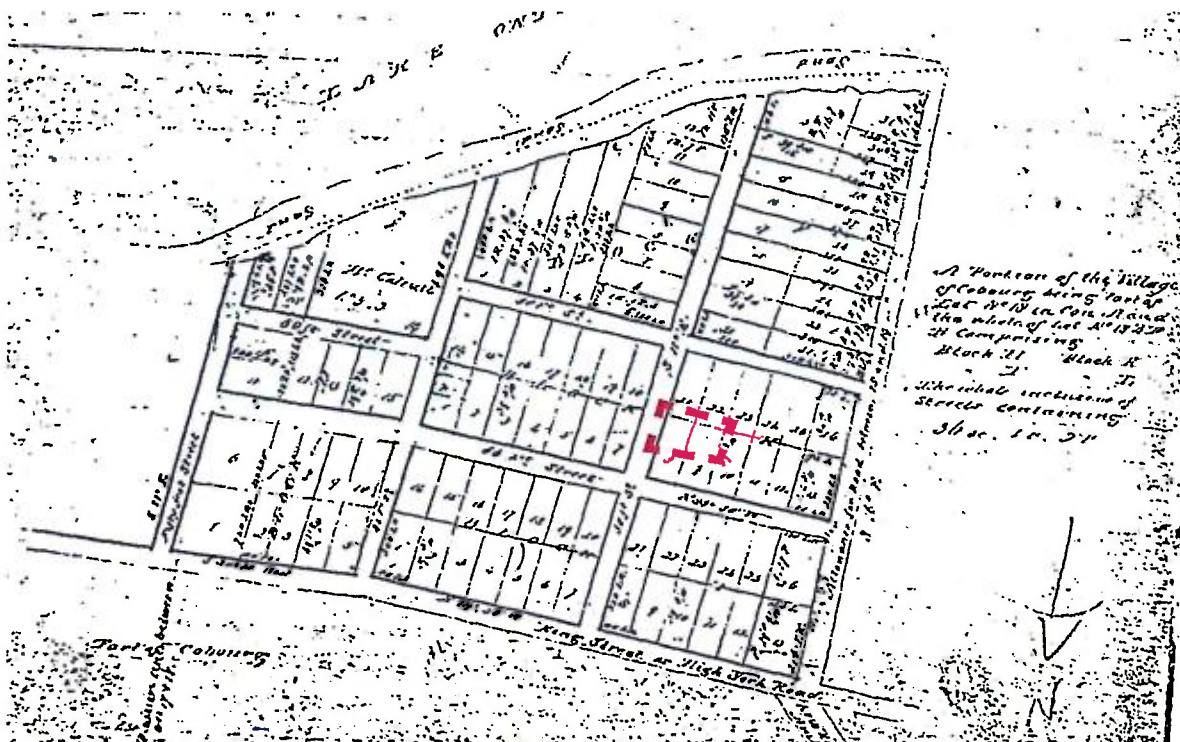
With the settlement of the Town of Cobourg site (first known as Hamilton Township) in 1797, the lands were surveyed by Deputy Surveyor August Jones and divided into concession lots. The following is a summary of the lot subdivision history of the subject property at 171 Bagot Street based on a review of land abstracts and maps:

- June 2, 1819: Nathan Williams received patent for Lot 18, Concessions A+B in Hamilton Township.
- 1820-1824: The 35 acres south of King Street was bought and sold several times before Ebenezer Perry obtained the lands in November 17, 1824.
- Between 1824 and 1844: A plan by Frederick P. Rubidge was submitted for the subdivision of the 35 acre parcel and includes Blocks H, I, K and L (see figure 6).
- 1847 - The property is found within Lots 8 and 9 of Block K - "Property of E Perry".
- 1874 - The bird's eye view map shows a house on the west side of Bagot Street. This is likely the house at 163 Bagot Street. Opposite is the former school house.
- 1919 - The existing house is shown on 1919 fire insurance plan. It is a 1 1/2 storey wood frame house clad in a brick veneer with a 1 storey rear addition (same) and a smaller 1 storey wood addition beyond. There is also a 1 1/2 storey wood garage at the north-west corner of the lot.

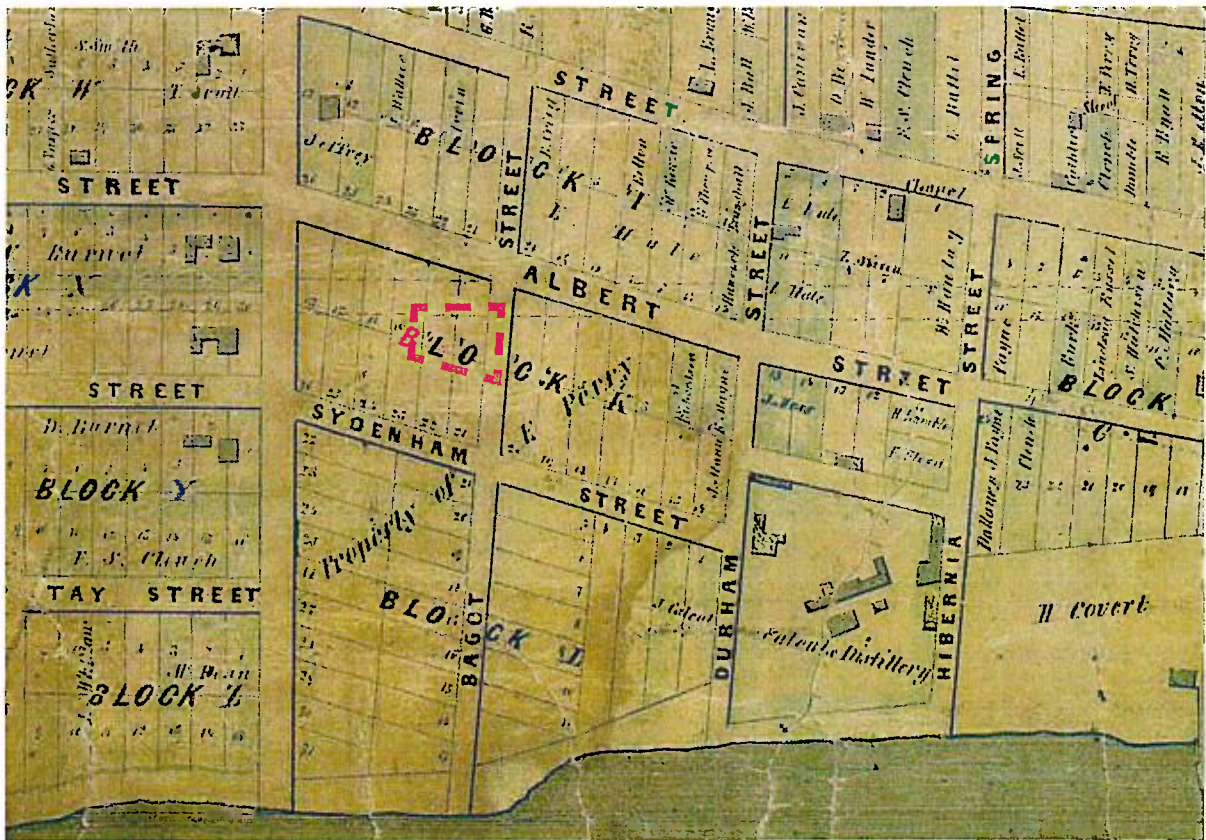


5. A Sketch Illustrating the Original Survey of Part of Hamilton Township (by Augustus Jones) and Now the Town of Cobourg by Percy L. Climo (Town of Cobourg Archives, TCA)

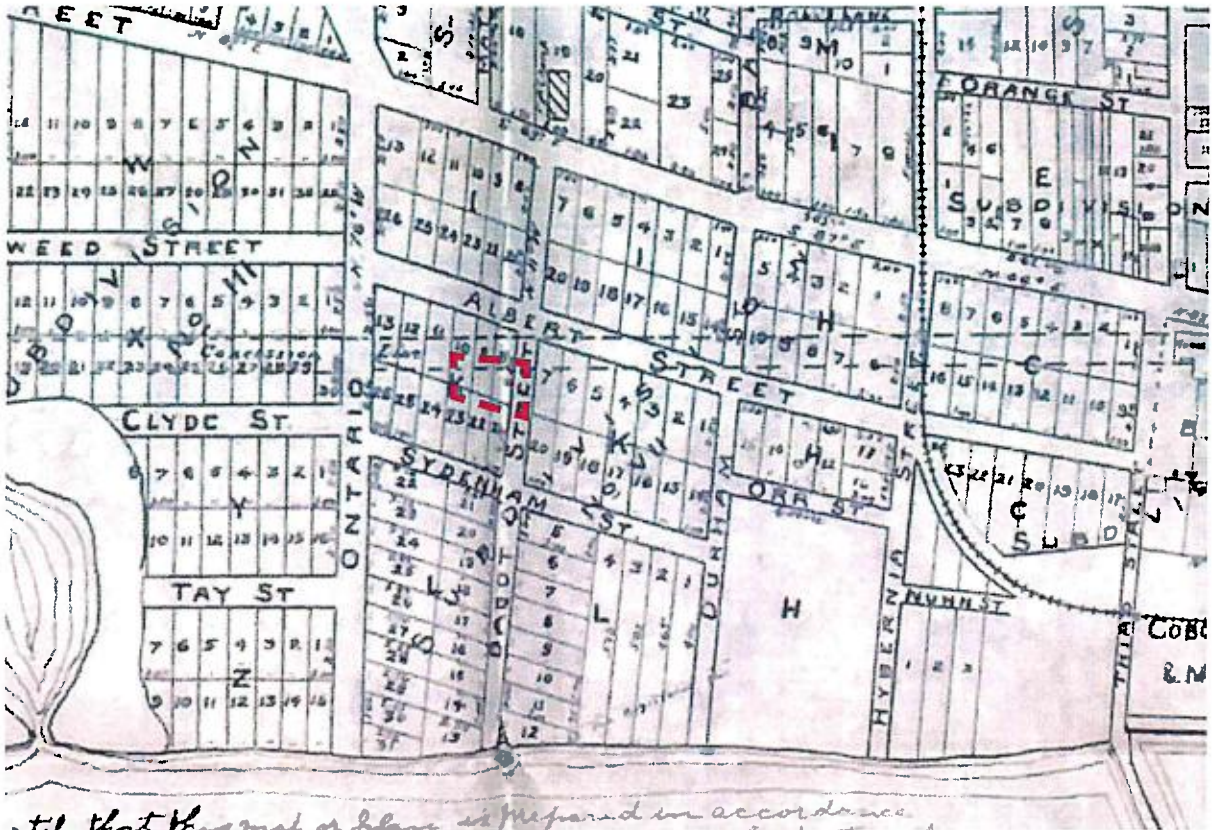




6. Plan of subdivision for the area bounded by the Lake Ontario (top of page), Ontario Street, King Street and Hibernia Streets, undated though found between 1824 and 1844 in the log. (Land Registry book)

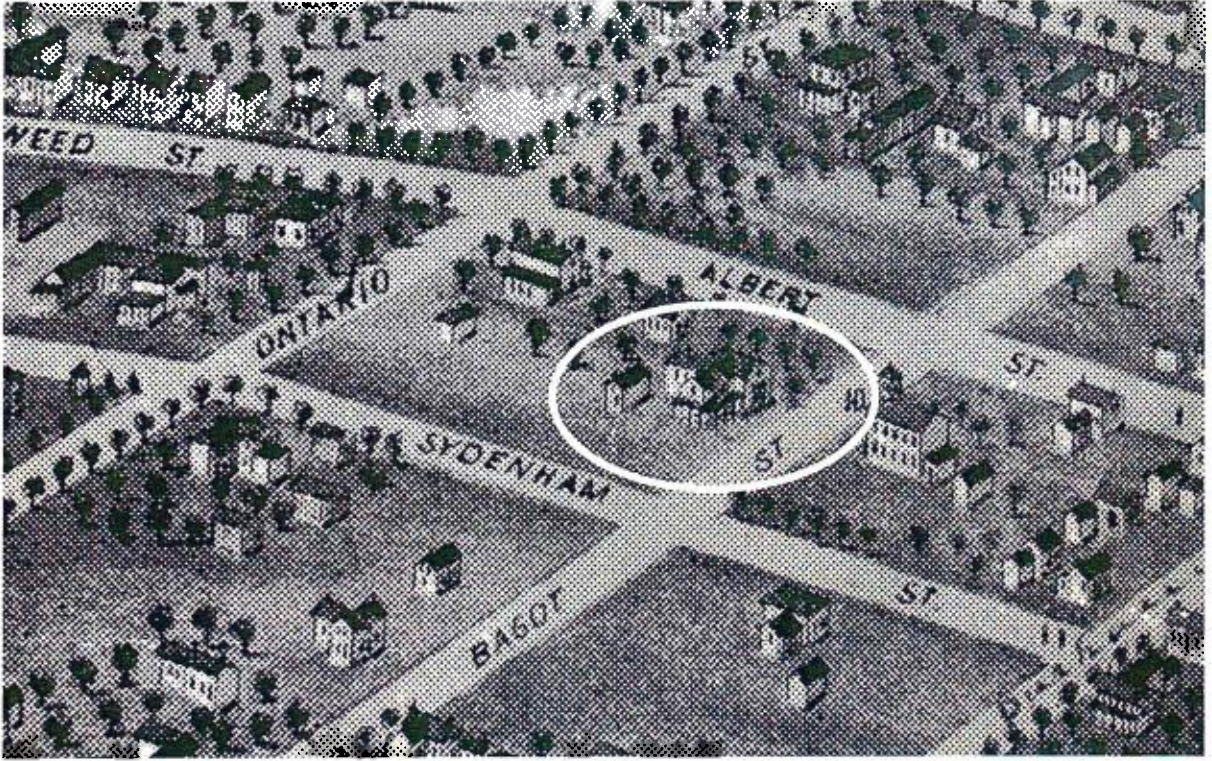


7. Detail from the 1847 Plan of the Town of Cobourg by Sanford A. Fleming showing early lot subdivision. (Northumberland Archives, NA)

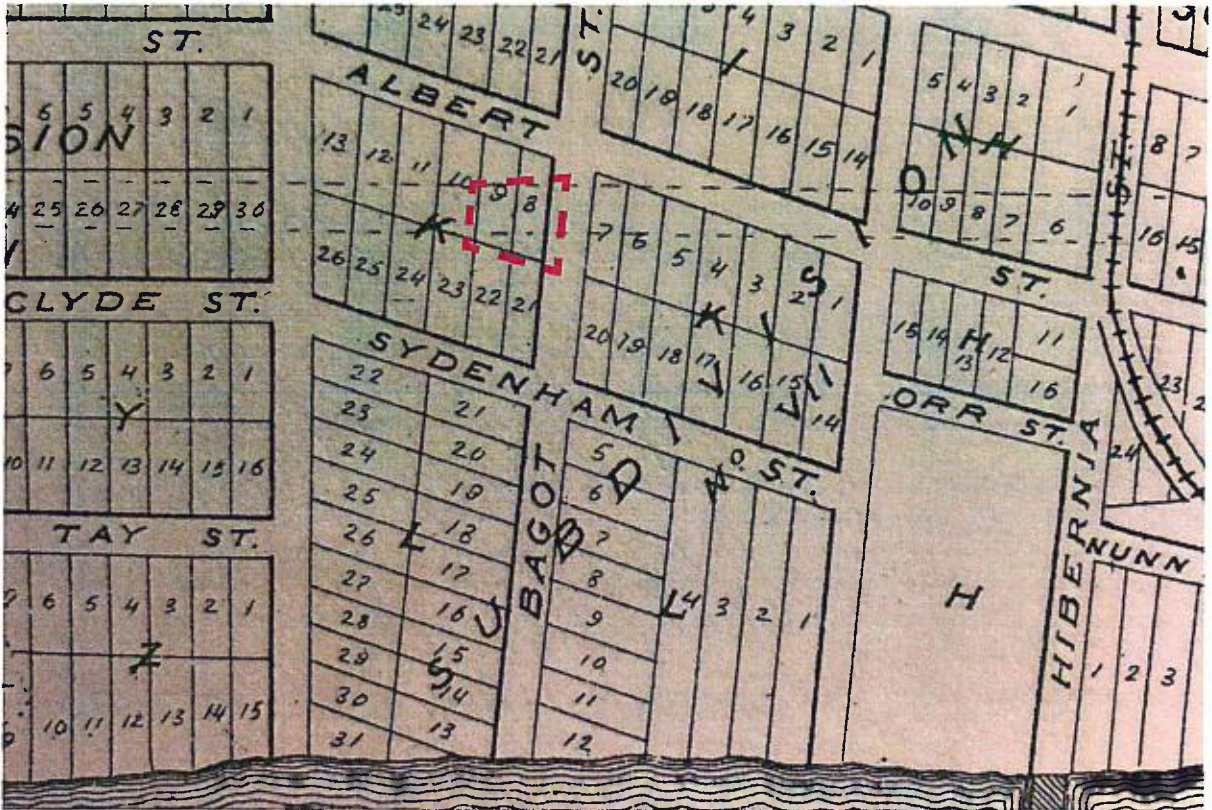


*... that this map or plan is prepared in accordance*

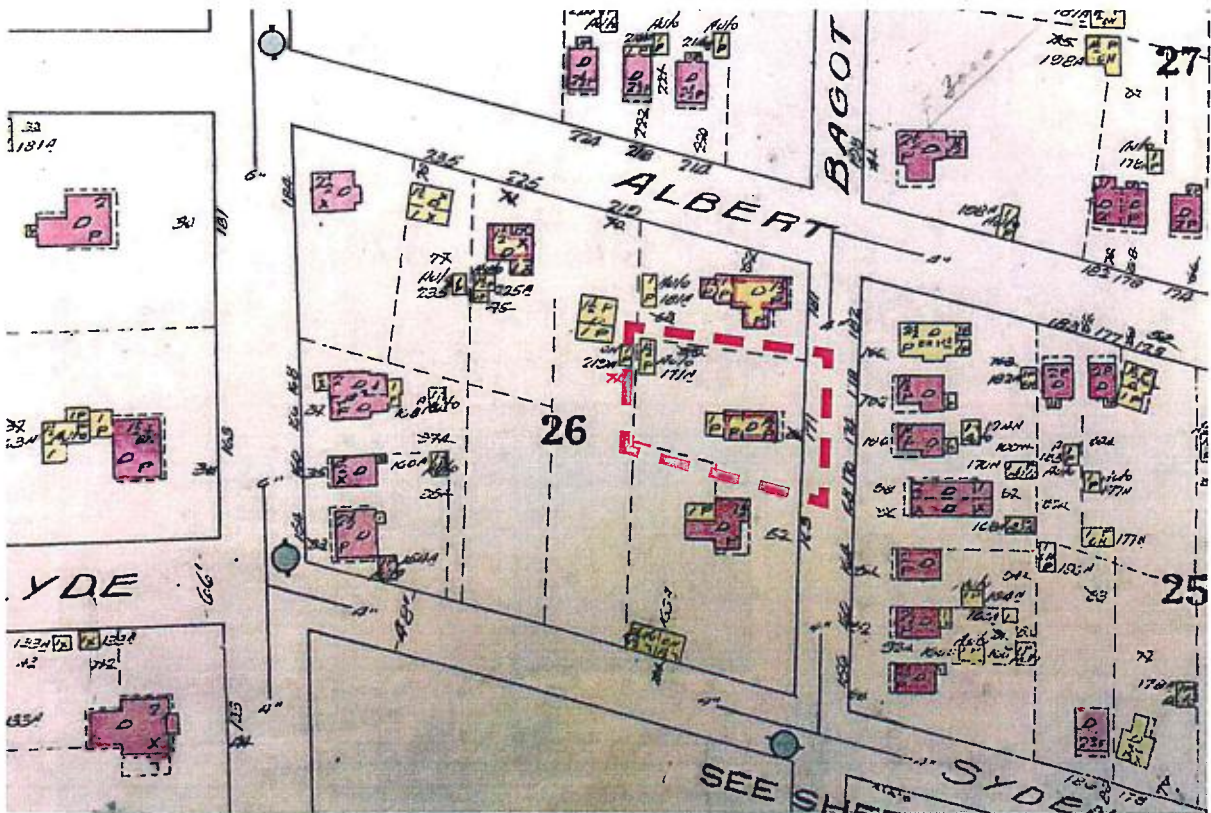
9. Detail from the *Plan of the Town of Cobourg* by C.E. Caddy (traced from original in 1931) showing lot subdivision. The original dates to 1867, with revisions in June 1892. (TCA)



8. Detail from 1874 *Bird's Eye View of Cobourg* by Mr. Brosius. (TCA)



10. Detail from 1877 County Atlas. (Historical Atlas of Northumberland & Durham Counties)



11. Detail from Fire Insurance Plan by Charles Goad, May 1919 Revised Mar 1946. (NA)



13. 176 Bagot Street. (1985 LACAC Inventory of Cobourg's Century Buildings)



12. 171 Bagot Street, c. 1991. (HCD Study for the Town of Cobourg)

*The Inventory of Cobourg's Century Buildings in 8 Volumes* provides the following architectural description of the subject property:

*171 & 181 Bagot Street*

*Hugh Harper built these two houses in the late 1870's as rental units. Initially they were identical, but subsequent additions have altered them. 171 Bagot St. retains the original shape of the houses, while 181 has both the bargeboard and the finial still intact in the gable. Both houses have three pane transom side lights.*

- *probably initially identical to 181 Bagot St.*
- *two storey red brick stretcher bond*
- *gable roof, gable onto road, finial in gable*
- *front door off centre, three pane transom light, two pane side lights, bottom blind*
- *verandah along front of house supported by squared posts with stepped capitals*
- *verandah has truncated hip roof*
- *later addition*
- *windows, double hung sash, two over two, wooden lugsills*
- *radiated cream voussoir over windows and above door basement*
- *at back of house, shed roof*
- *brown clapboard shed roofed addition beyond that*

*built in 1876, Hugh Harper*

### 3 Statement of Cultural Heritage Value

The following is repeated from the West Heritage Conservation District Plan:

#### Statement of District Significance

Lands in the West District were subdivided by the 1850s, but most construction did not occur until the 1870s, when the town's economic activity increased with new industry. The west side of Cobourg contained the bulk of the town's industrial activity, located around Factory Creek. As a result, many of the houses in the West District are of vernacular design, constructed for workers, with the occasional grander residence of a factory owner. A second building boom occurred in the early 20th century, resulting in new construction on vacant lots or replacing earlier buildings.

Unlike other neighbourhoods in Cobourg, this area did not have influence from proximity to major institutions or the commercial core and was not an area where American summer houses were concentrated. The dominant vernacular character of the West District is characteristic of these circumstances.

The neighbourhood is representative of a late 19th and early 20th century residential neighbourhood that has continued to evolve over time. The District character is primarily defined by vernacular housing types, with repetition of similar plans. There are some examples of other architectural styles and influence, including Gothic Revival and Edwardian Classicism, Italianate and Neo-Classical, but they are limited in number. Red brick is the dominant materials, though there are also buildings that feature yellow brick or stone. Synthetic siding is present on many buildings as well. Front and side gable roof types are most common, as are two and three bay façade arrangements. Generous porches are present on most buildings, and provide a link between private residences and the public streetscape. Streets feature grassed boulevards on one or both sides of the street, open and landscaped lawns with little front yard fencing, and mature trees that provide a canopy to the street and rich vegetated character. Sidewalks are present on one or both sides of the street.

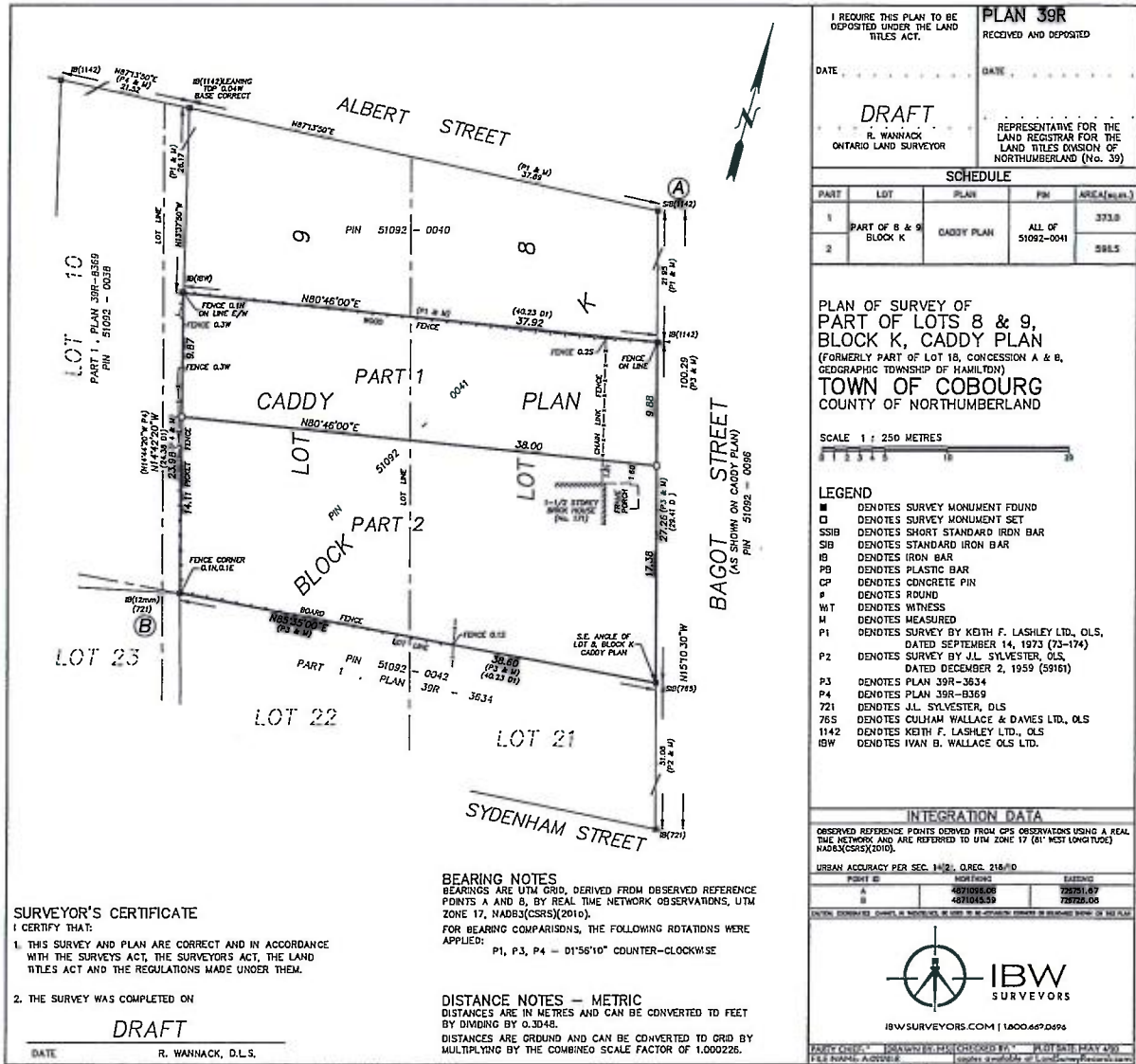
Most properties have driveways beside the house. Where garages exist, they are most often detached and set back from the front façade of the house.

Coherence in the West District is evident in a general low profile residential character between one and two storeys, with relatively consistent setbacks from the street. Lot sizes vary, with some larger lots similar to those found in the West District, and smaller lots common to the George Street District.

### List of heritage attributes

The following is a list of heritage attributes associated with the West Heritage Conservation District:

- Residential character of the neighbourhood consisting of one to two storey residential buildings
- Repetitions in patterns of roof types, such as front gable, side gable and hip with low to medium pitches
- Modest architectural design, with understated decorative/architectural detailing
- Primarily vernacular housing style, with some examples of architectural styles including Neo-Classical, Gothic Revival, Italianate and Edwardian Classicism
- Dominant pattern of two and three bay façade organization on front elevations
- Predominance of red brick cladding
- Orientation of houses and porches to the street
- Varying of setbacks of buildings from the street
- Vegetated front yards with lawn and/or landscaping and minimal front yard fencing
- Grass boulevards with street trees
- Views along Bagot Street terminating at St. Andrew's Presbyterian Church to the north and the waterfront to the south



14. Draft reference plan of proposed lot severance by IBW Surveyors.



15. Looking north along west side of Bagot Street. (BA)



16. Looking north along east side of Bagot Street. (BA)



## 4 Conservation Strategy

The following conservation strategy has been prepared as part of the heritage permit application for the proposed lot severance. It presents a conservation approach that specifically responds to the West HCD guidelines and the heritage character of the Bagot Street. This assessment was informed by a site visit on February 12, 2020.

### 4.1 Proposed Development

The intent of this application is to sever the property at 171 Bagot Street into two lots fronting on Bagot Street. The existing house is to be maintained on the southern parcel. See figure 14.

### 4.2 Conservation Strategy Discussion

The intent of the Conservation Strategy is to maintain the cultural heritage value and heritage attributes of the District while allowing for the creation of this new lot. The prime considerations in this project relate to:

- determining that this lot is a good candidate for a severance; and,
- considering the potential impact of a new lot and future infill building on the heritage character of the streetscape.

The West HCD Plan provides general guidance on new free-standing construction within the District, and further direction is found in the Town's *Guidelines for Infill Development in Cobourg's Heritage Conservation Districts ("HCD Infill Guidelines")*.

In accessing the this proposed change, it is important to understand the subject lot as well as its position within the District.

The property forms part of the Bagot Street streetscape; it is located on the west side of the street between Albert and Sydenham Street. Bagot Street is a short two-way street

*Understanding:* Understanding of a historic place is an essential first step to good conservation practice, which is normally achieved through documentary and oral research and physical investigation[...] The information collected in this phase will be used throughout the conservation decision making process and should remain accessible.

*Planning:* Planning is the mechanism that links a comprehensive understanding of an historic place with interventions that respect its heritage value. Planning should consider all factors affecting the future of an historic place, including the needs of the owners and users, community interests and the potential environmental impacts, available resources and external constraints. The most effective planning and design approach is an integrated one that combines heritage conservation with other planning and project goals and engages all partners and stakeholders early in the process and throughout.

*Intervening:* If the use of a historic place is part of its heritage value, then that use should be retained. Otherwise, a use compatible with its heritage value should be found. A viable use — economic, social or symbolic — will better ensure the long-term survival of a historic place and lessen or prevent deterioration caused by environmental and human activities.

Source: *Standards and Guidelines* (2nd Ed, Chapter 1, The Conservation Decision Making Process)

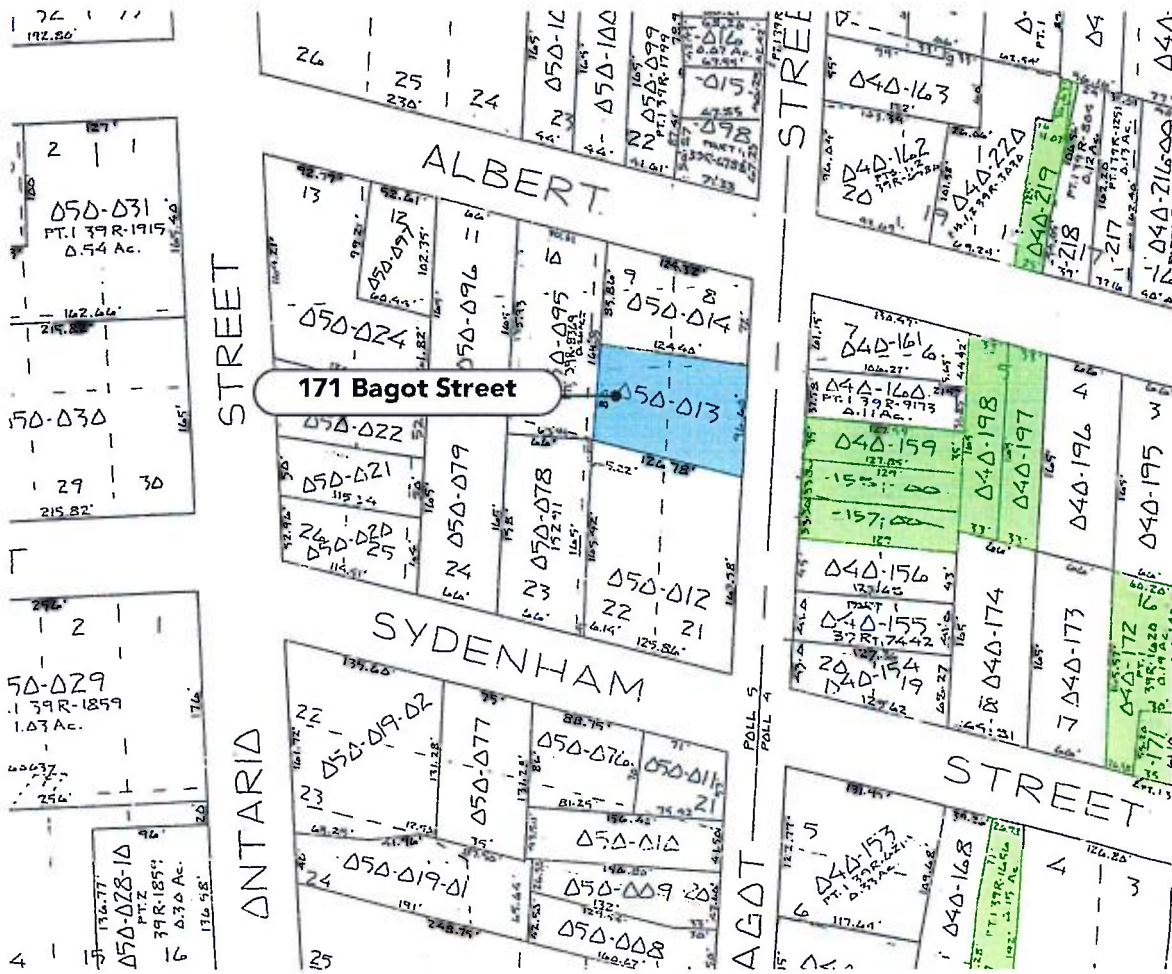
running south from King Street to the waterfront. The streetwall is composed of one to two-storey nineteenth century houses of varying exterior treatment (brick, stone, stucco). The placement of the buildings on the lots vary, though there is the appearance of a generally cohesive street wall. The street is framed on either side with trees (in the right of way) and a sidewalk runs the full length of the street on the east side.

The existing lot is 37.92m (~125'-6") deep with a 27.26m (~89'-6") lot frontage on Bagot Street and a 23.98m (~78'-6") rear lot width. The lot is located along the west edge of the District. The opposite street wall has a fine-grained appearance; there is a line of closely spaced front gable houses. The houses follow a consistent front yard setback and many display front yard parking.

This assessment finds that this lot is a good candidate for a severance as:

- It allows for the retention of the existing heritage building.
- It provides a new lot for a single family dwelling. The proposed lot is in keeping with the varying lot sizes and widths found within the immediate area and including directly across the street. The *HCD Infill Guidelines* state that lot sizes and frontage vary "tremendously" within the Districts.
- The south parcel complies with the R3 zoning requirements. The severance line has been established to provide an interior side yard setback of 1.6m (5.3 ft.) between the existing one-and-a-half storey house and the proposed adjacent lot. This is in keeping with the *HCD Infill Guidelines* that notes a diversity of side yard conditions and the importance of preserving open views / glimpses to rear yard greenery (Section 3.15).
- The proposed north parcel lot generally complies with the R3 zoning. The only variance is the lot frontage. In an R3 zone the required lot frontage is 11m (36 ft.). The new lot frontage is 9.88m (~32'-6"), however, based on a survey provided by Town Staff there are multiple lots within a one block radius that have reduced lot frontages with the smallest at 7.62m (25 ft.). See annotated plan at figure 17. Further, the *HCD Infill Guidelines* advises that "Lot size and frontage should vary, while still accommodating sufficient frontage for side yards" (Section 3.14). For general information, the proposed north lot size allows for a future dwelling; a 7.88m (~25'-9") wide bungalow or 6.68m (~22ft.) wide two-storey house.

In summary, the proposed severance allows for the preservation of the heritage house at 171 Bagot Street and provides for a new lot that is in keeping with neighbouring lot sizes and patterns.



17. Survey provided by Town Staff. The subject property (050-013) is identified in blue. Nearby properties with a lot frontage less than the R3 zoning of 11m (36ft) are green. (Town of Cobourg, annotated by BA)

### 4.3 West HCD Plan

The West Heritage Conservation District Plan (May 2016) provides guidance for managing change within the District, specifically related to conservation, additions, alterations, infill, landscape, accessibility and sustainability, while protecting and conserving the heritage character and attributes of the District.

The District Objectives support this overall intent and, in relation to this application, provide direction:

- a) To ensure the conservation, maintenance, enhancement and protection of the heritage character and cultural heritage attributes of Cobourg's West District residential neighbourhood.
- e) To maintain the residential environment within the District and to discourage the establishment of land uses which would be incompatible with or have adverse effects upon the predominantly residential character of the District.

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

Part II of the HCD Plan includes guidelines and policies for managing change. The direction provided is generally focused on the conservation of the built heritage and landscape. While there is no specific mention of changing property boundaries (lot severances or consolidations), Section 7.0 Infill development does recognize that new infill development or freestanding structures may be introduced over time. New construction on the severed lot will need to demonstrate it is compatible with the heritage character of the HCD and comply with these policies (list below) as well as other applicable Town of Cobourg guidance regarding site design and urban design.

#### 7.1 New freestanding construction

- a) 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. This means adhering to the character of the surrounding neighbourhood of the District with regards to lot patterns, heights, massing, setback, building scale, roof pitches and exterior materials.
- b) New construction shall be a product of its own time and not pretend to be historic by incorporating historic detail that is inappropriate in contemporary construction. New design may be a contemporary interpretation of historic forms and styles, but replicas of historic buildings are discouraged.
- c) Maintaining the height and rhythm of the existing streetscape will unify the District. Blank façades that face the street or are easily visible from the street are not permitted.
- d) The District contains a variety of roof forms, including front gable, side gable, cross gable and hipped. Any of these roof forms in a low to moderate pitch are appropriate for new infill. Where a dominant or consistent pattern exists within the streetscape, this shall be followed.
- e) Windows and entrance doors on the primary elevations of new buildings shall be compatible with the character of the neighbourhood, reflecting typical shapes, orientation and composition found within the District.
- f) The Town of Cobourg Guidelines for Infill Development in Cobourg's Heritage Conservation Districts shall also be consulted for additional guidance.
- g) Views are an important component to the District, and as such the policies and guidelines related to views (10.8) shall also apply to the consideration of infill development proposals.

#### 4.4 Ontario Heritage Tool Kit

The following table assesses the proposed severance of the heritage property in relation to potential negative impacts identified in the *Ontario Heritage Tool Kit*.

Issue	Assessment
Destruction of any, or part of any, significant heritage attributes or features	The proposed severance does not involve the removal or destruction of any heritage attributes.
Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance	The proposed severance provides a lot pattern that mirrors the fine-grained lot patterns found on the opposite side of Bagot Street.
Shadows created that alter the appearance of a heritage attribute, or change the viability of a natural feature or plantings, such as a garden	The creation of a new lot will not result in any new shadows. Future new development here should balance the prevailing building placement patterns on the street (orientation, setbacks, height, roof lines, etc.) with the R3 zoning requirements.
Isolation of a heritage attribute from its surrounding environment, context or a significant relationship	The proposed severance will not isolate the heritage attributes within the HCD.
Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features	The views north and south along Bagot Street will not be affected.
A change in land use such as a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open space	The residential use will be maintained.
Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect an archaeological resource	There are no known archaeological resources on the site.
Other	n/a.

## 5 Findings & Recommendations

This CHIA finds that the proposed severance allows for the preservation of the heritage house at 171 Bagot Street and provides for a new lot that is in keeping with neighbouring lot sizes and patterns. Further, this change does not adversely effect the cultural heritage value and heritage attributes of the District.

Further, this assessment acknowledges that future new infill on this lot will require a Heritage Permit. The proposed design will be assessed with respect to the policies set out in the West HCD Section 7.0 Infill development and the Town's *Guidelines for Infill development in Cobourg's Heritage Conservation District*.

## Appendix 1: Sources


1. H. Beldon & Co. Illustrated Historical Atlas of the Northumberland & Durham. Toronto, Ont.: H. Beldon & Co., 1878.
2. Local Architectural Conservancy Advisory Committee (LACAC). *The Inventory of Cobourg's Century Buildings in 8 Volumes*. 1985.
3. Northumberland County Archives. *Fire insurance plans*.
4. Mikel, Robert D. *Heritage Conservation District Study for the Town of Cobourg*. Town of Cobourg and the Cobourg Architectural conservation Advisory Committee, February-March 1991.

### Websites:

- Cobourg History website. [www.cobourghistory.ca](http://www.cobourghistory.ca)
- Ontario Land Registry. [www.onland.ca](http://www.onland.ca)

## 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:	July 8, 2020
SUBJECT:	171 Bagot Street - Severance and Minor Variance Application

The following Motion was adopted at the July 8, 2020 Cobourg Heritage Advisory Committee Meeting:

Moved by Member C. Richards

WHEREAS the Heritage Advisory Committee has reviewed the Cultural Heritage Impact Assessment Report (CHIA) for 171 Bagot Street


The following recommendations and comments are put forward to be considered in the staff report to the Committee of Adjustment Hearing.

1. The fit of the home in the neighbourhood with consideration of density, streetscape and narrow lot frontage, and neighbouring homes with considerable more breadth on the west side of the street
2. Consideration of the lot size and feasible size of a home on a narrow lot
3. Parking Logistics
4. Any new infill dwelling will be required to come back to Heritage Advisory Committee for permit in the future

**CARRIED**



## Attachment "B"

 <b>COBOURG</b>	<b>THE CORPORATION OF THE TOWN OF COBOURG</b>	
	<b>STAFF REPORT 3 Follow-up Memo</b>	
TO:	Committee of Adjustment	
FROM: TITLE:	Rob Franklin, MCIP, RPP Manager of Planning	
DATE OF MEETING:	November 10 <sup>th</sup> , 2020.	
TITLE / SUBJECT:	Application for Minor Variance, and: Application for Severance: 171 Bagot Street (Jim and Cindy Henderson)	
REPORT DATE:	November 5 <sup>th</sup> , 2020	File #: A-02/20 B-03/20

1.0 CORPORATE STRATEGIC PLAN OBJECTIVES  
N/A

2.0 RECOMMENDATION

The following actions are recommended:

**THAT** the requested minor variance to permit a 9.88 m frontage for a new infill lot on the property known municipally as 171 Bagot Street be granted subject to the following conditions:

1. That the Variance generally relate to the plans submitted in **Schedule "A"**.
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 171 Bagot Street with 9.88 m frontage and 373 m<sup>2</sup> 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 and compatible building design (following approved guidelines and generally in accordance with the plans submitted in **Schedule A**), urban design and landscaping including tree re-planting and 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

The original Hearing of the Committee of Adjustment was convened on July 28, 2020 which followed all normal Town and *Planning Act* notification procedures. At the Hearing, the Committee deferred the application in order for the applicant to refine design drawings and consult with neighbours. Since this meeting, the applicant undertook reasonable steps to ensure that neighbours were consulted on the proposal and requested that the matter return to the Committee for a decision. As there were no change to the applications, formal notice of the follow-up Committee meeting was not required under the *Planning Act*, however notification was sent to those on record who attended the July 28, 2020 Committee meeting. At the meeting of September 15, 2020, the Committee denied the applications. Due to an unfortunate administrative oversight, the Notices of Decision were not circulated within the timeframes prescribed by the *Planning Act* and the decisions of the Committee are therefore void and the applications must be re-heard by the Committee.

The statutory notice requirements of the *Planning Act* for the November 10, 2020 Hearing of the Committee of Adjustment have been fulfilled for these applications. The application will be posted on the Town of Cobourg website in the Committee of Adjustment meeting Agenda.

### 4.0 ORIGIN

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

**Proposed Consent for Lot:** Approximately 373 m<sup>2</sup> in area with 9.88 m frontage on Bagot Street.

The subject property is located in a Residential Three (R3) Zone, and presently, the R3 Zone requires an 11 m frontage therefore, the applicant is seeking the following variance:

- To permit 9.88 m frontage for a new infill lot, a variance of 1.12 m.

## 5.0 ANALYSIS

Planning staff previously provided an overview of public comments and objections raised at the Hearing on July 28, 2020, and the subsequent Hearing on September 15, 2020. This Report attempts to focus on new submissions from neighbours. The following attachments are included in this Report:

- Concept Plan (**Schedule A**);
- Revised Area Plan Showing Infill Lot/House (**Schedule B**) (*please note area shown in grey for buildings includes covered front porches and the full roofline including eaves as seen from above, property lines are not survey accurate*);
- Comment/Neighbour letters (**Appendix 1**)

**Please note, this Report is to be read in conjunction with the previous Planning Reports of July 24, 2020 and September 11, 2020.**

*i) any infill would be 'squeezed' as the west side of this block of Bagot Street is different in scale/symmetry;*

This item continues to be raised with statements that the Cultural Heritage Impact Assessment (CHIA), prepared by Branch Architecture and submitted with the application (as previously attached to my Planning Report of July 24, 2020), was incorrect -- more specifically, the conclusion "*that the proposed severance is in keeping with the neighbouring lot sizes and patterns, would conserve the existing heritage resource at 171 Bagot Street, and would not be detrimental to the overall character of the Heritage Conservation District*" was identified as being erroneous.

Planning staff conducted an analysis of a number of lots in the general vicinity of the subject property (150 m – 200 m radius) or approx. two-block area (shown previously) to obtain an understanding of 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. There is also a townhouse block on Albert Street, at Durham Street, with smaller building faces. It appears that several of the lots in the neighbourhood were specifically built with a narrow building form such as 171 and 183 Albert Street (just around the corner from the subject property) and 174 and 178 Bagot Street (directly across the road from the subject property).

The analysis demonstrates that the lotting pattern of the general neighbourhood is diverse and varied, and contain houses of different styles, sizes and orientations.

Research undertaken by residents states that the west side and east side of this block of Bagot Street were developed differently. In particular, it is their conclusion that the west side is made up of three original 1870's properties and that the lot fabric is 'unaltered', whereas the east side contained a school building (now a semi-detached building at 168-170 Bagot Street) and now has eight residential dwellings. According to the submission, the east side was infilled during the early part of the 20<sup>th</sup> Century mainly by "Jex" but by other builders as well. Within the immediate street context, the spacing of houses on the east side of Bagot Street is fairly consistent and uniform, however the west side is variable and its context/symmetry is different.

As part of my research, looking north to south, I scaled 5 m from the sidewalk on Albert Street to the north side of 181 Bagot, 17 m between 181 and 171 Bagot (where the proposed severance is located), 11.5 m between 171 and 163 Bagot, and lastly 28 m between 163 Bagot and Sydenham Street. The lot at 181 Bagot Street has approx. 22 m frontage on Bagot with the house at 171 Bagot having approx. 27.3 m and the house at 163 Bagot having approx. 51 m. While the built form and spacing on the east side of Bagot Street within this block appear generally symmetrical, I am not convinced that there is any defined symmetry or set rhythm on the west side of the street.

Given the above, it is my opinion that this block can be intensified without imposing significant impacts on the character of the neighbourhood or the HCD, and that careful planning and design can serve to integrate new infill development in a harmonious manner. A Severance Agreement is recommended to address future development considerations.

*ii) The Variance and Severance do not conform to the West Heritage District Guidelines:*

It has been pointed out that the west side of Bagot between Sydenham and Albert Street are all original 1870's properties and that the lot fabric is 'unaltered'. The West Heritage District Guidelines (West HCD) refers to the whole West District and does not differentiate one side of one block from another. It has specific criteria for new construction (Section 7.1 of the HCD) requiring that it be compatible with the heritage character and attributes of adjacent heritage properties and the cultural heritage values of the District. This requires a review of the lot pattern, height, massing, setback, building scale, roof pitch and exterior materials. The Statement of District Significance and List of Heritage Attributes in Sections 2.2 and 2.3 were reviewed noting that lot sizes in the HCD vary. The Guidelines are intended to manage change based on heritage best practices. They are not designed to forever place a hold on intensification or alterations to the streetscape, lot patterns or built form.

As noted above, the CHIA provided a detailed review of the proposal within the context of the West HCD Plan and concluded that the proposed severance would

allow for the preservation of the heritage house at 171 Bagot Street. It also finds that the new lot would be in keeping with the neighbouring lot sizes and patterns and does not adversely affect the cultural heritage value or heritage attributes of the District. The report also acknowledges that any new future development will require a Heritage Permit and will need to follow the requirements in these same source documents.

It is my opinion that when undertaking a review one must look to the overall District and its character-defining elements along with the site specific characteristics of the proposal and lot in question and not three houses on one side of one block. In my view, based on the documentation submitted, the neighbourhood characteristics in this case are supportive of the proposed lot frontage and severance of an infill lot from the subject property.

*iii) parking/driveways in the front would detract from the heritage homes;*

Additional submissions continue to raise concerns over this. The proposed design as shown on the Concept Plan (**Schedule A**) shows a single wide driveway, being 'eco-block' or similar product, with an interlocking paver 'flank' to provide options for 2 vehicles, minimize its impact on the street and comply with the Zoning By-law. Existing driveways in the neighbourhood are comprised of diverse shapes, sizes and materials, with some located within side yards and others in front yards. They are not exclusively at the side or rear yard. The proposed parking design would not appear to be incompatible with existing heritage homes in the area.

*iv) siting of building will impact privacy and shadowing;*

The submissions raise concerns over privacy and shadowing. The revised design submitted in **Schedule A** labels the distances to the adjacent buildings and windows. The house at 181 Bagot would be approximately 6.8 m from the proposed new infill house, and the setback to the house at 171 Bagot would be over 4 m. The Shadow Study previously submitted demonstrated that there should not be any significant impacts associated with shadowing. Adequate spatial separation will exist between the dwellings to minimize such impacts.

Based on all the above discussion and information in my previous Planning Report (July 24, 2020 and September 10, 2020), it is my opinion that the proposed variance is minor, and would maintain the intent and purpose of the policies and guidelines of the West HCD Plan and Official Plan. The proposed decrease in lot frontage for a new infill lot, is minimal relative to the overall neighbourhood, and would be desirable given that there remains adequate space for a new house with reasonable spatial setbacks.

## 7.0 CONCLUSIONS VARIANCE

1. The proposed minor variance does 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 variance would maintain the general intent and purpose of the County and Cobourg Official Plans.
3. The proposed minor variance would maintain the general intent and purpose of the Zoning By-law.
4. The proposed minor variance would be generally desirable and allow for the appropriate development of the subject lands.
5. The proposed variance would be considered minor.

### CONSENT

1. The proposed consent does not conflict with matters of Provincial Interest as outlined in the Planning Act, 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 Variance generally relate to the Concept Plan as shown on **Schedule "A"**.
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 heritage conservation and building design (following applicable policies and guidelines and generally in accordance with the plans submitted in **Schedule A**), servicing, grading, driveway and parking, urban design and landscaping including tree re-planting and 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 as required in the Official Plan.
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 variance on lands known municipally as 171 Bagot Street and further that the request for consent of a new infill lot, be granted by the Committee of Adjustment.

**Report Prepared by:**



**Report Approved by:**

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



# Schedule "A" Revised Concept Plan, Sept. 15, 2020

Design Document Only - Not Intended for Construction

**andrewsmith  
buildingdesign**  
1789212222 andrewsmith@andrewsmithbuildingdesign.com  
2000 Queen Street East, Cobourg, ON K9J 5A7

**Henderson Residence**  
Single Family Dwelling  
Bagot Street, Cobourg, ON

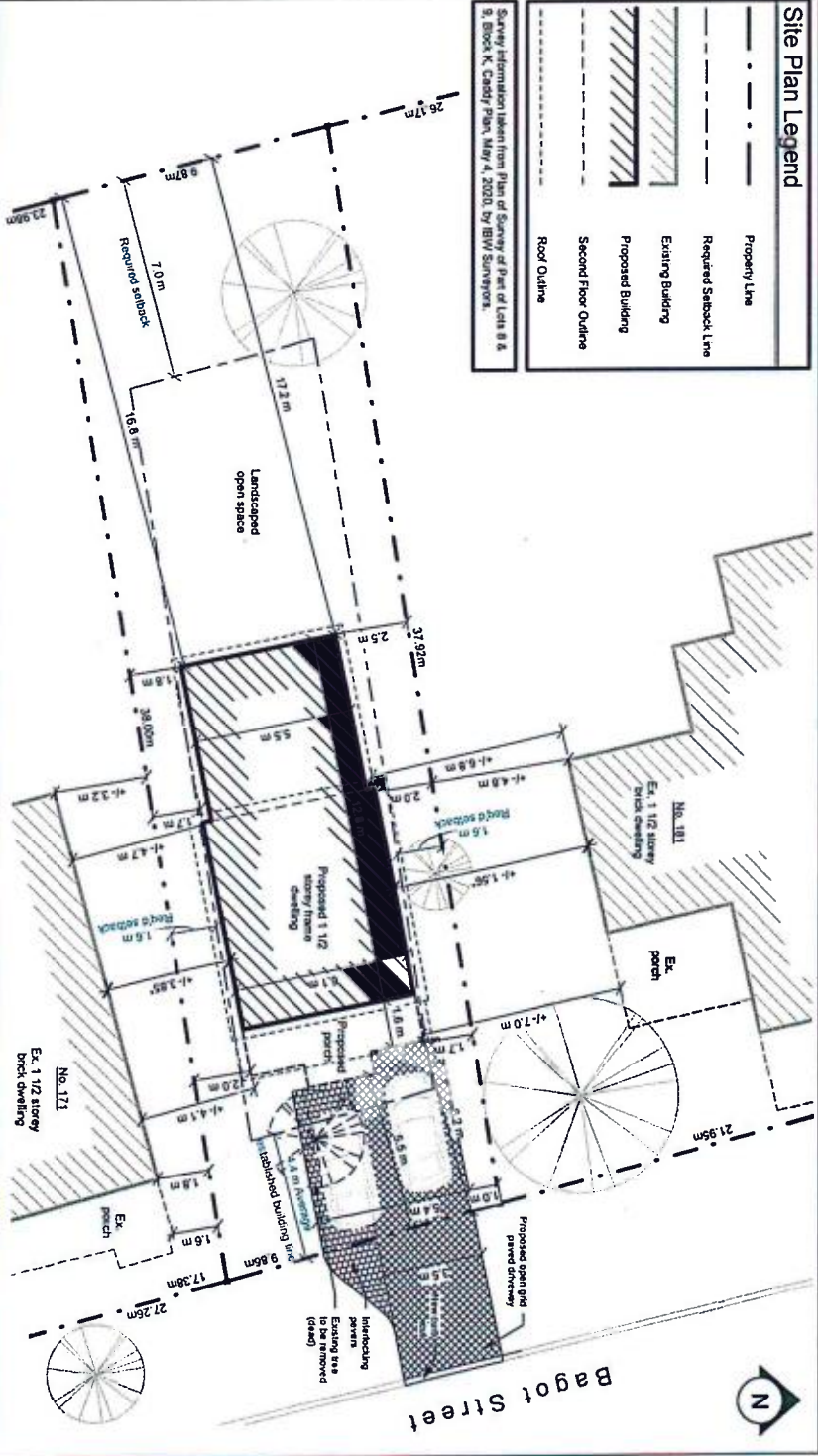
No.	Description	Date
1	Client Review	2020-08-13
2	Client Review	2020-09-01
3	Planning Review	2020-09-02
4	Committee of Adjustment	2020-09-15

**Site Plan - Option A**  
Project number: 2000-118  
Date: August 1, 2020  
Drawn by: DJ  
Checked by: ANS

**A100.A**  
Scale 1:125

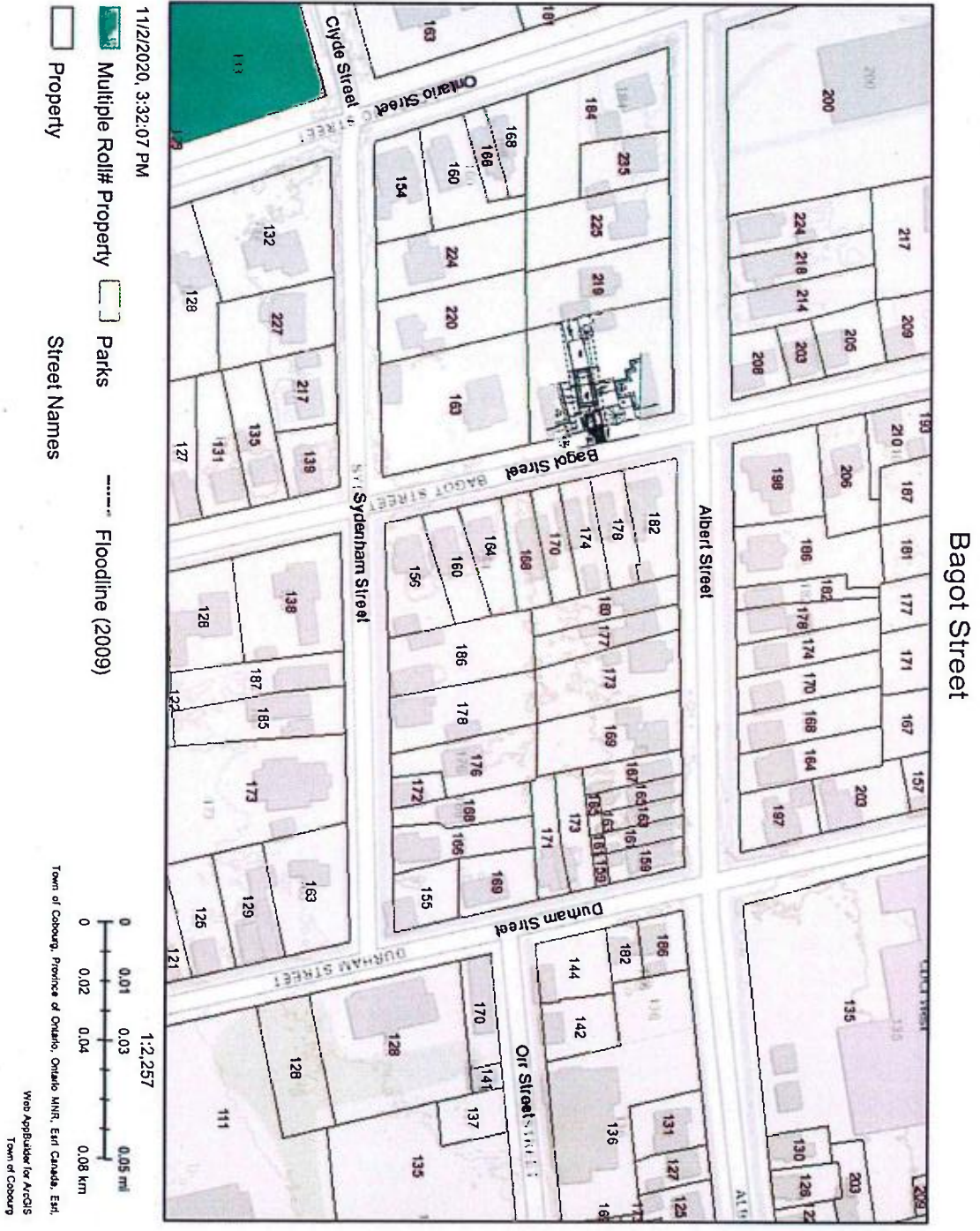
Site Plan Legend	
	Property Line
	Required Setback Line
	Existing Building
	Proposed Building
	Second Floor Outline
	Roof Outline

Survey information taken from Plan of Survey of Part of Lots 8 & 9, Block K, Caddy Park, May 4, 2020, by BW Surveyors.





**Schedule "B"**  
**Area Map with Infill shown**



Please note area shown in grey for buildings includes covered front porches and the full roofline including eaves as seen from above; property lines are not survey accurate



# Attachment "C"

## TOWN OF COBOURG

### COMMITTEE OF ADJUSTMENT DECISION

#### MINOR VARIANCE APPLICATION

Submission No: A-02-2020  
Date of Hearing: November 10, 2020  
Date of Decision: November 10, 2020

IN THE MATTER OF SECTION 45 OF THE PLANNING ACT, ZONING BY-LAW NO 85-2003 an application for a minor variance to permit 9.88 m frontage for a new infill lot, a variance of 1.12 m on lands municipally known as 171 Bagot Street.

**NAME OF APPLICANT:** Cindy Taylor and Jim Henderson  
**ADDRESS/LOCATION OF PROPERTY:** 171 Bagot Street

The request is hereby defeated for the following reason:

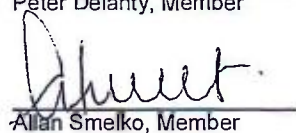
1. The proposed consent would generally not be desirable and not allow for the appropriate development of the subject lands.
2. The severance does not conform to the West Heritage District Guidelines
3. The parking element in the proposed development dominates the streetscape of the proposed house and would detract from homes in the heritage district.

  
Robert Marr, Chair

  
Barry Gutteridge, Vice-Chair

  
Peter Delanty, Member

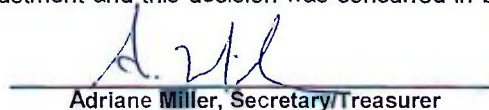
  
Astrid Hudson, Member

  
Allan Smelko, Member

**SIGNED ON:** November 10 2020  
**Last date of Appeal of Decision:** November 30, 2020

#### CERTIFICATION:

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

  
Adriane Miller, Secretary/Treasurer

#### **APPEALING TO THE LOCAL PLANNING APPEAL TRIBUNAL** **The Planning Act, R.S.O. 1990, as amended, Section 45**

The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days after the giving of notice in accordance with subsection 4(4) of Ontario Regulation 149/20 appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary/Treasurer of the fee prescribed by the Tribunal under the Local Planning Appeal Tribunal Act.

A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

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

PLEASE NOTE: As a result of COVID-19, Town of Cobourg Victoria Hall and all other Municipal facilities are closed to the public at this time.

Please mail or courier appeals and prescribed fees to:

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

If you have questions regarding the appeal process, please email [clerk@cobourg.ca](mailto:clerk@cobourg.ca)

Appeal Fees & Forms Local Planning Appeal Tribunal: The LPAT appeal fee is \$400 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Appeal forms (A1 Appeal Form – Minor Variance) can be obtained at [www.eltio.gov.on.ca](http://www.eltio.gov.on.ca) or by contacting our office at 905-372-4301 or [clerk@cobourg.ca](mailto:clerk@cobourg.ca).



# Attachment "D"

## TOWN OF COBOURG

### COMMITTEE OF ADJUSTMENT DECISION

#### APPLICATION FOR CONSENT TO SEVERE

Submission No: B-03-20  
Date of Hearing: November 10, 2020  
Date of Decision: November 10, 2020


IN THE MATTER OF SECTION 53 OF THE PLANNING ACT, ZONING BY-LAW NO 85-2003 an Application for consent to severe from 171 Bagot Street with approximately 373m2 in area with 9.88 m frontage on Bagot Street.

**NAME OF OWNER:** Cindy Taylor and Jim Henderson  
**LOCATION OF PROPERTY:** 171 Bagot Street

The request is hereby defeated for the following reason:

1. The proposed consent would generally not be desirable and not allow for the appropriate development of the subject lands.
2. The severance does not conform to the West Heritage District Guidelines
3. The parking element in the proposed development dominates the streetscape of the proposed house and would detract from homes in the heritage district.

  
 Robert Marr, Chair

  
 Astrid Hudson

  
 Allan Smelko

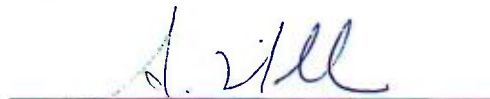
  
 Barry Gutteridge

  
 Peter Delanty

**SIGNED ON:** November 10, 2020  
**Last date of Appeal of Decision:** November 30, 2020

#### CERTIFICATION:

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

  
 Adriane Miller, Secretary/Treasurer

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

The applicant, the Minister or any other person or public body who has an interest in the matter may within twenty (20) days after the giving of notice appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A 1 Appeal Form) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal under the Local Planning Appeal Tribunal Act.

Note: A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

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

PLEASE NOTE: As a result of COVID-19, Town of Cobourg Victoria Hall and all other Municipal facilities are closed to the public at this time.

Please mail or courier appeals and prescribed fees to:

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

If you have questions regarding the appeal process, please email [clerk@cobourg.ca](mailto:clerk@cobourg.ca)

Appeal Fees & Forms Local Planning Appeal Tribunal: The LPAT appeal fee is \$400 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Appeal forms (A1 Appeal Form – Minor Variance) can be obtained at [www.eto.gov.on.ca](http://www.eto.gov.on.ca) or by contacting our office at 905-372-4301 or [clerk@cobourg.ca](mailto:clerk@cobourg.ca).

# Attachment "E"



**The Corporation of The Town of Cobourg  
Committee of Adjustment  
MINUTES**

**November 10, 2020, 4:00 p.m.  
Electronic Participation**

Members Present:     Bob Marr, Chair  
                              Astrid Hudson  
                              Peter Delanty  
                              Allan Smelko  
                              Barry Gutteridge, Vice-Chair

Staff Present:         Rob Franklin, Manager of Planning Services  
                              Adriane Miller, Secretary/Treasure

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**1.     CALL TO ORDER**

Chair Bob Marr called the Meeting to Order at 4:05 P.M.

**2.     DECLARATIONS OF INTEREST BY MEMBERS**

There were no Declarations of Interest Declared by Committee Members.

**3.     ADOPTION OF MINUTES**

Moved by Member A.Smelko; seconded by Member B.Gutteridge

**THAT** the minutes dated September 15, 2020 be adopted as presented

**CARRIED**

**4.     REPORTS**

**4.1    File No. A-02-20/B-03-20 Application for Consent / Minor Variance171  
Bagot Street - Applicants Jim Henderson and Cindy Taylor**

The following action be recommended:

**THAT** the requested minor variance to permit a 9.88 m frontage for a new infill lot on the property known municipally as 171 Bagot Street be granted subject to the following conditions:

That the Variance generally relate to the plans submitted in Schedule "A". 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 171 Bagot Street with 9.88 m frontage and 373 m<sup>2</sup> 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 and compatible building design (following approved guidelines and generally in accordance with the plans submitted in **Schedule A**), urban design and landscaping including tree re-planting and 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.

Moved by Member B. Gutteridge; seconded by A.Smelko

**THAT** the Committee move to closed session

**CARRIED**

Moved by Member A.Smelko; seconded by Member P.Delanty

**THAT** the application for Minor Variance be denied

**CARRIED**

Moved by Member A.Smelko; seconded by Member A.Hudson

**THAT** the application for severance be denied

**CARRIED**

**5. NEW BUSINESS**

**5.1 OACA- Fall Lunch and Learn Webinar Series**

- Received as Information

Member Allen Smelko to attend and report information back to the committee.

**6. UNFINISHED BUSINESS**

**7. ADJOURNMENT**

Meeting adjourned at 6:36PM