



Town of Cobourg

**Committee of Adjustment – Notice of Decision**

Submission No: **A-02-23**  
Date of Hearing: March 21, 2023  
Date of Decision: March 21, 2023

In the matter of Section 45 of the *Planning Act*, an application for a minor variance:

- To permit a single detached dwelling rather than 36 single detached dwellings;
- To reduce the average building height from no less than 9.1 metres to 4.0 metres; and,
- To reduce the front yard setback from 9.49 metres to 8.5 metres.

**Name of Applicant / Agent:** Habitat for Humanity  
**Property Address:** 604 Daintry Crescent

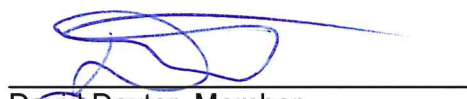
The request is hereby **granted** for the following reasons:

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

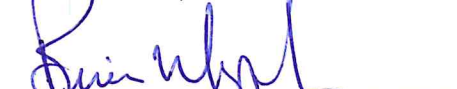
**Subject to the following conditions:**

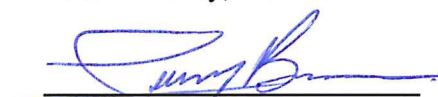
1. That the variance generally relates to the Site Plan submitted as part of this proposal, included as Attachment 2 to this report;
2. All conditions are subject to the specifications and approval of the Town of Cobourg, but at no cost to the Municipality.
3. That the Owner/Applicant implement the recommendations of the Noise and Vibration Impact Study (the "Study"), prepared for the subject property by Cambium Inc., dated January 26, 2023, and any Addenda thereto, including but not limited to:
  - a. Prior to the issuance of a Building Permit by the Municipality, the Owner/Applicant submits certification from a Solicitor that the warning clauses recommended in Appendix "C" of the Study are registered on the title of the subject property, to the satisfaction of the Secretary-Treasurer.
  - b. Prior to the issuance of a Building Permit by the Municipality, the Owner/Applicant submits certification from an Acoustical Engineer stating the correct building and material specifications for the dwelling are designed in compliance with the recommendations of the Study, to the satisfaction of the Secretary-Treasurer;
  - c. Prior to the final inspection and issuance of an Occupancy Permit by the Municipality, the Owner/Applicant submits certification from an Acoustical Engineer stating that the new dwelling and noise attenuation wall for the outdoor living area has been designed and constructed in accordance with the recommendations of the Study, to the satisfaction of the Secretary-Treasurer.

  
Robert Marr, Member

  
David Dexter, Member

  
Peter Delanty, Member

  
Brian Murphy, Member

  
Terry Brown, Member

SIGNED ON: March 21, 2023

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

CERTIFICATION:

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



---

Vanessa Reusser,  
Secretary-Treasurer to the Committee of Adjustment

**Appealing to the Ontario Land Tribunal**  
*The Planning Act*, R.S.O. 1990, as amended, Section 45

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

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

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

Please mail or courier appeals and prescribed fees to:

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

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

Ontario Land Tribunal - Appeal Fees & Forms

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