

STAFF REPORT

THE CORPORATION OF THE TOWN OF COBOURG



Report to:	Mayor and Council Members	Priority:	<input type="checkbox"/> High <input checked="" type="checkbox"/> Low
Submitted by:	Dave Johnson Planner II – Heritage Planning and Development Planning djohnson@cobourg.ca	Meeting Type:	Open Session <input checked="" type="checkbox"/> Closed Session <input type="checkbox"/>
Meeting Date:	February 22, 2021		
Report No.:	Z-02-21/SPA-03-21		
Submit comments to Council			

**Subject/Title: Application for Site Plan Approval and Zoning Bylaw
Amendment – 173-185 Division Street & 9 Albert Street**

RECOMMENDATION:

THAT Council receive these applications and refer them to the Planning Department for a report; and,

FURTHER THAT the notice requirements of the Planning Act, R.S.O. 1990, c.P. 13, as amended, be implemented, including the scheduling of a Public Meeting.

1. STRATEGIC PLAN

N/A

2. PUBLIC ENGAGEMENT

Sections 34 (10.4) & (13) of the Planning Act, R.S.O 1990, c.P. 13, as amended prescribe statutory public notice requirements for a complete application for Zoning By-law Amendment and for the scheduling of a public meeting.

The notice of a statutory Public Meeting can be provided together with notice of complete application, or separately. The Municipality is required to give notice by either:

- a) Publication in a newspaper that is of sufficient circulation in the area which the application applies; or
- b) Personal or ordinary service mail to every land owner with 120 metres of the subject land, and by posting a notice, clearly visible from a public

highway or other place the public has access on the subject land, or a location chosen by the municipality.

Under the Town of Cobourg's new public notification procedures, notification will be provided via both a) and b) above, including sign posting. Additionally, the application is posted on the municipal website under the Planning Applications page (Planning & Development). A Public Open House is not required for the subject re-zoning application, however the procedures specify that where applications which by their nature and/or interest to the community would benefit from the convening of an open house, one could be required as determined by Council at its discretion.

The Municipality's notification procedures for complete applications and public meetings meet and exceed the notice requirements prescribed by the Planning Act.

Additionally, the Municipality requires that the applicant provide notice by posting a 1 m x 1.8 m sign on the Subject Lands, in an area visible from the public realm, notifying the public that applications for Site Plan Approval and a Zoning By-law Amendment have been submitted to the Municipality. The sign includes general information about the proposal, a site plan, and contact information where further information can be obtained by the public. No public meeting is required for SPA applications as they are technical reviews undertaken in accordance with planning regulations under the *Planning Act*.

3. PURPOSE

This Report is intended to advise Council and the public of the Site Plan Approval application and Zoning Bylaw Amendment application, and to recommend that Council receive the applications and refer them to the Planning Department for a Report.

4. ORIGIN AND LEGISLATION

In February 2021 the Planning Department received applications for Site Plan Approval and a Zoning By-law Amendment from TD Consulting Inc. on behalf of 2692004 Ontario Inc. c/o Joe Ferrara for a new 3 storey mixed-used commercial/multi-unit residential building at the south-west corner of Division and Albert Streets. See **Schedule "A" Location Map**. Pursuant to the provisions of the *Planning Act*, if the Municipality fails to approve the complete Zoning By-law Amendment application within 90 days after its receipt by Council, the Owner may appeal the application to the Local Planning Appeal Tribunal (LPAT).

5. BACKGROUND

The property is 2,485 m² in area, with 47 m of frontage on Division Street and 48 m of frontage on Albert Street, located at 173-185 Division Street and 9 Albert Street.

The proposed development, known as "Beachwalk Flats", is to include the construction of three (3) live/work units, seven (7) commercial rental units, and 20

residential units within two (2) three-storey buildings, referred to as the east building and west building. See **Schedule “C”** for conceptual renderings (subject to change). The proposed buildings will front directly onto Albert and Division Streets, with 28 parking spaces available to the rear of the buildings. See **Schedule “B” Site Plan**. The parking area would be accessed by way of an entrance off Albert Street. There will be a pedestrian walkway between the buildings that will connect the parking area to Albert Street.

The subject lands are designated as Commercial Area – Central Area on Schedule ‘F’ to the Land Use Plan of the Harbour Area Secondary Plan of the Town of Cobourg Official Plan (2017). The property is currently zoned Development (D) Zone in the Town of Cobourg Comprehensive Zoning By-law #85-2003.

A Zoning Bylaw Amendment is required to amend the zoning on the property to a Main Central Commercial Exception * (MC-*) Zone in order to permit the live/work units, commercial units and residential units, with associated parking requirements and minimum amenity requirements.

The following plans and reports have been submitted in support of the application:

- Arborist Report and Tree Inventory – MHBC, December 2020;
- Archeological Report – Earthworks Archeological Services, January 2021;
- Electrical and Photometric Plans – M&E Engineering Ltd., November 2020;
- Functional Servicing Study – Dobri Engineering Ltd., December 2020;
- Grading and Servicing Plan – Dobri Engineering Ltd., December 2020;
- Parking Study – Next Trans Consulting Engineers, December 2020;
- Planning Justification Report – Ecovue Consulting Services, January 2021;
- Soil Report – GHD, August 2020
- Storm Water Management Report – Dobri Engineering Ltd., December 2020;
- Floor plans and preliminary architecture drawings, Petroff Partnership Architects, October 2020 and September 2020

Following a review of the application, Planning staff has concluded that they constitute complete applications in accordance with the provisions of the *Planning Act* and the Cobourg Official Plan and are in a position to be formally received by Council.

6. ANALYSIS

This memo is for application receipt notification purposes only, and there is no staff analysis at this point in time. Once the plans and reports have been reviewed by the Development Review Team and partner review agencies, and a Public Meeting convened, a report will be brought back to Council for consideration.

7. FINANCIAL IMPLICATIONS/BUDGET IMPACTS

There are no anticipated negative financial implications imposed on the Municipality as a result of the application for Zoning By-law Amendment and Site Plan Approval application. The Owner has submitted the requisite \$14,565.50 fee and deposit.

8. CONCLUSION

The application package and supporting information are currently being circulated to the Development Review Team for review and comments before being brought back to Council for consideration, including the convening of a Public Meeting.

Report Approval Details

Document Title:	Application for Site Plan Approval and Zoning Bylaw Amendment – 173-185 Division Street & 9 Albert Street
Attachments:	
Final Approval Date:	Feb 19, 2021

This report and all of its attachments were approved and signed as outlined below:

Tracey Vaughan, Chief Administrative Officer - Feb 19, 2021 - 11:37 AM