	THE CORPORATION OF THE TOWN OF COBOURG	
	PLANNING REPORT	
TO:	Planning & Development Advisory Committee	
FROM:	Glenn J. McGlashon, MCIP, RPP Director of Planning & Development	
DATE OF MEETING:	September 17, 2019	
REPORT TITLE/SUBJECT:	Application for Approval of a Draft Plan of Subdivision: 425 & 425A King Street East Mason Homes/RFA Planning Consultant Inc.	
DATE OF REPORT:	September 11, 2019; Revised September 16, 2019	Z-03-18SUB (14T-19001)

1.0 **STRATEGIC PLAN**

N/A.

2.0 **RECOMMENDATION**

THAT Council be advised that the Planning and Development Advisory Committee has duly considered the application by RFA Planning Consultant Inc. on behalf of Mason Homes for approval a Draft Plan of Subdivision for the 27 unit residential townhouse development located on a 1.58 ha parcel of vacant land on the south side of King Street East, east of Brook Road South, and further that the Planning and Development Advisory Committee endorses the conclusions of the Planning Report.

3.0 **PUBLIC ENGAGEMENT**

Section 51 of the *Planning Act*, RSO 1990, c.P.13, as amended, and Section 9.15 of the Official Plan prescribe statutory public notice requirements for a complete application for approval of a Draft Plan of Subdivision, and for the scheduling of a public meeting.

Notice of a complete application and notice of a public meeting can be provided together. 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 by,**
- b) personal or ordinary service mail to every land owner within 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.

The Municipality published the Notice of Complete Application in the Northumberland News on February 28, 2019 and published the Notice of Public Meeting in the Northumberland News on August 29, 2019 to satisfy the requirements of the *Planning Act* and, although not required under the legislation, distributed the Notices to every land owner within 120 m of the Subject Lands and posted the Notice on the Town of Cobourg Website as added measures. The Planning Department also notified those persons who made written requests to be notified of any development applications involving the Subject Property in accordance with the provisions of the *Planning Act*. Thus, the Municipality has complied with the notice requirements prescribed by the Official Plan and *Planning Act*. Under encouragement from the Planning Department, the applicant also voluntarily convened a Public Information Meeting at Victoria Hall on April 17, 2019.

4.0 **ORIGIN**

In February of 2019, a complete application for approval of a Draft Plan of Subdivision was submitted by RFA Planning Consultant Inc. (RFA) on behalf of Mason Homes to facilitate the development of 27 townhouse dwelling units on the 1.58 ha tract of vacant land generally located on the south side of King Street East, east of Brook Road South, known municipally as 425 and 425A King Street East (see *Figure 1 Location Map* below). Prior to this submission date, the proponents held extensive pre-consultations with the municipal Development Review Team (DRT) and relevant external review agencies. The owner also conducted a public information meeting at Victoria Hall on April 17, 2019.



Figure 1 – Location Map

At its meeting held on February 25, 2019, Council moved that the applications be received and referred to the Planning Department for a report, and further directed that the Public Meeting be scheduled. In accordance with the *Planning Act*, if Council has not made a decision within 210 days of its receipt of a complete application for approval of a Draft Plan of Subdivision, the applicant may appeal the applications to the Local Planning Appeal Tribunal (LPAT).

Given the comprehensive nature of the proposal and the extent of supporting studies associated with the application, the proposal underwent an extensive circulation, consultation and review process with the municipal staff Development Review Team (DRT) and relevant external agencies. During this process, the development plans and background information were revised where necessary and re-submitted for further review. The Public Meeting has been scheduled for Monday, September 23, 2019 at 5:00 pm.

5.0 BACKGROUND

5.1 Owner

Thomas & Alice Behan

5.2 Applicant/Agent

Ruth Ferguson-Aulthouse
RFA Planning Consultant Inc.
on behalf of Mason Homes

5.3 Property Address

The lands are known municipally as 425 and 425A King Street East -- refer to *Figure 1 Location Map* above.

5.4 Existing Land Uses

The Subject Lands are generally comprised of vacant, undeveloped land, field/meadow, scrub and a number of individual trees and tree compartments.

5.5 Surrounding Land Uses

North: Brookside Youth Centre, commercial/residential

South: Molly Baker Lane, urban low density residential

East: urban low density residential, heritage estate property

West: commercial auto dealership, urban low density residential

5.6 **Proposal**

The proposed Draft Plan of Subdivision consists of 27 townhouse dwelling units on 5 blocks. A new municipal road connection is proposed between Orchard Avenue and King Street East.

The Subject Lands are designated “Mixed Use Area” in the Official Plan (2017) and zoned “Residential Type 4 Exception 4 Holding [R4-4-H] Zone” in Comprehensive Zoning By-law No. 85-2003, as enacted by Cobourg Municipal Council in October of 1989 and subsequently approved by the Ontario Municipal Board in July of 1991.

Specifically, the overall Draft Plan of Subdivision proposes the creation of:

1. 5 Blocks to be used for freehold townhouse dwelling units totaling 27 dwelling units;
2. 2 Blocks to be conveyed to the Municipality for a road allowance dedications King Street East); and,
3. A public road right-of-way, including a green space buffer, to be dedicated to the Town of Cobourg.

Refer to *Figure 2 Development Site Plan* and *Figure 3 Draft Plan of Subdivision* below:

The application submission included a Planning Report (hereinafter referred to as the “RFA Planning Report”) and an Urban Design + Sustainability Report (hereinafter referred to as the RFA UD+S Report”), prepared by RFA Planning Consultant Inc., dated February, 2018 (revised in January of 2019). Copies of the above reports are affixed as **Appendix I** and **Appendix II** respectively.

Other technical reports submitted with the subject application which are relevant to the proposal but not affixed to this Report due to size include:

1. Functional Servicing Report and Storm Water Management Report, prepared by GHD, Feb 2018 (revised in May of 2019 and August of 2019);
2. Transportation Brief, prepared by Paradigm Transportation Solutions Limited, February 2018 (response update letter in July of 2019 attached as “**Appendix III**”);
3. Tree Inventory and Preservation Plan, prepared by Treescape Certified Arborists, February 2018 (revised in August of 2019 and attached as “**Appendix IV**”);
4. Butternut Health Assessment, Green Side Up Environmental Services, July 2017;
5. Phase 1 Environmental Site Assessment Report, prepared by Soils Engineers Ltd., October 2017;
6. Geotechnical Investigation, Soils Engineers Ltd., November 2017;
7. Stage 1-2 Archaeological Assessment, AMICK Consultants Limited, December 2017;
8. Cultural Heritage Impact Assessment, Martindale Planning Services, February 2018;

Copies of the aforementioned reports are available in the Planning Department upon request.



Figure 2 – Development Site Plan

however the following sections provide a general 'high-level' summary of relevant background and commentary from a municipal planning staff perspective and are intended to complement and be read in conjunction with the submitted reports.

6.1 Planning Act, RSO 1990, c.P. 13, as amended

Under the subdivision approval process of the *Planning Act*, the Municipality shall have regard to various criteria during the evaluation of a draft plan of subdivision as contained in Section 51(24) of the *Planning Act*. Section 7 of the RFA Planning Report (pg. 23) provides an overview of the applicable criteria, along with the following:

- a) the effect of the proposed subdivision on matters of provincial interest, as reflected in Section 2 of the Act, the Provincial Policy Statement (PPS) and the Growth Plan for the Greater Golden Horseshoe (the Growth Plan);

Further reference to and discussion on these matters is found below and in Section 6.2.

- b) whether the proposed subdivision is premature or in the public interest;

The Draft Plan of Subdivision is located within an urban, serviced area of the municipality and is located within the "built boundary" as established by the Place to Grow Growth Plan for the Greater Golden Horseshoe, 2019 the "Growth Plan". Conditions of draft plan approval will include detailed provisions relating to servicing, stormwater management, tree preservation, urban design/streetscapes, landscaping, pedestrian connections, performance security and other technical matters to ensure the development meets all relevant municipal and agency policies, guidelines, and standards prior to final approval of the Plan of Subdivision and a Subdivision Agreement by Council.

- c) whether the plan conforms to the Official Plan (OP) and adjacent plan of subdivision;

*Discussion on Official Plan conformity is found in Section 6.4 below. In brief, the proposed Draft Plan of Subdivision would facilitate a development form which will integrate well into the existing urban fabric and adjacent development in a compatible fashion. A municipal local road connection from King Street East to Orchard Avenue will provide a secondary, accessible connection to the Coverdale area neighbourhood and Molly Baker Lane, with minimal traffic impacts being imposed on the existing, nearby Orchard Avenue residences (Paradigm Response Letter, July 2019 in **Appendix III**).*

- d) the suitability of the land for the subdivision;

The site is relatively flat and well-suited for the development proposed.

- e) the adequacy of highways in the vicinity of the subdivision;

The development of the proposed Draft Plan of Subdivision will establish a local roadway connection between King Street East and Orchard Avenue, a local road which dead-ends at the south-east corner of the Subject Lands. The Cobourg Public Works Department has

advised that the existing road network is generally adequate to service the proposed subdivision.

- f) the dimensions and shapes of the proposed lots;

The dimensions and shapes of the proposed lots are regular and appropriate for the area.

- g) the restrictions on the lands to be subdivided or adjoining lands;

The lands are subject to the policies of the Official Plan and the existing Multiple Residential 4 Exception 4 (R4-4-H) Zone provisions. The proposed Draft Plan of Subdivision will also be subject to comprehensive conditions of draft approval and a Subdivision Agreement.

- h) conservation of natural resources and flood control;

The Subject Lands do not form part of the Town's Greenlands System or Environmental Constraint Area, but do abut a valuable natural and active transportation asset in the form of Molly Baker Lane. The site itself is characterized by a mix of meadow, scrub and scattered early mature to mature tree growth and tree compartments of various degrees of size and health, some of which include Ash species (which will need to be removed regardless due to the Emerald Ash Borer), Buckthorn and insignificant young broadleaf trees and saplings.

An extensive field investigation and review of the existing vegetation was conducted by both the applicant's tree specialist and the Municipal Arborist, and a Tree Inventory and Preservation Plan and Butternut Health Assessment Report were prepared by qualified professionals. While the proposed development will result in a number of trees being removed on-site due to servicing, building, grading, locational, health and other considerations, special care is being given to preserve a number of trees and/or vegetation along the east and west flanks of the site, as well as along the south limits abutting Molly Baker Lane and within the Lane itself. Tree canopy compensation/replanting will be included in the draft plan conditions and addressed during the detailed design stage.

Further commentary on this issue is outlined in Section 6.4 below.

The Functional Servicing Report (FSR) has considered drainage flows both pre- and post-development, and proposes an underground stormwater management facility to be located beneath the municipal roadway (re-located from its previous location abutting Molly Baker Lane) to capture and treat runoff from the majority of the subdivision lands before exiting to the Coverdale trunk storm sewer to the east. Some minor overland drainage flow (25mm storm event) from the rear of the western townhouse blocks will be captured and treated via an infiltration trench, while flows in excess of this event will run south towards Molly Baker Lane. Because the Lane currently forms a small dam and prevents positive flows to Brook Road South, a new culvert is proposed to be installed underneath the Lane trail, with minimal disruption to the trail or the tree roots in the area through handwork, allowing any surface water to flow to the Brook Road South ditch just south of the trail. According to the FSR, this drainage scheme will serve to significantly reduce or mitigate ponding or flooding on the residential properties at 36 and 38 Brook Road South (immediately adjacent to Molly Baker Lane). Further commentary on this issue is outlined in Section 6.4 below.

- i) the adequacy of utilities and municipal services;

The FSR has confirmed that utilities and municipal services to the site are adequate, and any infrastructure improvements required to service the Subject Lands will be further assessed prior to final approval of the Draft Plan of Subdivision as a condition of development.

- j) the adequacy of school sites;

As of the writing of this report, the Town has not received any feedback from the applicable school boards having jurisdiction. Merwin Greer public elementary school is located approx. 400 m to the east of the Subject Lands, and C.R. Gummow P.S. and Cobourg Collegiate Institute are located approx. 650 m and 450 m away respectively.

- k) the area of land to be dedicated for public purposes;

While there is no formal parkland block proposed as part of this Draft Plan of Subdivision, the public road allowance along the south section of the Subject Lands has been expanded to include a larger boulevard which will act as a municipally-owned buffer to protect trees within and adjacent to Molly Bake Lane and permit additional landscape plantings.

- l) the efficient use and conservation of energy;

*As described in the RFA UD+S Report (see **Appendix II**), the proposed development supports the Town of Cobourg's sustainability strategy by reducing the consumption of land, energy and other resources, minimizes waste, creates livable, healthy and productive environments, reduces GHG's through walkability, and protects valuable ecological features wherever possible.*

- m) the interrelationship between the design of the plan of subdivision and site plan control matters relating to development on the lands.

The subdivision will be controlled by implementing draft conditions of approval and requiring the execution of a Subdivision Agreement approved by the Municipality. Site plan control will not apply to the townhouse blocks.

As referenced in a) above, the Municipality shall have regard to matters of Provincial interest under Section 2 of the Act, including such applicable matters as: the protection of natural features; adequate provision and efficient use of infrastructure; orderly development of safe and healthy communities; accessibility for persons with disabilities; adequate provision of educational, health, social, cultural and recreational facilities; adequate provision of a full range of housing; protection of public health and safety; appropriate location for growth and development; and, promotion of sustainable and pedestrian-friendly design, and be transit supportive. Section 6.2 below provides further commentary of the proposal relative to matters of Provincial interest.

Comment/Opinion

Municipal planning staff has reviewed the proposed Draft Plan of Subdivision and all available supporting background documentation in light of the criteria under Section

51(24) of the Planning Act. The proposed Draft Plan of Subdivision represents appropriate intensification within the urban, serviced built boundary of the municipality and is comprised of a compatible housing type for the neighbourhood. The proposed street connection to Orchard Avenue facilitates the creation of a permeable transportation network, with improved opportunities for modest vehicular and pedestrian movement and connections to and from the neighbourhood. In my opinion, the proposed Draft Plan of Subdivision has appropriate regard to the matters outlined under the Planning Act.

6.2 Provincial Policy Statement (PPS), 2014 & A Place To Grow Growth Plan for the Greater Golden Horseshoe, 2019

The Planning Act requires that the Council of a local Municipality shall be consistent with the Provincial Policy Statement (PPS) and shall conform to the A Place To Grow Growth Plan, 2019 (the “Growth Plan”) when carrying out applications such as a plan of subdivision. The PPS was issued by the Ministry of Municipal Affairs and Housing (MMAH) in 2014 under the Planning Act and the Growth Plan was updated and re-issued by the Ministry of Municipal Affairs – Ontario Growth Secretariat and approved by the Ontario Legislature under the Places To Grow Act on May 16, 2019.

In general, the primary directives of these documents include such issues as:

- fostering the development of complete communities which are strong, sustainable, liveable, healthy and vibrant;
- promoting efficient, cost-effective and transit-supportive land use and development patterns to minimize land consumption and servicing costs and support active transportation;
- accommodating an appropriate range and mix of residential housing (including low, medium & high density residential, second units, affordable housing and seniors housing), employment, institutional, recreation, parks and open space and other uses to meet long term needs;
- facilitating intensification, redevelopment and compact built form;
- directing growth and development to urban settlement areas with full municipal services;
- encouraging the proper use and management of significant natural and cultural resources; and,
- protecting public health and safety.

Sections 3 and 4 (pgs. 15 – 18) of the RFA Planning Report (**Appendix I'**) provides an overview of the PPS and Growth Plan, and offers opinions in Section 7 (pg. 23) that the proposal is consistent with the provisions of the PPS and conforms to the Growth Plan.

Comment/Opinion

Based on my review of the application for approval of a Draft Plan of Subdivision, including the supporting background information, it is my opinion that the application has appropriate regard to and is consistent with the PPS and Growth Plan. Specifically, the proposal provides for appropriate residential intensification within the urban, serviced area of the municipality and makes effective use of existing infrastructure which will serve to reduce costs and the consumption of land. The Subject Lands are suitably located to provide access to existing commercial services, community facilities, open spaces and transit. The proposed housing form and density are compatible with the surrounding neighbourhood. Appropriate measures are being proposed to protect valuable natural heritage assets wherever feasible, particularly the trees in and adjacent to Molly Baker Lane, which will be coupled with an aggressive tree canopy and landscape replacement plan as part of the draft plan conditions. Innovative alternative stormwater management approaches, including sustainable “green” infrastructure such as infiltration trenches and underground storage chambers, are proposed to appropriately capture and treat run-off from the site and avoid off-site impacts.

In summary, I concur with the conclusions and opinions contained in the RFA Planning Report regarding conformity to matters of Provincial interest as reflected in the PPS and Growth Plan.

6.3 County of Northumberland Official Plan:

The County of Northumberland Official Plan (the “County OP”) was approved by the Ministry of Municipal Affairs and Housing on July 29, 2015 and further approved by the Ontario Municipal Board on November 23, 2016. In general, the purpose of the County OP is to:

- Establish a broad, upper tier policy framework intended to guide local municipalities in the preparation of their Official Plans, Official Plan Amendments and zoning by-laws;
- Implement the PPS and Growth Plan at the County level; and,
- Establish a framework for coordination and cooperation amongst local municipalities and the County on planning and development issues that cross municipal boundaries.

The County OP is not intended to duplicate the policies of local Official Plans, and recognizes certain land use planning responsibilities that are vested with local municipalities. Accordingly, the County OP provides over-arching guidance necessary to

formulate detailed strategies, policies and land use designations at the local level. Thus, the land use designations and policies in the Cobourg OP essentially remain intact, but would need to be monitored and regularly updated to ensure conformity with the County OP.

The County OP encourages each of the six (6) urban areas in the County to become complete communities, including the provision of convenient access to an appropriate mix of jobs, local services, a full range of housing, and community infrastructure including affordable housing, schools, health, transit, recreation and open space for their residents. From this perspective, it is the objective of the County OP to:

- Protect, enhance and maintain existing urban areas as diverse, livable, safe, thriving and attractive communities;
- Promote the efficient use of land and infrastructure by directing most development to urban areas where full services are available;
- Encourage a range of complementary and compatible land uses in residential areas, including community facilities, schools, small-scale commercial uses and recreational open space areas;
- Provide opportunities for a diversified economic base, including an appropriate mix of employment and institutional uses to meet long term needs;
- Establish an integrated transportation system that safely and efficiently accommodates various modes of transportation including public transit, cycling and walking;
- Provide for an interconnected system of public spaces that offer convenient and comfortable access and promote safe and healthy environments; and,
- Encourage a high standard of urban design;

Section 4 (pgs. 16 – 18) of the RFA Planning Report in **Appendix I** summarizes the applicable policies of the County Official Plan, particularly the urban area population forecasts, minimum density targets, housing type, development objectives, natural heritage systems, servicing, and transportation considerations, as they relate to the subject application.

From a density perspective, RFA Planning calculated the gross unit density of the overall Draft Plan of Subdivision at 17 units/ha and the net unit density (minus the roadway) at 26 units/ha. RFA has determined that the overall population density would equal approx. 43 persons/ha (using an average household size of 2.5). Using the 2016 Town of Cobourg Development Charges Study, which contains the most up-to-date population data and specific persons/unit calculations for various housing types in Cobourg, the persons/gross ha calculation is closer to 34 persons/ha @ 2.01 persons/unit for townhouse dwellings.

Because the Subject Lands are located within the urban, built boundary of the municipality, the minimum greenfield² density target for the Town of Cobourg of 35 persons and jobs/ha as outlined in the adopted County of Northumberland Official Plan does not apply to the proposed development. The population derived from the subject development, however, would be allocated towards the Municipality's intensification target of 39% of all new population derived from development being within the built boundary.

Comment/Opinion

It is my opinion that the proposed Draft Plan of Subdivision provides a desirable housing type at a density which is appropriate for the locational context and is consistent with the Province's goal of intensifying growth in urban settlement areas. In addition, the proposal integrates well with existing low density forms of housing in the general neighbourhood. The plan promotes the efficient use of existing infrastructure and proposes innovative "green" techniques to accommodate stormwater runoff. The Subject Lands are located in close proximity to existing services and community facilities, front on a transit route and, once developed per the Draft Plan if approved, will improve connectivity and walkability in the neighbourhood. Finally, the draft plan has been designed to protect significant natural heritage features (Molly Baker Lane trees and adjacent buffers) and the existing designated cultural heritage resource to the east. In my opinion, I concur with the RFA Planning Report that the proposal conforms to the County Official Plan.

6.4 Town of Cobourg Official Plan, 2017

The Official Plan is a broad policy document that establishes an overall planning framework or vision for the community, including policies for maintaining and enhancing the existing community structure and for managing change, and for guiding the municipality in implementing the planning process through a variety of mechanisms and approaches.

General

Some of the key principles of the Cobourg Official Plan include promoting compact, mixed-use development that is connected, sustainable, transit-supportive, accessible and friendly to alternative forms of transportation. In addition, the Official Plan emphasizes high quality urban design, and provides that new development shall assist in the creation of high-quality streetscapes and building forms. Section 5 (pgs. 19 -- 20) of the RFA Planning Report contained in **Appendix I** provides a general summary and opinion response to the relevant policies of the Official Plan.

² Greenfields are defined as any lands within a settlement area that are designated for growth but are located outside of the "built boundary" as specified by the Growth Plan and illustrated on Schedule "A" of the Cobourg Official Plan.

Comment/Opinion

I generally concur with the conclusions of the RFA Planning Report. Although the proposed density is lower than that contemplated by the Mixed Use Area designation of the Official Plan, the Draft Plan and townhouse development comply with the existing R4-4 Zone, which is deemed to conform to the Official Plan in accordance with the Planning Act.

Consistent with Provincial and County policies, some of the key objectives of the Official Plan include the promotion of compact, walkable neighbourhoods, the effective use of existing municipal piped infrastructure, transit and other services, high quality design, integrating new development with existing neighbourhoods, and protecting valuable cultural and natural heritage features. Additionally, the policies of the Plan direct that new development in the community shall include a high diversity of housing types, including single and semi-detached, townhouse and multi-unit types, and densities that service all economic and age groups. Compatibility and high quality architectural design are also important principles of the Plan. Streets are to be short and permeable to promote walking and ease of connectivity to public open spaces and adjacent non-residential uses. More intensive development is encouraged along major transit and transportation corridors like King Street East to promote alternative forms of transportation, including transit and active transportation modes.

As indicated in Section 6.3 of this Report above, the overall gross density of the proposal is 17 units/ha and approx. 34 persons/ha, which is significantly higher than the existing low density residential pattern in the general vicinity of the Subject Lands. The proposed municipal street extension from King Street East to Orchard Avenue forms a compatible extension of the existing street pattern and will assist in maximizing accessibility and walkability, particularly with respect to safe, convenient access to public open spaces (Peter Delanty Park is ~400 m away) and King Street East (a municipal transit route and active transportation corridor).

The approval of development within the Draft Plan will assist in creating a healthy environment and a complete community. A comprehensive set of conditions will be developed as part of draft approval of the subdivision in order to conform to all municipal and agency requirements and to ensure the development meets all relevant standards prior to final approval by Council and development proceeding.

Affordable Housing

Section 3.2.5 of the Official Plan outlines the general policies associated with affordable housing. A key principle includes the need to provide choice and options in the community with respect to secure, adequate and affordable housing “*which contributes to a community characterized by inclusiveness*”. In particular, the policies of the Plan encourage the development of neighbourhoods with a mix of housing types, styles and densities, including an adequate supply of affordable rental and ownership housing, to respond to the varied needs of the population and promote a strong sense of place for its residents. Furthermore, the Official Plan emphasizes compact development which is

connected, sustainable, transit-supportive, accessible and friendly to alternative forms of transportation.

Affordable housing is defined in Section 10.6.3 b) ii) of the Official Plan, and is divided into ownership and rental housing. For ownership housing, affordable is the least expensive of:

- i. housing for which the purchase price results in an annual accommodation cost which does not exceed 30% of gross annual household income for low and moderate income households; or,*
- ii. housing for which the purchase price is at least 10% below the average purchase price of a re-sale unit in the regional market area.*

In the case of rental housing, the least expensive of:

- a unit for which rent does not exceed 30% of gross annual household income for low and moderate income households; or,*
- a unit for which the rent is at or below the average rent of a unit in the regional market area.*

The above definition is identical to the Provincial definition of affordable rental housing as reflected in the PPS.

The Official Plan encourages the provision of affordable housing through a number of means, including:

- i. Streamlining the development approvals process for affordable housing projects;*
- ii. Possible reduction of development charges and application fees for affordable housing projects;*
- iii. Updating Zoning By-laws to permit accessory, or secondary, residential apartments;*
- iv. Collaborate with the County (the region's Housing Service Manager) and non-profit groups to raise awareness and acceptance of housing and funding programs;*
- v. Monitor Federal and Provincial programs related to affordable housing, and support and/or participate in such programs;*
- vi. Conduct a review of rental demolition and conversion policies/restrictions;*
- vii. Establishing an affordable housing target of 10% for projects that exceed 25 units; and,*

- viii. Encourage the use of covenants and other mechanisms for affordable housing units to ensure that they remain affordable over the long term.

In accordance with the present land use planning legislation in Ontario (as amended by *Bill 108 – the More Homes, More Choice Act*, June 6, 2019), the Province has taken steps under its Affordable Housing Strategy to reduce red tape and encourage the provision of more houses in a faster manner in order to help alleviate the housing supply crunch and, consequently, make housing more affordable. Unfortunately, the new legislation has tightened restrictions on the use of “*inclusionary zoning*”, whereby previously municipalities could (subject to prescribed criteria) enact a By-law that would require a certain number of dwelling units in a development to be affordable. Under the new legislation, however, they can now only impose affordable housing units on developments located within designated and protected major transit station areas and development permit system areas. Therefore, municipalities will otherwise continue to encourage the provision of affordable housing and utilize whatever tools are available to them, such as Community Improvement Plans (CIP’s) and housing facilities by-laws, to stimulate and improve the development and supply affordable housing in their community.

Comment/Opinion

The proposed Draft Plan of Subdivision for the Subject Lands proposes a medium density housing type in the form of freehold townhouses. Townhouses offer an alternative housing option for consumers in the marketplace, in that the dwelling units and lots are typically smaller in size and may be offered at a price-point that is attractive to moderate income earners. The site will benefit by being situated on a transit route, an active transportation corridor and in close proximity to existing and planned services, community facilities and open spaces, which may be conducive to those without vehicles. It is my opinion that the development is appropriately designed to provide an alternative and attractive housing option to residents in the community.

Transportation

A Transportation Brief was prepared by Paradigm Transportation Solutions Limited to assess the operation of the proposed intersection at King Street East to determine if there would be any operational concerns or issues due to proximity to existing intersections. The transportation analysis included assessments of roads, intersections, existing and future demands/impacts, and whether any operational improvements are warranted. Section 2.2 (pg. 11) of the RFA Planning Report in **Appendix I** provides a brief summary of the transportation review.

Overall, the Transportation Brief concluded that the existing and planned transportation network in the area is adequate to service the draft plan, with no reduced levels of service or operational concerns identified based on the analysis. In response to concerns from area residents and comments from municipal staff, Paradigm submitted a letter in July of 2019 responding to the potential for additional traffic utilizing the Orchard Avenue

extension as a 'short-cut' route between King Street East and Coverdale Avenue (attached as "**Appendix III'**").

In summary, the follow-up Paradigm analysis concluded that a negligible amount of traffic (~6-7 shortcutting vehicles in the peak AM/PM hours, or 1 vehicle/8-10 minutes) would opt to use Orchard Avenue as a shortcut and, in the opinion of the author, would be imperceptible and warrants no mitigation measures.

Comment/Opinion

Based on the transportation documentation submitted, and feedback provided by Public Works Department staff, it is my opinion that the proposal has adequately satisfied the Official Plan in demonstrating that the development will not impose adverse impacts on the existing transportation system or the surrounding neighbourhood.

Municipal Servicing Infrastructure

A Functional Servicing and Stormwater Management Report (FSR) was prepared by GHD in support of the Draft Plan of Subdivision. As outlined in Section 2.3 (pgs. 11 – 12) of the RFA Planning Report, the FSR demonstrates that the development will utilize existing public infrastructure facilities (municipal piped water, sanitary sewer) from King Street East and Orchard Avenue, which are adequate to service the development of the subdivision.

The management of rainwater runoff for the development is to be implemented through a combination of conventional and green infrastructure, including an underground storm chamber system (to promote infiltration), lot level controls via infiltration trenches (Low Impact Development (LID)) and overland flow, and a new storm sewer pipe will be constructed along Orchard Avenue to outlet to the Coverdale Avenue storm sewer trunk main. The majority of the storm drainage from the site will be captured and discharged via the underground storage chambers and the storm sewer line to Coverdale Avenue.

Additionally, there will be a *reduction* in the amount of flow being directed towards Brook Road South than under pre-development (current) conditions. The rear yards of the western townhouses will utilize an infiltration trench to capture <25mm storm events. Runoff in excess of the 25mm storm will drain along a rear yard swale and spread south-west to Brook Road South as sheet flow. This flow, which is currently blocked by Molly Baker Lane and has no positive outlet, will be improved by careful grading and installation of a small culvert under the trail, using handwork to minimize disturbance of root systems and impacts on the grades of the trail itself (see *Figure 4 – GHD Brook Road South Overland Flow Route Analysis* below for an illustration). This design solution was investigated in the field by staff from GHD & Mason Homes and with staff from the Public Works, Forestry and Planning Departments. The proposed work will serve to both improve the existing drainage conflict at Brook Road South and avoid the need to remove or impact trees along Molly Baker Lane or the abutting residential properties.

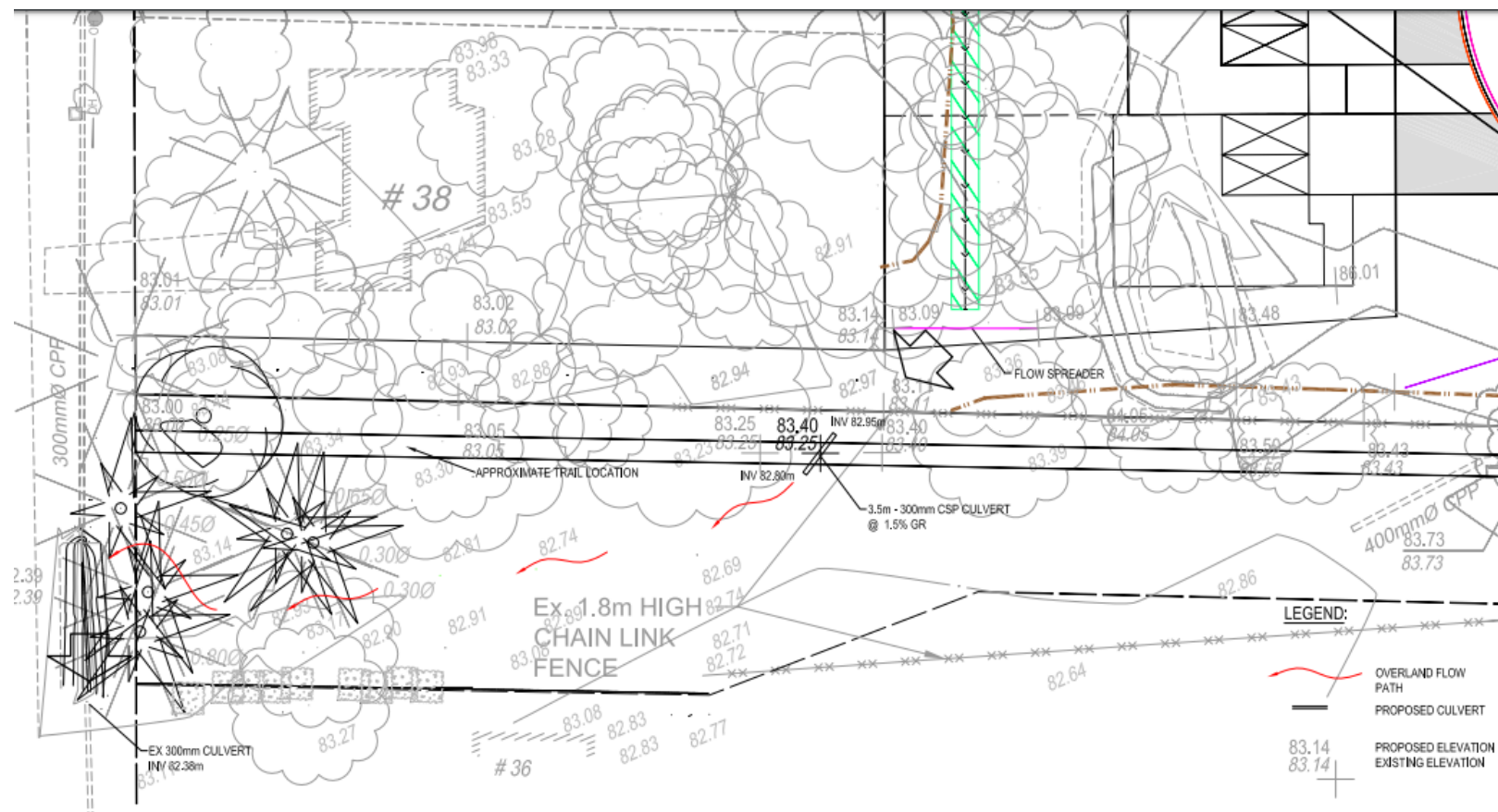


Figure 4 – GHD Brook Road South Overland Flow Route Analysis

Comment/Opinion

In summary, the FSR confirms that the necessary infrastructure is in place to service the Subject Lands, and that stormwater runoff can be accommodated via a combination of conventional and innovative “green” infrastructure designed to meet all relevant criteria of authorities having jurisdiction (GRCA, Town Public Works, Forestry) and minimize impact on existing trees and adjacent properties. Final engineering design parameters will be subject to further detailed review by the Municipality as part of draft plan of subdivision conditions.

Natural Heritage/Environmental Features

The protection of natural heritage systems and significant environmental features is a fundamental objective of the Official Plan. While the site does not contain any physical characteristics or hazards associated with Environmental Constraint Areas, tree preservation and enhancement forms a key objective which is to be considered as part of the evaluation of new developments. Accordingly, the Plan requires the submission of a tree inventory, assessment and preservation plan as part of development applications on sites or adjacent lands which are occupied by significant tree resources.

In light of the fact that the Subject Lands and adjacent lands contain a number of significant trees and other vegetative resources, a Tree Inventory and Preservation Plan (TIPP) was prepared by Treescape Certified Arborists in February of 2018 and revised in August of 2019 (copy of updated report is attached as "**Appendix IV**"). All trees on the Subject Lands were identified and assessed individually or in groups, called treed compartments, and mapped as part of the assessment.

Due to site development impacts (roads, services, buildings, grading) and, in some cases, poor tree health, a number of mature and young trees within the site are recommended for removal. The TIPP report does, however, recommend the preservation of individual trees and portions of tree compartments along the east and west sides of the property, coupled with enhanced replanting and tree canopy compensation using accepted best practices, followed by a more detailed review of the final engineering design of the subdivision as part of draft plan conditions and prior to final approval by Council.

Based on the TIPP, there is only one (1) municipally-owned tree (#1862) situated at north-east end of Molly Baker Lane that is recommended for removal due to failing health and structural weakness. Another three (3) Mason trees nearby (#1859, #1860 & #1861) will need to be re-assessed at the detailed engineering design stage and may require special protection (ie. tree wells) if it can be determined that they can be successfully preserved. The remainder of the trees within the Lane, as well as 13 larger-size trees immediately abutting (to the north) of the Lane on the Subject Lands, are to be preserved. Two Mason trees (#1870 and #1871) at the south-west quadrant of the site, south of the southern-most townhouse unit, are located within the 8.0 m buffer but will need to be removed due to construction and grading encroachments. Some grading work will encroach into the 8.0 m buffer but, save for the eastern end (which will be analyzed in more detail at the engineering stage), an appropriate minimum setback and protection zone will be maintained from the nearby trees to minimize impacts. Refer to *Figure 5 – Tree Preservation and Removals Plan (South Section)* below.

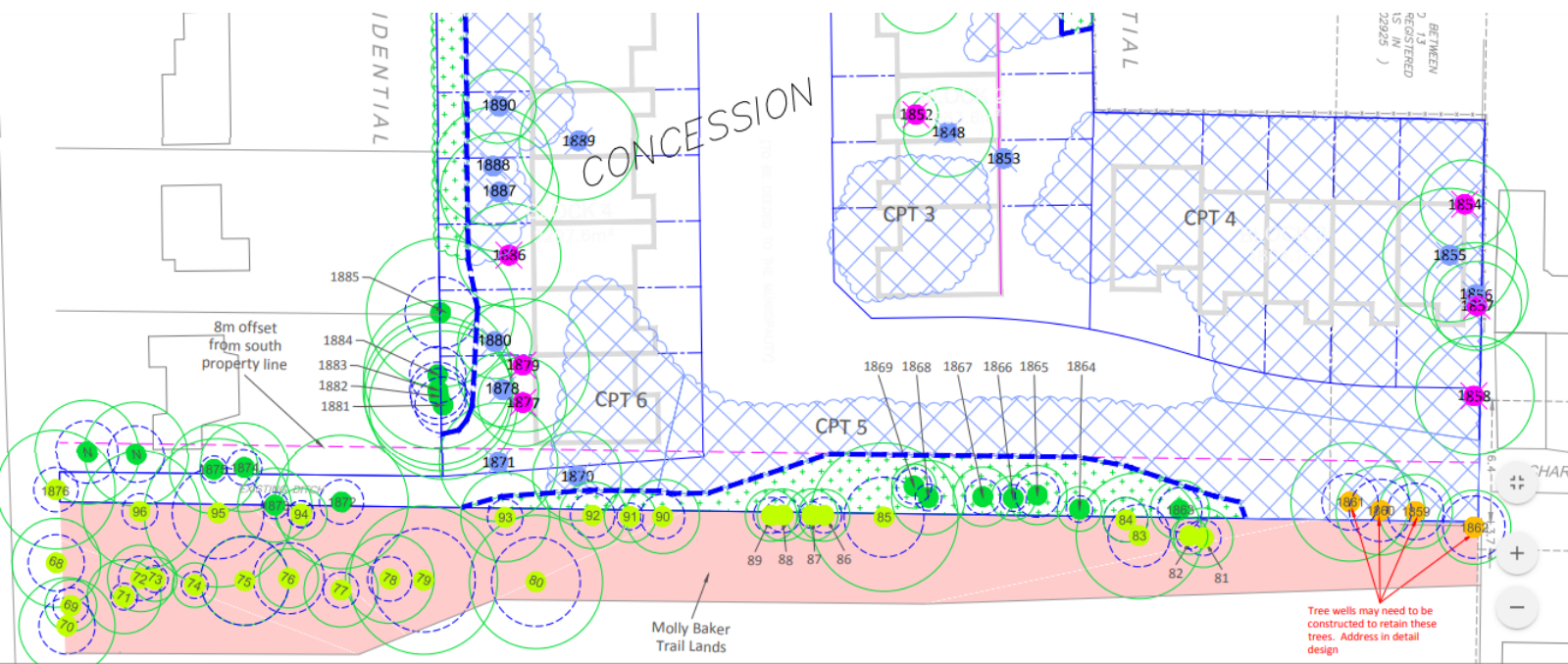


Figure 5 – Tree Preservation and Removals Plan (South Section)



Following a presentation of the Draft Plan of Subdivision proposal by Mason Homes at the August 2019 meeting of the Parks & Recreation Advisory Committee (P&RAC), a Motion was approved as follows:

THAT Council receive the following motion for information purposes;

WHEREAS Molly Baker Lane is an important natural heritage feature;

THEREFORE the Parks and Recreation Advisory Committee recommends that the trees along Molly Baker Lane be given adequate consideration with preservation being a high priority;

AND FURTHER THAT alternative grading, drainage and stormwater management solutions be considered to mitigate the impact of the proposed development at 425 King Street East on Molly Baker Lane.”

Comment/Opinion

Molly Baker Lane is a municipally-owned natural vegetation and trail corridor and connecting link between Brook Road South and Orchard Avenue. It was dedicated to the Town as part of the Brook Meadows subdivision development to the south and is deemed to be a significant and valuable municipal asset which is deserving of special attention.

Following further review in consultation with the Municipal Arborist, significant effort has been made by the proponent to satisfy the Town’s objectives in its Official Plan and tree preservation policies by identifying and preserving a good number of significant tree resources on the Subject Lands, including those within and abutting Molly Baker Lane and along the east and west perimeter of the Subject Lands, through the use of alternative engineering design solutions and buffers. The TIPP report has generally respected, wherever possible, the establishment of an 8.0 m protection buffer adjacent to Molly Baker Lane to the south. Additional tree assessments and preservation parameters will need to be established in the conditions of draft plan approval and further evaluated at the detailed subdivision review stage of the process and prior to final approval of the Plan of Subdivision by Council.

Sustainability

Sustainability has been an important consideration during the preparation of the Draft Plan of Subdivision. RFA Planning conducted an Urban Design + Sustainability Report in support of the application to demonstrate how the development intends to satisfy the Town’s urban design and sustainability policies and guidelines of the Official Plan and Urban & Landscape Design Guidelines (UDLG). Reference to this document is found in the RFA UD+S Report in **Appendix II**.

The Cobourg Official Plan contains a number of references to sustainable community design, including the Vision, Section 2.7 – Community Design Principles, Section 4.0

Greenlands System and Section 5.0 Community Design & Improvement (to name a few), however the key initiative is found under Section 4.8 – Sustainability Strategy.

The purpose of the Strategy is to foster a “*culture of conservation*” which reflects the principle of sustainable development – “*development that meets the needs of the present without compromising the ability of future generations to meet their own needs*”. The policies contained within the Strategy, and the supporting guidelines in the Town’s Urban & Landscape Design Guidelines, are aimed at encouraging development which is based on this principle and set the framework for the creation of an Integrated Community Sustainability Plan (ICSP). In particular, the Town shall encourage development designed to:

- i) reduce the consumption of energy, land and other non-renewable resources including support for energy efficient building and opportunities for co-generation;
- ii) minimize the waste of materials, water and other limited resources;
- iii) create livable, healthy and productive environments;
- iv) reduce greenhouse gases; and,
- v) enhance biodiversity, ecological function, and the natural heritage system, including the provision of wildlife habitat and linkages.

Comment/Opinion

The sustainability assessment contained within the RFA UD+S Report (pgs. 4 – 5) demonstrates that the proposal reasonably captures and responds well to the principles of sustainable development in conformance to the aforementioned policies of the Official Plan and the ULDG. The proposed subdivision is located within an urban, built-up serviced settlement area, where it will efficiently utilize existing municipal services, community facilities and other infrastructure, thus reducing the consumption of rural, undeveloped land and mitigating urban sprawl. The site is in close proximity to existing and planned employment and commercial uses, transit and active transportation facilities, and public open space/parkland, which will help promote alternative modes of travel and reduce greenhouse gas emissions. The proposal will also serve to protect significant tree resources at locations around the perimeter of the site which, coupled with generous replacement plantings, will give off oxygen and help reduce the amount of stormwater runoff.

The style and design of the proposed housing (townhouses) will have the potential to benefit from improved energy efficiency, including the implementation of such measures as:

- High quality construction of cladding, framing, floor and roof systems;

- High efficiency HVAC, HRV and insulation;
- Triple pane windows;
- Efficient plumbing, toilet fixtures;
- EnergyStar on-demand tankless water;
- Energy-tested by independent energy advisor.

As noted in the sections above, the development proposes to incorporate trees and vegetative buffers along the east and west flanks of the site, with recommendations provided by the tree consultant to enhance the plantings within these areas for compensation and improved screening. The existing tree resources within Molly Baker Lane and adjacent trees within an 8.0 m buffer have been given special attention and analysis. In consultation with municipal staff, GHD has re-designed the underground stormwater storage facility and re-located it northward, within the proposed road allowance, and has refined its grading plan to minimize impacts being imposed on the tree buffer area (refer to *Figure 6 – GHD Property Line Grading Review South Site* below).

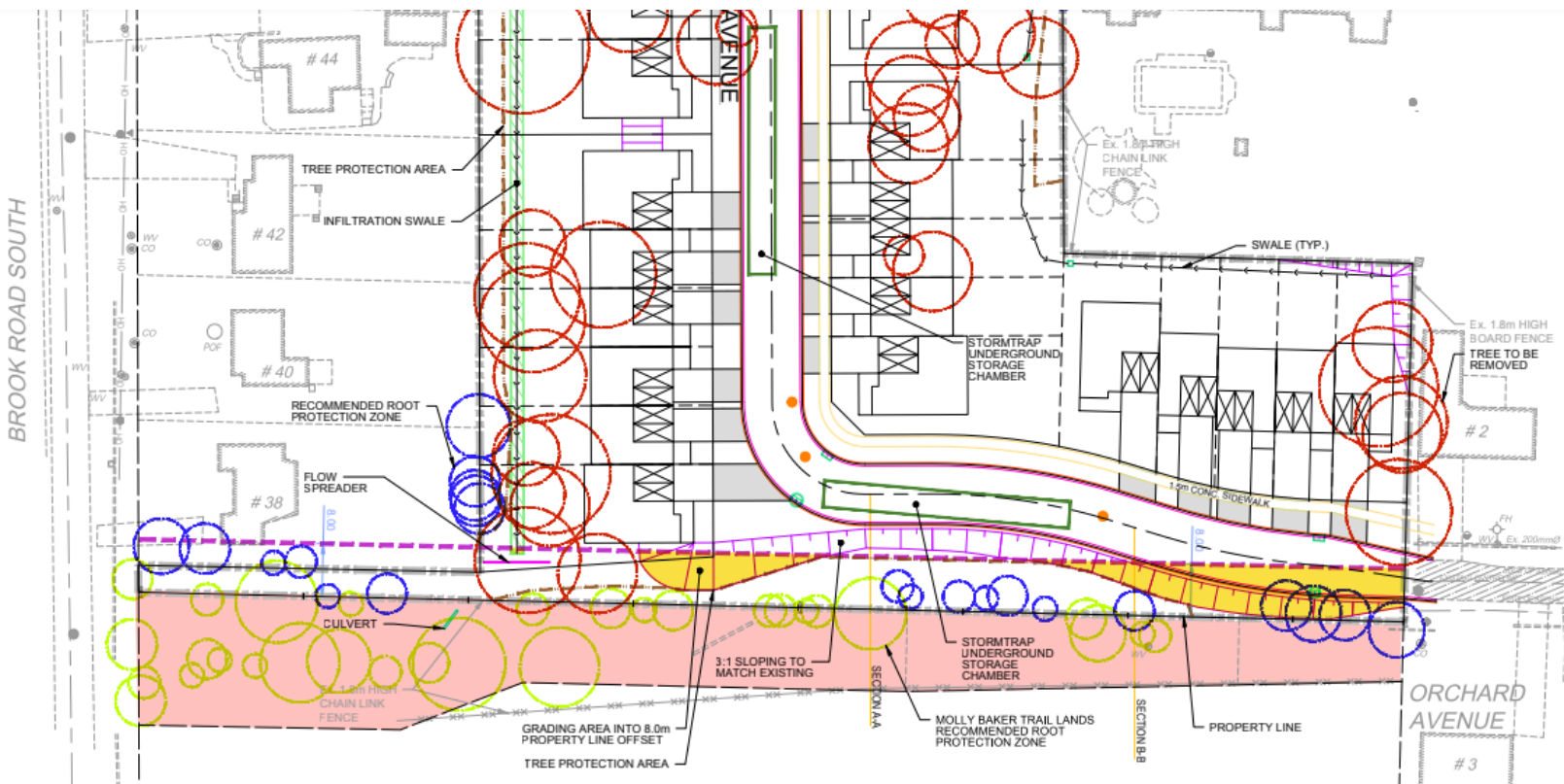


Figure 6 – GHD Property Line Grading Review South Section



Unfortunately, one (1) mature tree specimen at the extreme east end of the Lane has been assessed by the tree consultant as being in decay and structurally unsound and should be removed. Three nearby trees on the south-east corner of the development site will need to be re-assessed by the consultant during the engineering design stage to determine if mitigation measures (ie. tree wells) will satisfactorily protect these trees from construction impacts associated with the municipal roadway connection. Two (2) trees on the development site within the 8.0 m buffer close to the southern-most townhouse on the west side of the site are to be removed due to construction impacts. The remainder of the significant trees within the 8.0 m buffer area (including the 'finger' to Brook Road South) have been identified for protection. Some grading work is proposed within the buffer area, particularly along the south-eastern reach which is unavoidable due to the roadway, however the tree consultant has indicated that the proposed protection zone is appropriate for these areas given the constraints and will need to be further assessed during the detailed design stage. Additional landscaping within vegetative buffer areas will be required as a condition to draft plan approval to accentuate and enhance the areas for added environmental value and benefit.

I am of the opinion that the proposed development generally satisfies the goals and objectives of the Official Plan and Urban & Landscape Design Guidelines relating to sustainability.

Urban Design

The RFA UD+S Report provides an in-depth overview of the urban design approach for the development and how it responds to the Town's community design objectives of the Official Plan and Urban & Landscape Design Guidelines (UDLG). The draft plan provides for the creation of: a pedestrian-scale neighbourhood and inter-connected road pattern; a distinct but compatible extension of the existing community; a safe accessible connected public open space network with green buffers; buffers for the protection of valuable tree resources; a development design which is sensitive to and respects existing designated

cultural heritage resources; and, high quality urban design, streetscapes and architectural built form.

Comment/Opinion

Following a review of the RFA UD+S Report, it is my opinion that the proposed Draft Plan of Subdivision appropriately satisfies the community design policies and guidelines of the Official Plan and Urban & Landscape Design Guidelines.

Cultural Heritage Impact Assessment (CHIA)

In accordance with the PPS and Cobourg Official Plan, a Cultural Heritage Impact Assessment (CHIA) was prepared by Martindale Planning Services in February of 2018. The objective of the CHIA was to research the history and significance of adjacent cultural heritage resources, including Tangmere at 427 King Street East and Strathmore on the Brookside Youth Centre property to the north, and assess whether the resources would be adversely impacted by the proposed development.

The CHIA concludes that there will be no significant negative impacts to these resources, but recommends a number of lot-level enhancements including tree protection where possible and additional landscaping on both private and public lands to further assist in respecting the heritage character of these heritage properties. The issue of additional landscaping is typically accommodated within the conditions of draft plan approval.

In accordance with applicable provincial and local policies and legislation, the CHIA was reviewed by the Cobourg Heritage Committee (CHC) and a Motion was approved offering no objections to the Draft Plan.

Comment/Opinion

Based on a review of the CHIA, it is my opinion that the proposed development has given appropriate regard to the PPS and Cobourg Official Plan with regard to the conservation of existing built cultural heritage resources and that the proposed development will not adversely impact the existing resources, subject to implementing enhanced landscaping within the vegetative buffer areas and street allowances as part of the draft plan conditions and detailed design stage of the process.

Other Considerations

The proponent submitted a Stage 1-2 Archaeological Assessment and a Phase 1 Environmental Site Assessment (ESA) with the application. Both are required by provincial and local policies and regulations to address their respective issues to meet provincial requirements governing archaeological resources and soil compatibility. The archaeological assessment determined that there were no resources discovered and the site is cleared of any archaeological concern.

The ESA was required due to the former use of the property as a commercial motel, and given the presence of a vehicle garage and former fueling use on the property to the immediate west. The ESA identified a few areas of concern or uncertainty and recommended the preparation of a Phase II ESA for further investigation and clearance. The Phase II ESA has not been supplied as of this date, however it can be incorporated as a condition of draft plan approval.

Comment/Opinion

The aforementioned studies were required to meet provincial and local policies and regulations. The issues of archaeological and soil compatibility have been, or will be, addressed as part of the development approvals process and conditions of approval, where applicable. Therefore, it is my opinion that the proposal conforms to the standards and requirements of the Province and Cobourg Official Plan, subject to conditions.

6.5 Zoning By-law:

The existing zoning for the Subject Lands is “Multiple Residential 4 Exception 4 Holding [R4-4(H)] Zone”, which was approved by the Ontario Municipal Board in 1991 as part of a settlement. The “R4-4 Zone” permits a range of medium density, multi-unit residential land uses, including semi-detached dwellings, townhouses, multiples and apartment buildings up to 3-storeys in height. The Holding (H) Symbol restricts any development until it is released by Council following approval of the final Plan of Subdivision and a Subdivision Agreement.

Section 6 (pgs. 21 -- 22) of the RFA Planning Report in **Appendix I** provides an overview of the existing zoning and how the development complies with its requirements. Based on the RFA Planning Report, a re-zoning is *not* required to permit the proposed Draft Plan of Subdivision, however at the detailed design stage it may be discovered that the site would benefit from minor adjustments to front and exterior side yard setbacks through a minor variance process to enhance streetscapes and assist in tree protection as a result of grading, services or other encroachments.

Comment/Opinion

The proposed Draft Plan of Subdivision complies with the existing R4-4 Zone requirements and no planning opinion is warranted at this time. If/when adjustments to the Zone are proposed in the future via a minor variance, a Planning Report will be prepared to assess the appropriateness of the changes for consideration by the Committee of Adjustment at a public hearing.

6.6 Agency Comments:

The applications were circulated to municipal departments and external agencies, including the Town’s Development Review Team (DRT) and partner review agencies. To date, all of the departments and agencies who have responded have expressed no major

fundamental concerns with respect to the proposed Draft Plan of Subdivision, recognizing that further evaluation will occur at the detailed design stage of the final plan of subdivision review. Standard conditions of draft approval relating to a number of technical items under their areas of jurisdiction for agencies such as the GRCA, County of Northumberland, Canada Post, and Union Gas will be included in the comprehensive set of conditions of Draft Plan approval for consideration and clearance at the detailed Subdivision Review stage of the approvals process.

Additional agency comments, if any, will be made available at the Public Meeting.

6.7 Public Comments:

A number of submissions have been made to the Municipality by members of the public over the course of the last several months regarding the subject application. The submissions have identified concerns over such general subject matters as: i) tree preservation, particularly around the perimeter of the development site and Molly Baker Lane to the south; ii) impact of grading, stormwater and the management thereof on adjacent lands and Molly Baker Lane; iii) traffic impacts on Orchard Avenue; and, iv) construction impacts on bird habitat and adjacent properties. Refer to ***Appendix V*** attached for the complete package of public submissions.

During the review of the subject application for Draft Plan of Subdivision Approval by municipal staff and partner review agencies, the aforementioned concerns were considered and discussed with the proponent and its consultant team. As a result, the proponent conducted further analysis and design with the intention of addressing the issues and concerns of the public and municipal staff wherever possible. The Sections in this Report have outlined the steps taken by the Municipality and the proponent to respond to the concerns of the public -- the following provides a further summary of the issues (which have been consolidated into general topic areas per the preceding paragraph) and general commentary in response thereto:

Tree Preservation

One of the concerns expressed in the public submissions relates to the need to preserve existing vegetation on and around the perimeter of the site, including mature trees within and adjacent to Molly Baker Lane. As referenced earlier in this Report, the proponent retained a tree consultant to prepare a Tree Inventory and Preservation Plan (TIPP), which was updated in August of 2019 in consultation with the proponent's consulting engineer at the request of the Town, to identify and assess existing vegetation and trees within and abutting the development site and, particularly, on Molly Baker Lane, and make recommendations for preservation.

As part of this updated review, specific tree and vegetation preservation areas have been recommended along the east, west and south perimeters of the development site, including lands adjacent to Molly Baker Lane (refer to *Figure 2 – Development Site Plan*, *Figure 5 – Tree Preservation and Removals Plan (South Section)*, and *Figure 6 – GHD*

Property Line Grading Review South Section of this Report and the TIPP in **Appendix IV**. The area of the perimeter adjacent to Orchard Avenue forms part of Tree Compartment No. 4 which contains numerous trees of various sizes and condition, however they are recommended for removal due to issues associated with site development, excavation, grading, health and/or species type (ie. Ash).

In accordance with direction from the Municipal Arborist and Planning and Public Works' staff, and pursuant to a Motion from the Parks and Recreation Advisory Committee in August of 2019 (referenced above in Section 6.4), alternative stormwater management and grading measures were explored by the proponent's engineer in an effort to minimize impacts on trees and vegetation in these areas. Specifically, the stormwater management chambers have been re-located northward to an area beneath the proposed roadway to provide additional spatial separation and buffering from Molly Baker Lane. Grading was also adjusted to minimize encroachment and impact on trees wherever possible, particularly along Molly Baker Lane and the sliver of land towards Brook Road South. Additional study and plan review will be required at the detailed engineering design stage as part of the proponent's clearance of conditions of Draft Plan of Subdivision Approval and prior to final approval by Council.

While it is evident that a good number of trees and vegetation are proposed to be removed as part of the development, a comprehensive re-planting program, including landscape plans prepared by a qualified landscape architect, will be required as part of the conditions of draft approval and detailed design stage. The objectives here would be to re-establish tree cover and vegetation throughout the site, particularly around the site perimeter and within the buffer area adjacent to Molly Baker Lane, and to provide for appropriate screening and effective edge management and to compensate for the loss of tree canopy.

Grading and Stormwater Impacts

The issue of grading and stormwater impacts on trees has been addressed above and in earlier sections of this Report. With respect to grading and drainage impacting adjacent residents' properties, the consulting engineer for the proponent has undertaken a preliminary engineering design which demonstrates that a large majority of the development run-off from the site will be captured and disposed of within the municipal underground storm sewer system. Some run-off along the west limits will be intercepted via an infiltration gallery within a swale (for minor storm events) with major storm run-off being directed by the swale in a southerly direction through Molly Baker Lane and west to the Brook Road South ditch via low-impact site improvements (ie. fine grading, handwork), which will serve to mitigate the current blocked drainage situation and preserve existing trees in this area.

Overall, the proposed engineering solution would result in a reduction in run-off from the site being directed to Brook Road South (see *Municipal Servicing Infrastructure*, pg. 17 above). In all other respects, site drainage is to be contained within the development site and not impact (spill over onto) abutting properties. The requirement for detailed

engineering design drawings and related documentation is a standard condition of draft plan approval and this information will be forthcoming as part of the clearance of conditions stage of the approvals process and prior to final approval by Council.

Traffic Impacts

The proposed connection of Orchard Avenue to King Street East and the potential impacts of additional traffic, including development and 'cut-through' traffic, have been identified as concerns for a number of residents on Orchard Avenue. Orchard Avenue is presently a local 'dead-end' road constructed to rural standards and terminates at the south-east corner of the Subject Lands and at the eastern trail opening of Molly Baker Lane. There is currently no cul-de-sac or turn-around in place for municipal operations (snow clearing, garbage collection). This scenario has existed for over 60 years from when the lands formed part of the Township of Hamilton. Given the vintage of its development, it is difficult to conclude 100% whether there was an intention at the time to extend Orchard Avenue westward to Brook Road South or to King Street East, however based on available survey information and a review of development patterns in the area it is certainly within the realm of possibility.

Commentary regarding transportation and traffic impacts is found in Section 6.4 *Transportation* on page 16 of this Report. A Transportation Brief prepared by Paradigm Transportation Solutions Limited in February of 2018 concluded that the transportation network is adequate to handle the traffic from the proposed development and that there would be no significant operational issues derived from the development. In response to comments from the public and municipal staff regarding the potential traffic impacts on the existing section of Orchard Avenue, Paradigm prepared a response letter in July 2019 which provides additional commentary and opinions regarding the potential for vehicular traffic short-cutting to and from King Street East along Orchard Avenue (refer to **Appendix III**). It is their opinion that the amount of vehicles opting to use the new Orchard Avenue connection as a short cut is "negligible" and "imperceptible" (6-7 vehicles in each of the AM and PM peak hours). In most cases, the traffic generated from the 27 new dwelling units will progress directly to King Street East rather than to Coverdale Avenue.

The new section of Orchard Avenue is proposed to be constructed to urban standards, including curbs, gutter and a public sidewalk. A municipal roadway connection is preferred by the Public Works Department in order to improve operational issues that exist at the termination of Orchard Avenue and enhance the public transportation network in the area, including pedestrian linkages. As part of the detailed engineering design process, there will be a need to carefully analyze the transition between the new urban section and the older rural section, integrate an appropriate pedestrian link to Molly Baker Lane and, possibly, investigate innovative traffic calming options which conform to the Highway Traffic Act and good engineering practices to address safety, connectivity and operational considerations in the neighbourhood. Further engineering design relating to development design standards and specifications is typically captured as a condition of draft plan approval and reviewed prior to final approval of the development by Council.

Construction Impacts

The timing of construction was identified as a concern with respect to potential impacts on the natural habitat of migratory and non-migratory birds, specifically surrounding nesting periods. In developments elsewhere in the municipality that exhibit similar ecological characteristics, conditions have been imposed which restrict clearing and initial construction activities to periods outside of the local bird nesting calendar which, for our specific region of Southern Ontario (Zone C2), is early April to late August.

The development of any property will inevitably create some off-site impacts with respect to noise, dust and other disturbances. Mitigation of adverse construction impacts will be an important item for the Municipality to consider during the detailed design stage as part of the clearance of conditions to draft plan approval. Although early in the process, it is anticipated that construction vehicle access will be restricted to King Street East, and not be permitted to access the existing section of Orchard Avenue. Proper erosion and sedimentation controls will be required around the perimeter of the site, in addition to necessary tree protection fencing, prior to construction commencing. In addition, the Municipality's Noise Control By-law is in effect to regulate, among other matters, construction activity at certain times of the day.

7.0 CONCLUSIONS

Based on an evaluation of the proposal relative to the applicable policy and regulatory framework, it is my opinion that the application for conditional approval of a Draft Plan of Subdivision for the Mason Homes site at 425 and 425A King Street East is appropriate, desirable and represents good planning for the following reasons:

- i) The proposal will satisfy the key directives of the *Planning Act*, Provincial Policy Statement, A Place To Grow Growth Plan, County of Northumberland Growth Management Strategy, the County Official Plan and the Cobourg Official Plan, most notably by:
 - intensifying development within an urban, serviced and built-up area of the municipality, thus contributing to the municipality's intensification target of 39% of all new residential development for the Town of Cobourg;
 - proposing a compact development form which will integrate well into the existing urban fabric and adjacent development in a compatible fashion;
 - providing an alternative housing option, in the form of townhouses, to offer choice for consumers in the marketplace;
 - establishing a street connection to Orchard Avenue which will enhance the permeability of the existing transportation network and improve pedestrian connections to and from the neighbourhood;

- protecting significant natural and cultural heritage resources through the effective use and design of innovative, alternative stormwater management approaches, including sustainable “green” infrastructure such as infiltration trenches and underground storage chambers, and grading techniques;
 - facilitating residential development in close proximity to existing and planned community facilities, schools, small-scale commercial uses, recreational open spaces, and active transportation and transit corridors, which will help promote alternative modes of travel and reduce greenhouse gas emissions;
- ii) The proposal generally conforms to the policies of the Official Plan and Urban and Landscape Design Guidelines with respect to land use, urban design, sustainability, transportation, natural and cultural heritage protection, and municipal infrastructure;
- iii) The proposed Draft Plan of Subdivision complies with the existing Multiple Residential 4 Exception 4 Holding [R4-4(H)] Zone;
- iv) The implementation of the proposed Draft Plan of Subdivision would result in a compatible addition to the existing built urban fabric of the community and facilitate a desirable, orderly land use and development pattern;
- iv) The inclusion of appropriate conditions to Draft Plan of Subdivision approval will ensure that the development meets all of the applicable standards and requirements of the Municipality and external authorities having jurisdiction, including the registration of a Subdivision Agreement, prior to final approval of the Plan and the release of the Holding (H) Symbol by Council.

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



Attachments:

- [Appendix I](#) -- RFA Planning Report, Jan. 2019
- [Appendix II](#) -- RFA UD+S Report, Jan. 2019
- [Appendix III](#) -- Paradigm Transportation Brief Update Letter, July 2019
- [Appendix IV](#) -- Treescape Tree Inventory and Preservation Plan, Aug. 2019
- [Appendix V](#) -- Public Submissions