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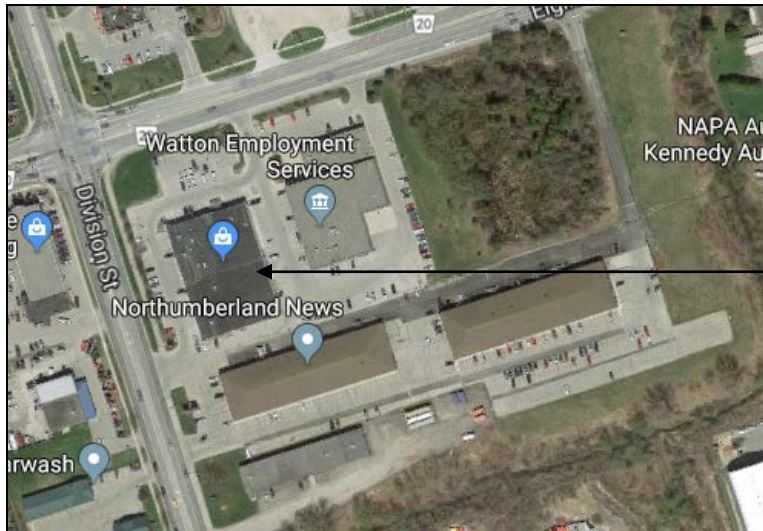
Planning Justification Report (April 29, 2019) - Zoning By-law Amendment Application 900 Division Street/9 Elgin Street Town of Cobourg, County of Northumberland

Introduction

The subject Planning Justification Report has been prepared in support of a Zoning By-law Amendment Application filed with the Town of Cobourg Planning Department regarding the property known municipally as 900 Division Street and 9 Elgin Street.

The property is located on the south east corner of the signalized intersection of Division Street and Elgin Street East.

The Property



The Property

(Source: Google Maps, April 2019)

The property is surrounded by the following land uses:

Direction	Land Use/s
North	Commercial, Elgin Street East
South	Commercial (Business Park Type)

East	Commercial, Industrial
West	Division Street, Commercial

Pre-Consultation

As part of the preparation of this Zoning By-law Amendment Application, I met with Robert Franklin, Planner, Town of Cobourg on January 3, 2019.

Discussed at this meeting were the following matters:

- i. Current property zoning;
- ii. Land use approval process, requirements and related matters;
- iii. Site plan control (amendment of the existing agreement); and
- iv. Site parking options - approaches.

The Application - An Overview

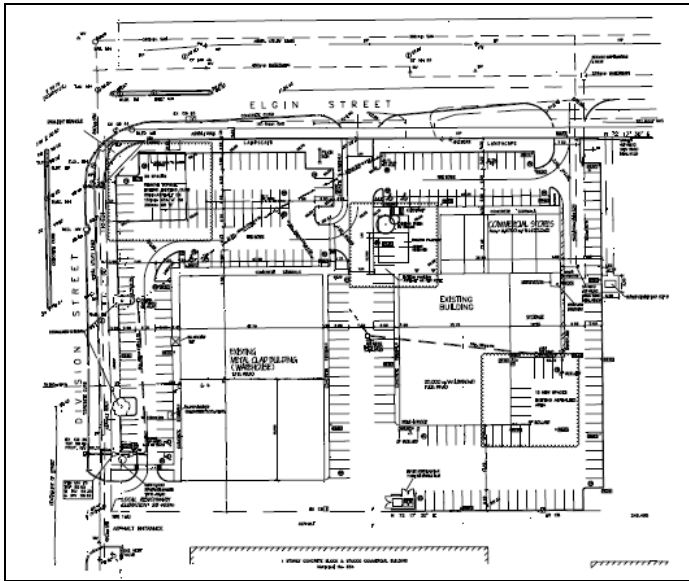
The Zoning By-law Amendment Application seeks to permit an expanded clinic use greater in size and the number of practitioners than that as permitted by the current zoning of the property. The property does contain a small-scale clinic use.

An Amendment of the current commercial Zoning is required to permit the proposed expanded clinic use. The current DC-2-District Commercial Zone (By-law 2004-04, being a By-law Amending By-law 2003-85) permits a clinic use (Section 14.1.1) but limits said use to 4 practitioners.

By-law Exception - DC-22-District Commercial Zone

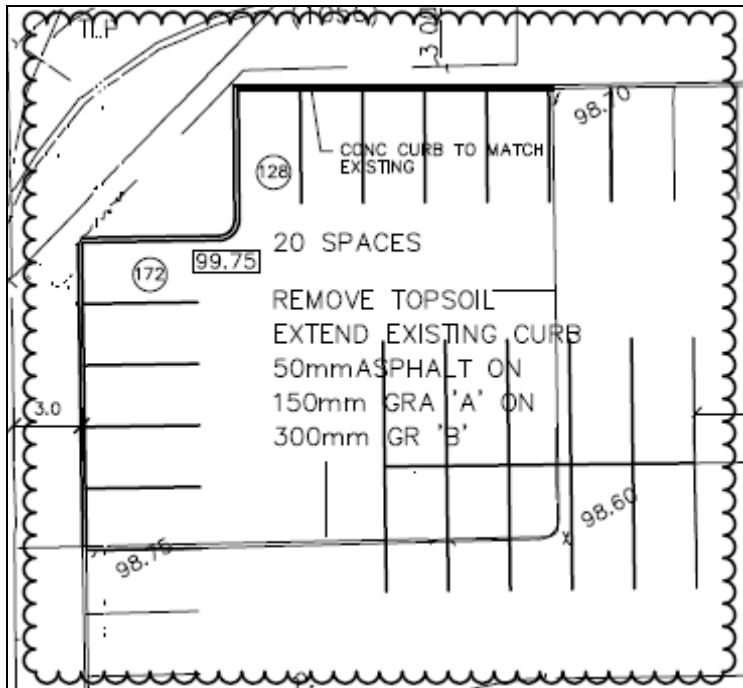
- 1. In addition, this land may be used as a medical clinic having:
 - a. A maximum of 8 practitioners; and
 - b. A maximum gross floor area of 665 square metres.

Concept Plan

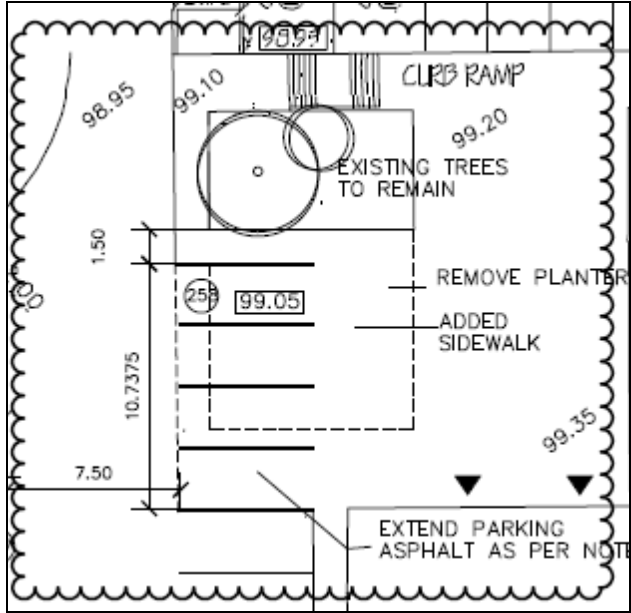


The Concept Plan prepared in support of the Zoning By-law Amendment Application illustrates three (3) areas of the property proposed to provide additional site parking, in support of the expanded clinic use.

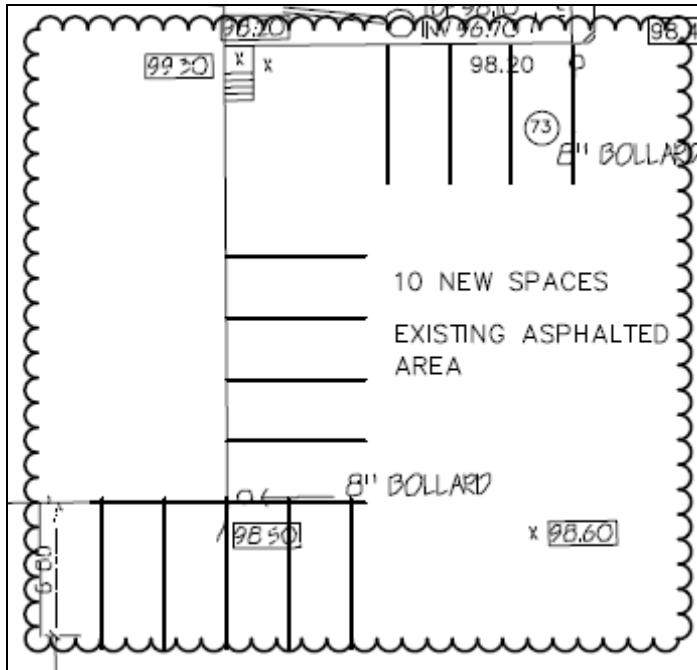
Area 1 - 20 Additional Spaces



Area 2 - 4 Additional Spaces



Area 3 - 10 Additional Spaces



In total, an additional 34 (thirty-four) site parking spaces are proposed to be added to the existing site parking serving the property.

It is anticipated that this series of proposed modified site parking areas will trigger a requirement to amend the current Site Plan Agreement governing the development of the property.

Analysis

2014 Provincial Policy Statement (2014 PPS)

Relative to the subject Zoning By-law Amendment Application, the following policies are considered to have direct relevancy:

Policy/Section	Title - Details
Table of Contents	
PART III	<p>How to Read the Provincial Policy Statement</p> <p>The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The Provincial Policy Statement supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.</p> <p>Read the Entire Provincial Policy Statement</p> <p>The Provincial Policy Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.</p>
1.0	<p>Building Strong Healthy Communities</p> <p>Ontario is a vast province with urban, rural, and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario's long-term prosperity, environmental health</p>

	<p>and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.</p> <p>The proposed expanded clinic use/development will contribute to a liveable, healthy and resilient community.</p>
<p>1.1</p>	<p>Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns</p> <p>1.1.1 Healthy, liveable and safe communities are sustained by:</p> <p>a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;</p> <p>b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;</p> <p>c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;</p> <p>d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;</p> <p>e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs; and</p> <p>g) ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs;</p> <p>1.1.2 Sufficient land to accommodate intensification and</p>

	<p>projected needs – 20-year planning horizon</p> <p>The development lands are within the serviced limits of an established urban settlement area (Cobourg), and are indicative of an efficient use of land.</p> <p>The proposed development will contribute employment (commercial land use) supportive of employment and economic growth.</p>
<p>1.1.3</p>	<p>Settlement Areas</p> <p>Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.</p> <p>The vitality of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.</p> <p>1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.</p> <p>Cobourg is a “designated” settlement area. The Official Zoning By-law Amendment Application will permit an expanded clinic use within an existing commercial plaza, serviced by municipal infrastructure.</p>
<p>1.6.6</p>	<p>Sewage, Water and Stormwater</p> <ul style="list-style-type: none"> - Policies addressing need for appropriate public (municipal) services to accommodate development. <p>The proposed plans for the site parking modifications (34 additional parking spaces) is supported by full</p>

	municipal services and as indicated by way of the Project Engineer’s letter Report, can be addressed in terms of lot grading/drainage and storm-water controls.
1.7	Long Term Economic Prosperity
1.7.1	<p>Long Term Economic Prosperity should be supported by:</p> <p>c) maintaining and, where possible, enhancing the vitality and viability of downtowns and main-streets;</p> <p>Elgin Street and Division Streets are both main-streets, by virtue of its Official Plan designation, and their functionality/context.</p> <p>d) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;</p> <p>The proposed development, if approved, will actively contribute to the vitality and viability of “main-streets” - Division Street and Elgin Street respectively.</p>

It is my professional opinion that the Zoning By-law Amendment Application is consistent with the policy directives of the 2014 PPS.

2017 Growth Plan for the Greater Golden Horseshoe Area (2017 Growth Plan)

The 2017 Growth Plan (July 1, 2017) establishes a detailed policy framework addressing population and employment growth, planning and development matters and related considerations for the geographic area known as the “Greater Golden Horseshoe Area”. The Regional Municipality of Durham, including the Town of Cobourg, is located within the limits of the Plan.

Relative to the subject Zoning By-law Amendment Application, the following policies are considered to have direct relevancy:

Policy/Section	Title - Details
Table of Contents	
1.2.3	How To Read This Plan

This Plan informs decision-making regarding growth management and environmental protection in the GGH. It consists of policies, schedules, definitions, and appendices. It also includes non-policy contextual commentary to provide background and describe the purpose of the policies.

Relationship with the Provincial Policy Statement (PPS)

The PPS provides overall policy directions on matters of provincial interest related to land use and development in Ontario, and applies to the GGH, except where this Plan or another provincial plan provides otherwise.

Like other provincial plans, this Plan builds upon the policy foundation provided by the PPS and provides additional and more specific land use planning policies to address issues facing specific geographic areas in Ontario. This Plan is to be read in conjunction with the PPS. The policies of this Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. Where the policies of this Plan address the same, similar, related, or overlapping matters as policies in the PPS, applying the more specific policies of this Plan satisfies the requirements of the more general policies in the PPS. In contrast, where matters addressed in the PPS do not overlap with policies in this Plan, those PPS policies must be independently satisfied.

Read the Entire Plan

This Plan is to be read in its entirety and the relevant policies are to be applied to each situation. The language of each policy, including the policies in Section 5, will assist decision-makers in understanding how the policies are to be implemented.

While some policies refer to other policies for ease of use, these cross-references do not take away from the need to read the Plan as a whole. There is no implied priority in the order in which the policies appear.

<p>2</p> <p>2.1</p>	<p>Where and How To Grow</p> <p>Context</p> <p>The GGH is a dynamic and diverse area, and one of the fastest growing regions in North America. By 2041, this area is forecast to grow to 13.5 million people and 6.3 million jobs. The magnitude and pace of this growth necessitates a plan for building healthy and balanced communities and maintaining and improving our quality of life while adapting to the demographic shift underway.</p> <p>This Plan is about accommodating forecasted growth in complete communities. These are communities that are well designed to meet people’s needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes. Complete communities support quality of life and human health by encouraging the use of active transportation and providing high quality public open space, adequate parkland, opportunities for recreation, and access to local and healthy food. They provide for a balance of jobs and housing in communities across the GGH to reduce the need for long distance commuting. They also support climate change mitigation by increasing the modal share for transit and active transportation and by minimizing land consumption through compact built form.</p> <p>The proposed commercial development (expanded clinic use) is representative of a compact form and as such does minimize land consumption.</p>
<p>2.2</p>	<p>Policies for Where and How to Grow</p>
<p>2.2.1</p>	<p>Managing Growth</p> <p>1. Population and employment forecasts contained in Schedule 3 will be used for planning and managing growth in the GGH to the horizon of this Plan in accordance with the policies in</p>

	<p>subsection 5.2.4.</p> <p>2. Forecasted growth to the horizon of this Plan will be allocated based on the following:</p> <p>a) the vast majority of growth will be directed to settlement areas that:</p> <ul style="list-style-type: none"> i. have a delineated built boundary; ii. have existing or planned municipal water and wastewater systems; and iii. can support the achievement of complete communities; <p>4. Applying the policies of this Plan will support the achievement of complete communities that:</p> <ul style="list-style-type: none"> a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities; b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes; <p>The property is located within the geographic limits of a designated settlement area (Town of Cobourg).</p>
2.2.2	<p>Delineated Built Up-Areas</p> <p>1. By the year 2031, and for each year thereafter, a minimum of 60 per cent of all residential development occurring annually within each upper- or single-tier municipality will be within the delineated built-up area.</p> <p>2. By the time the next municipal comprehensive review is approved and in effect, and each year until 2031, a minimum of 50 per cent of all residential development occurring annually within each upper- or single-tier municipality will be within the delineated built-up area.</p> <p>4. All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout</p>

	<p>delineated built-up areas, which will:</p> <p>a) encourage intensification generally to achieve the desired urban structure;</p> <p>b) identify the appropriate type and scale of development and transition of built form to adjacent areas;</p> <p>c) identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;</p> <p>d) ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities; and</p> <p>e) prioritize planning and investment in infrastructure and public service facilities that will support intensification;</p> <p>The proposed development will contribute to a complete community, and further, will contribute to the vitality of the Community.</p>
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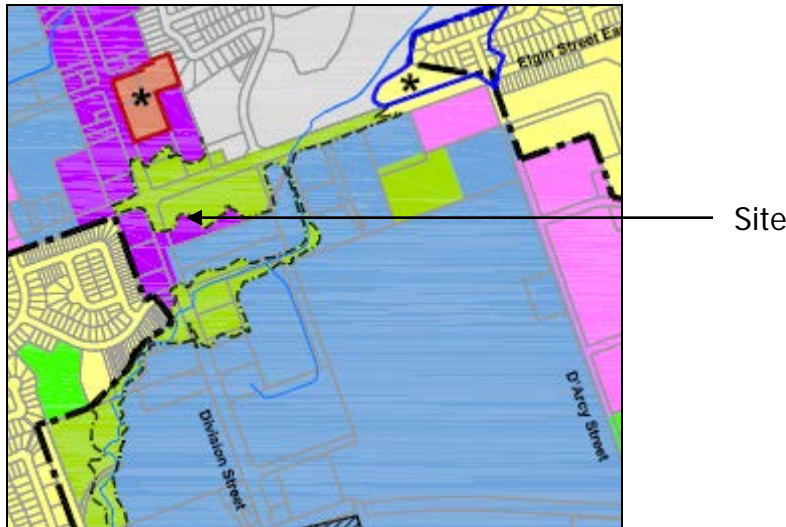
It is my professional opinion that the Zoning By-law Amendment Application conforms to the policy directives of the 2017 Growth Plan.

Town of Cobourg Official Plan (Official Plan)

The subject property is designated as “Mixed-Use Corridor” and “Environmental Contraint” by ‘Schedule A’ of the Official Plan.

The January 3, 2019 Pre-Consultation meeting confirmed that the proposed “expanded” clinic use did not require any amendment of the Official Plan.

Official Plan Map



(Source: Town Website, April 2019)

A portion of the property is also designated as “Environmental Constraint Area.” The expanded clinic will be accommodated within the existing building least part of the property and the proposed expanded parking areas will occur within the developed portion of the property.

The following table provides a summary of relevant policies are the Official Plan as it would pertain to the Zoning By-law Amendment Application:

Policy	Title - Detail
2.1	<p>Purpose</p> <p>The community vision, principles and objectives upon which the Official Plan is based are outlined in the following sections. The principles include specific urban design principles in recognition of the priority the Town places on good design. The vision, principles and objectives provide general guidelines for the planning of the Town of Cobourg, which are elaborated upon in the policies of the Plan. The vision, principles and objectives represent expressions of general intent which are not to be interpreted as direct statements of planning policy. It is not proposed that they be applied directly to any development or</p>

	<p>redevelopment proposal. They form a basis for the formulation of the policies contained in this Plan.</p>
2.2	<p>Town of Cobourg - Vision Statement</p> <p>COBOURG IS A REGIONAL CENTRE FOR NORTHUMBERLAND COUNTY AND ITS POSITION AS A STRONG, LIVEABLE AND HEALTHY COMMUNITY PROVIDING A FULL RANGE OF OPPORTUNITIES TO LIVE, WORK, PLAY AND SHOP WITHIN THE TOWN WILL BE REINFORCED THROUGH:</p> <p>ii) an emphasis on sustainable, accessible and compact development, particularly transit supportive, mixed-use built form along its main streets, which will enable Cobourg to enhance its function as a vibrant, environmentally aware urban centre;</p> <p>iv) a mix of employment uses, including innovative employment opportunities, which will promote Cobourg's role as a major employment centre in Northumberland County; and,</p> <p>The proposed expanded clinic use will be located within the existing easterly building (supportive of compact development and emphasizing Cobourg's role as the major employment centre - Northumberland County).</p>
3	<p>Land Use Strategy</p>
3.1	<p>Purpose</p> <p>The land use designations on Schedule "A" establish the general pattern of development for the existing and future use of the planning area during the planning period. The policies for these designations are set out in this section. Development shall also conform with all the other policies of this Plan. In particular, all development shall be evaluated with respect to conformity with the Community Design and Improvement policies in Section 5, which include the policies of Section 5.5, Cultural Heritage Conservation, and the Town's Urban and Landscape Design Guidelines.</p>

<p>3.2.1</p>	<p>Existing Community Structure</p> <p>The land use designations generally reflect the basic existing structure of the Town which is comprised of the following key elements:</p> <p>iv) Commercial Facilities and Mixed Use Corridors</p> <p>The commercial structure is comprised of two major nodes, the pedestrian oriented traditional shopping area in the Main Central Area, and the large-scale commercial uses in the Northumberland Mall/ Strathy Road area. An additional, smaller commercial node is found in the Midtown Mall area, as well as a range of highway commercial uses along major arterial roads such as Division Street. Finally, there are some limited neighbourhood commercial centres or individual free-standing uses in residential areas. These areas also permit a range of other uses including institutional and residential development.</p> <p>The property forms part of a designated mixed-use corridor.</p>
<p>3.2.2</p>	<p>Growth Management Related Structure Elements</p> <p>The Town's Urban Settlement Area Boundary (Schedule "A") is fixed, and no changes to the boundary are anticipated during the planning period. Any such change in the future would only be considered in the context of a comprehensive municipal review.</p> <p>The following structural elements form the basis for the Town's growth management strategy.</p> <p>i) Built Boundary</p> <p>Schedule "A" identifies the "Built Boundary" as determined by the Province. Lands within the boundary are considered to be those parts of the Town that are already developed as of June 2006. Any development within the Built Boundary is considered intensification and contributes to the intensification target in Section 3.2.3 of the Official Plan.</p>

	The property is located within the designated Built Boundary portion of the community.
3.9	Mixed Use Area
3.9.1	<p>Purpose</p> <p>The Mixed-Use Area designation recognizes those existing commercial areas which are oriented to the service of vehicular traffic and require direct access from arterial roads and the exposure afforded by such a location. The designation is designed to recognize those existing uses, while providing for the transition of these areas to a mixed-use development form by encouraging the introduction of a range of additional compatible non-commercial uses to intensify and enhance the use of these areas which are generally located at major entrances to the community.</p> <p>The proposed expanded clinic use would be accommodated within the existing easterly building.</p>
3.9.2	<p>Permitted Uses, Buildings and Structures</p> <p>The permitted uses, buildings and structures are:</p> <ul style="list-style-type: none"> i) commercial other than a commercial use prohibited by Section 3.9.3; ii) institutional; iii) light industrial in an enclosed building; iv) office; and, v) residential subject to the policies of Section 3.9.4.3 or as secondary uses in a commercial building. <p>No residential use is proposed as part of the Zoning By-law Amendment Application.</p>
3.9.4	Land Use Policies

<p>3.9.4.3</p>	<p>Minor Changes to Existing Development in Existing Designations</p> <p>Minor changes (i.e. additions, updates, additional buildings) to existing development in existing Mixed-Use Areas may include non-residential development, but shall be encouraged to include a mixed use component where appropriate. Such changes shall be subject to site plan approval and shall be evaluated based on conformity with the Growth Management Strategy in Section 3.2 and the criteria of Section 3.9.4.2 i) –iv) inclusive, taking into account the context and constraints of the site including the existing use and development form. With respect to height and density, the development shall be evaluated based on conformity with the following criteria:</p> <p>i) minimum height 6 metres for new buildings and additions where such a height can be appropriately integrated with the existing development on the site and maximum height four storeys; and,</p> <p>ii) an increase in the existing floor space index will be encouraged to a maximum floor space index 2.0.</p> <p>The proposed expanded clinic use will be accommodated with the existing easterly building</p>
<p>3.9.5</p>	<p>Special Provisions</p>
<p>3.9.5.1</p>	<p>900 Division Street</p>
<p>3.9.5.1.1</p>	<p>Permitted Uses, Building and Structures</p> <p>No building expansion is proposed. Rather the proposed expanded clinic use will be accommodated within a part of the existing southerly commercial building.</p>
<p>5.9.5.1.2</p>	<p>Urban Design Guidelines</p> <p>The proposed minor modifications to the existing parking areas respects the policy directives of Section 3.9.5.1.2 of the Official Plan.</p> <p>Moreover, said modifications will be subject to an</p>

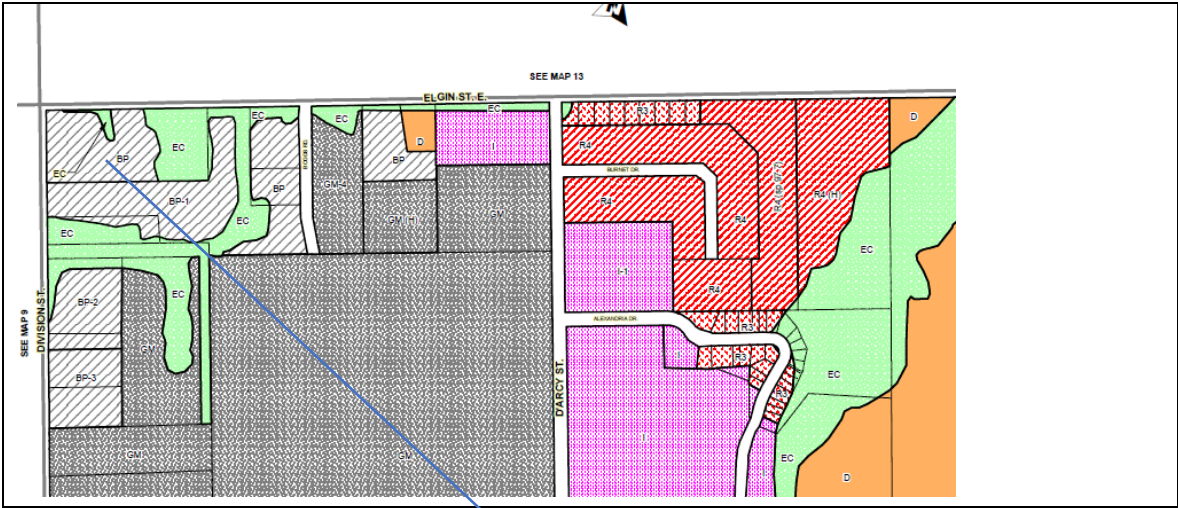
amendment of the current Site Plan Agreement governing the development of the property.


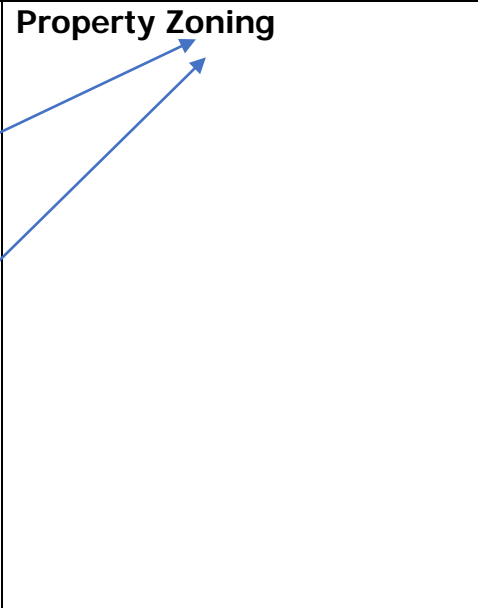





















It is my professional planning opinion that the Zoning By-law Amendment Application is in keeping with general purpose and intent of the policies of the Official Plan, including Section 3.9.5.1 (900 Division Street).

Town of Cobourg Zoning By-law (Zoning By-law)

The subject property is currently zoned "DC-22-District Commercial Zone" (By-law 2004-04).

Zoning By-law Zoning Map Detail (Land Use)



LEGEND - ZONING	Property Zoning
 R1 - RESIDENTIAL 1	
 R2 - RESIDENTIAL 2	
 R3 - RESIDENTIAL 3	
 R4 - MULTIPLE RESIDENTIAL 4	
 R5 - HIGH DENSITY RESIDENTIAL 5	
 NC - NEIGHBOURHOOD COMMERCIAL	
 SC - SHOPPING CENTRE COMMERCIAL	
 DC - DISTRICT COMMERCIAL	
 MC - MAIN CENTRAL COMMERCIAL	
 LM - LIGHT INDUSTRIAL	
 GM - GENERAL INDUSTRIAL	
 BP - BUSINESS PARK	
 I - INSTITUTIONAL	
 OS - OPEN SPACE	
 EC - ENVIRONMENTAL CONSTRAINT	
 RU - RURAL	
 D - DEVELOPMENT	
 TC - TRANSPORTATION CORRIDOR	
 NR1 - NEIGHBOURHOOD RESIDENTIAL 1	
 NR2 - NEIGHBOURHOOD RESIDENTIAL 2	
 NMU - NEIGHBOURHOOD MIXED USE	
 B - URBAN RURAL TRANSITION	

(Source: Town Website, April 2019)

By-law Exception - DC-22-District Commercial Zone

2. In addition, this land may be used as a medical clinic having
 - c. A maximum of 8 practitioners; and
 - d. A maximum gross floor area of 665 square metres.

The property currently provides 224 site parking spaces. This level/amount of parking satisfies the regulatory provisions of Section 85-2003 of the Zoning By-law. It would be interpreted that proposed expanded clinic use requires additional site parking. The current zoning limits the clinic use to four (4) practitioners, and this use would specifically require 24 site parking spaces. The expanded clinic requires the provision of **24 additional site parking spaces**, which can readily be accommodated on the property, as illustrated by the concept plan.

No other modifications to the site are required to accommodate the proposed expanded clinic use. The Amendment to the current Site Plan would focus on the proposed new site parking and any associated grading-drainage and storm-water management matters.

The subject property is located at a major signalized intersection and is built to readily accommodate the proposed expanded clinic use.

It is my professional planning opinion that the Zoning By-law Amendment Application is in keeping with the general purpose and intent of the regulatory provisions of the Zoning By-law.

Summary

It is my professional planning opinion that the Zoning By-law Amendment Application is:

- Consistent with the policy directives of the 2014 PPS;
- In Conformity with the policy directives of the 2017 Growth Plan;
- In Keeping with the general purpose and intent of the policies of the Official plan; and
- In Keeping with the general purpose and intent of the regulatory provisions of the Zoning By-law
- Is Representative of good planning.

Respectfully Submitted,



Kevin M. Duguay, MCIP, RPP