	<b>THE CORPORATION OF THE TOWN OF COBOURG</b>	
	<b>PLANNING REPORT</b>	
TO:	Planning & Development Advisory Committee	
FROM:	Glenn J. McGlashon, MCIP, RPP Director of Planning & Development	
DATE OF MEETING:	June 18, 2019	
REPORT TITLE/SUBJECT:	<b>Application for Approval of Official Plan and Zoning By-law Amendments and a Draft Plan of Subdivision: East Village Phase 5 King Street East @ Willmott Street JMCD Holdings Inc./RFA Planning Consultant</b>	
DATE OF REPORT:	June 13, 2019	OPA-01-19; Z-01-19; Z-01-19SUB (14T-19001)

## 1.0 **STRATEGIC PLAN**

N/A.

## 2.0 **RECOMMENDATION**

THAT Council be advised that the Planning and Development Advisory Committee (PDAC) has duly considered the application by RFA Planning Consultant Inc. on behalf of JMCD Holdings Inc. for approval of an Official Plan Amendment, a Zoning By-law Amendment and a Draft Plan of Subdivision for the 334 unit residential development known as “East Village Phase 5” located on an 11.87 ha parcel of vacant land on the north side of King Street East at Willmott Street, and further that the Planning and Development Advisory Committee endorses the conclusions of the Planning Report.

## 3.0 **PUBLIC ENGAGEMENT**

Sections 17, 22, 34 and 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 of an Official Plan and Zoning By-law amendment and 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
- 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 January 31, 2019 and published the Notice of Public Meeting in the Northumberland News on May 30, 2019 to satisfy the requirements of the *Planning Act* and, although not required under the legislation, distributed the Notice 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 on April 30, 2019.

#### **4.0 ORIGIN**

In December of 2018, applications for approval of an Official Plan Amendment, a Zoning By-law Amendment and a Draft Plan of Subdivision were submitted by RFA Planning Consultant Inc. (RFA) on behalf of JMCD Holdings Inc. to facilitate the development of a total of 334 dwelling units on the 11.87 ha tract of vacant land generally located on the north side of King Street East at Willmott Street (see *Figure 1 Location Map* below). Prior to this submission date, the proponents held extensive pre-consultations and workshops with the municipal Development Review Team (DRT) and relevant external review agencies. The owner also conducted a public information meeting at the Cobourg Lion's Centre on April 30, 2019.

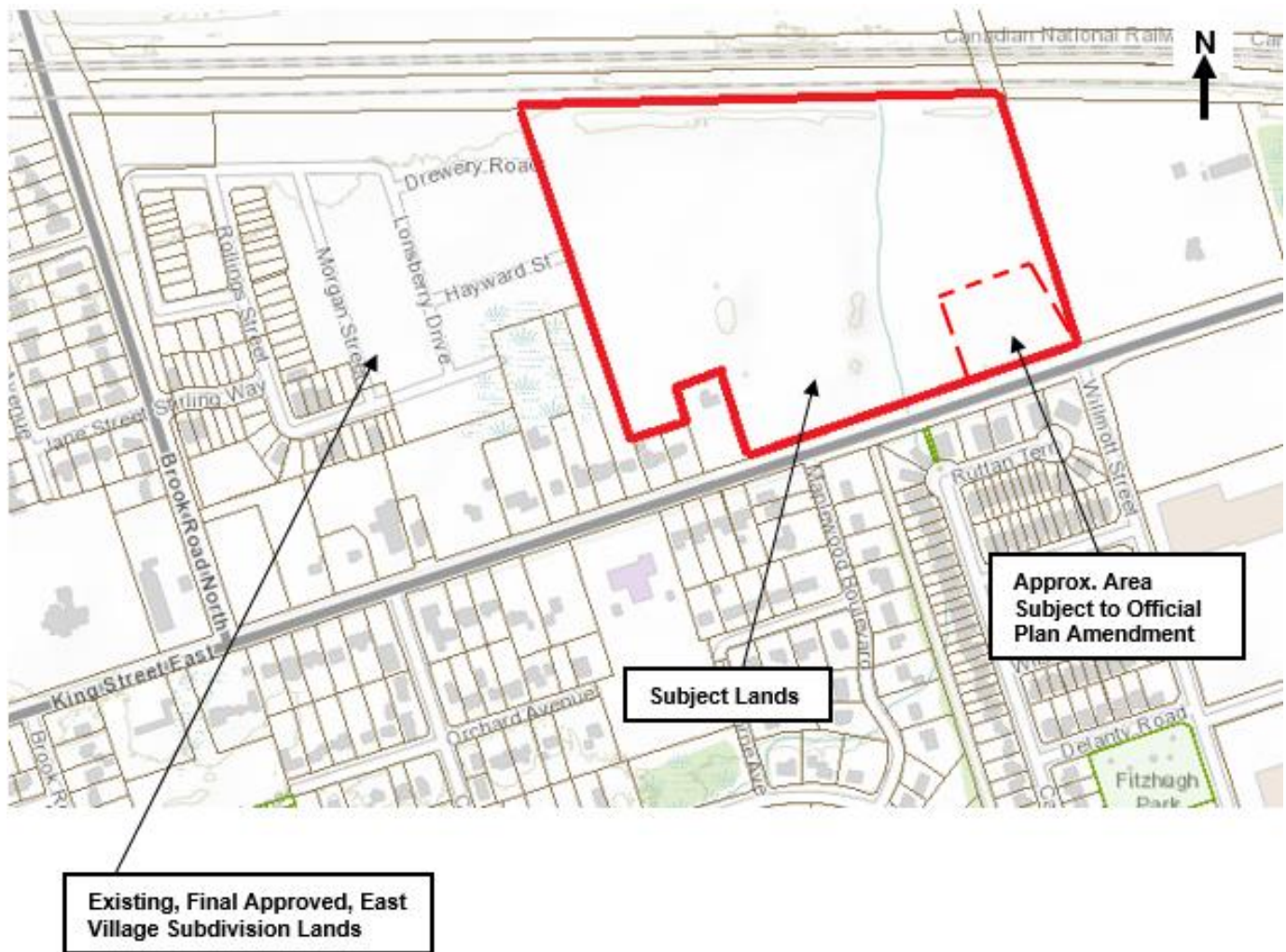


Figure 1 – Location Map

At its meeting held on January 28, 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 an Official Plan Amendment and Draft Plan of Subdivision (and in the case of a corresponding Zoning By-law Amendment), 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, June 24, 2019 at 5:00 pm.

## **5.0 BACKGROUND**

### **5.1 Owner**

JMCD Holdings Inc.

### **5.2 Applicant/Agent**

Ruth Ferguson-Aulthouse  
RFA Planning Consultant Inc.

### **5.3 Property Address**

The lands are known municipally as 460 King Street East -- refer to *Figure 1 Location Map* above.

### **5.4 Existing Land Uses**

The Subject Lands are generally comprised of a mix of vacant, undeveloped land, field/meadow, scrub and scattered successional tree compartments.

### **5.5 Surrounding Land Uses**

North: CN/CP Railways, agricultural

South: urban low-medium density residential

East: rural residential, agricultural land

West: urban low-medium density residential

### **5.6 Proposal**

The proposed Draft Plan of Subdivision consists of a mix of single detached, semi-detached, townhouse, multiple, and apartment dwellings for a total of 334 units, as well as parkland, stormwater management, and road allowance parcels on an 11.87 ha (29.33 ac) tract of vacant land on the north side of King Street East, west of Willmott Street and south of the CN/CP railway tracks (see *Figure 2 Development Site Plan below*)<sup>1</sup>. The development, known as East Village Phase 5, forms a continuation of the existing East Village Phase 1 – 4 development currently under construction to the west, and it is intended that the existing builder, Stalwood Homes, will continue its building construction program in Phase 5. New internal road allowances will be created which extend Drewery Road and Hayward Street from the west into the Phase

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<sup>1</sup> The original Draft Plan of Subdivision as submitted in December of 2018 was updated in April of 2019 to reflect comments from municipal departments, external agencies and the public

5 development. A new road connection to King Street East will align with Maplewood Boulevard to the south.

The Draft Plan includes a 0.24 ha parkland block in the western quadrant which will be added to the existing 1.0 ha parkland block in East Village Phases 1 – 4 to form a new central park for the neighbourhood, which equates to a total parkland dedication of 5.4% for Phases 1 – 5 (the maximum that may be imposed under the Planning Act is 5%). In addition, a 0.76 ha block for stormwater management purposes is identified in the south-central quadrant of the plan, adjacent to King Street East.

The Subject Lands are designated “Residential Area” in the Official Plan (2017) and zoned “Development (D) Zone” in Comprehensive Zoning By-law No. 85-2003. A Zoning By-law Amendment is required for the whole of the Subject Lands to place appropriate zone categories onto the various lots and blocks, and an Official Plan Amendment is required for a high density residential block located in the south-east corner of the Subject Lands (see *Figure 1*). Specifically, the OPA is intended to accommodate the proposed development of a 102 unit, 5-storey apartment complex, which is approx. 22 u/ha and 1-storey greater than what the Residential Area designation currently permits. It is our understanding that the owner is investigating the potential for the development of a seniors/assisted living rental apartment complex on the high density block.

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

1. 30 Lots to be used for freehold single detached dwelling units;
2. 13 Blocks to be used for freehold semi-detached dwellings for a total of 26 dwelling units;
3. 12 Blocks to be used for freehold townhouse dwelling units totaling 54 dwelling units;
4. 6 Blocks to be used for multiple “10-plex” buildings with a total unit count of 122 dwelling units;
5. 1 Block with an area of 1.417 ha to be reserved for a 5-storey apartment complex with a total of 102 dwelling units;
6. 1 Block with an area of 0.756 ha in the south-central quadrant of the Draft Plan abutting King Street East to be utilized for stormwater management purposes;
7. 1 Block with an area of 0.24 ha in the western quadrant of the Draft Plan for a central neighbourhood park to be dedicated to the Town of Cobourg for parkland purposes under the *Planning Act* (total of 5.4% for the Phase 1 – 5 lands combined);



8. 2 Blocks with a combined area of 0.43 ha for road allowance dedications; and,

9. Various public road rights-of-way with a combined area of 2.3 ha to be dedicated to the Town of Cobourg; and,

The Draft Plan of Subdivision is intended to be built out in a methodical, orderly “phased” basis over a number of years. Refer to *Figure 2 Development Site Plan* and *Figure 3 Draft Plan of Subdivision* below:

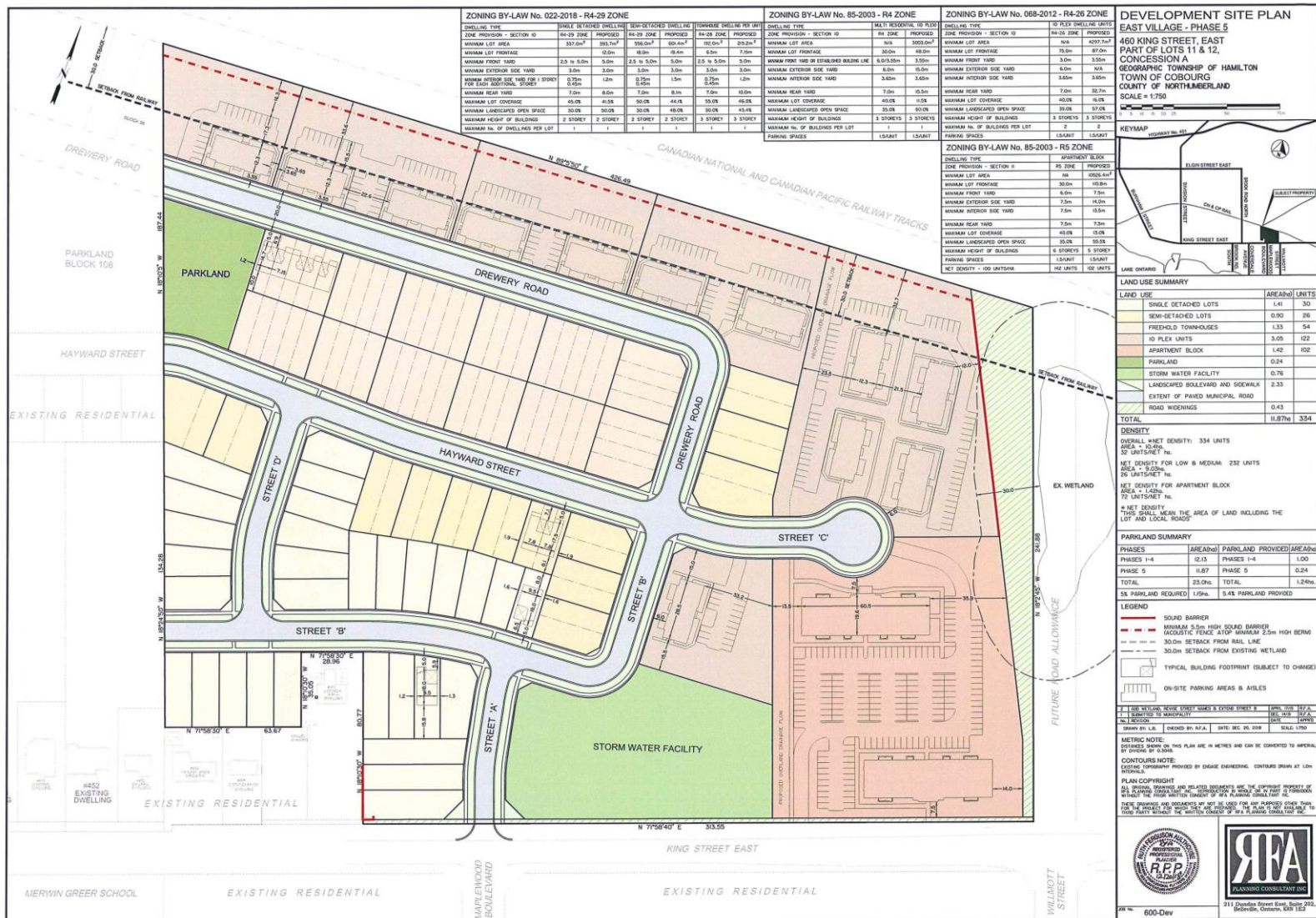


Figure 2 – Development Site Plan



1. Functional Servicing Report, prepared by Engage Engineering, November 2018;
2. Storm Water Management Report, prepared by Engage Engineering, December 2018;
3. Downstream Trunk Storm Sewer Capacity Assessment, prepared by Engage Engineering, November 2018;
4. Traffic Impact Assessment Update, prepared by TranPlan, December 2018;
5. Environmental Noise Analysis Update, prepared by Valcoustics, December 2018;
6. Environmental Impact Study, prepared by Cambium, December, 2018;
7. Phase 1 and Phase 2 Environmental Site Assessment Reports, prepared by GHD, December 2017 and February 2018;

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

## **6.0 ANALYSIS**

In considering the subject applications, an understanding of the applicable provincial legislation and local policies is beneficial when reviewing applications for approval of an amendment to the Official Plan and Zoning By-law, and for approval of a Draft Plan of Subdivision.

The background reports submitted with the subject application, particularly the Planning Report, provide a comprehensive overview of the subject application relative to relevant provincial and local policies and provide conclusions and opinions relating to conformity therewith. It is not the intent of this Planning Report to duplicate the review and analysis provided in these reports, 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 9 of the RFA Planning Report (pgs. 50 – 52) 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 development of the overall Draft Plan of Subdivision represents a logical and orderly extension of the existing urban, serviced development to the west. Conditions of Draft Plan approval will include phasing provisions to ensure appropriate timing and allocation of services and development.*

- 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. The proposed Draft Plan of Subdivision would facilitate a development form which will integrate well into the existing urban fabric in a compatible fashion. A street stub at the western terminus of Street 'B' will provide opportunity to access undeveloped vacant lands at the rear of adjacent properties.*

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

*The site is 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 require the extension of Drewery Road and Hayward Street from the west and the construction of new public roads throughout the neighbourhood. The Cobourg Public Works Department has advised that the existing road network is generally adequate to service the proposed subdivision, and any external road network improvements required to accommodate the development (ie. King Street turning lane) will be subject to further transportation review prior to final approval of the development.*

- 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 new implementing zoning provisions are required to reflect the land use design plan and implement applicable policies and guidelines associated with this proposal. 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 have undergone extensive review from a natural heritage, wetland and floodplain perspective through the submission of an Environmental Impact Study (EIS). The EIS has evaluated a pocket wetland in the north-east quadrant of the Subject Lands and provided recommendations for separation and buffering. The site is characterized by a mix of meadow, scrub and scattered deciduous tree growth, much of which is successional. The Functional Servicing Report (FSR) has considered drainage flows both*

*on and off-site, and an overland flow route easement has been identified on the Draft Plan to accommodate historic run-off which currently flows through the site.*

- 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 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 a short distance to the south-west of the Subject Lands.*

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

*The proposed Draft Plan identifies a parkland block of 0.24 ha (2.0%) to be added to the existing 1.0 ha parkland dedication under Phases 1 – 4. In total, the planned area of land to be dedicated for public park purposes in Phases 1 – 5 equals 1.24 ha (or 5.4%), which meets and exceeds the maximum requirement of 5.0% under the Planning Act. In addition, while not included in the parkland dedication, the 0.76 ha stormwater management facility will also function as a public open space amenity and accounts for 6.4% of the total Draft Plan area. Therefore, a total of 2.0 ha or almost 12% of the Subject Lands will be dedicated to the Town of Cobourg for public open space purposes.*

- l) the efficient use and conservation of energy;

*As described in the Urban Design, Sustainability and Land Use Assessment section of the RFA Planning Report, 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, and enhances biodiversity, ecological functions and natural heritage systems.*

- 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 on a phased-in basis and requiring the execution of a Subdivision Agreement approved by the Municipality. Site plan control will apply to the medium-higher density 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 ecological systems and 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.

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 represents an orderly, staged development pattern on full urban municipal services and is comprised of an appropriate density and mix of housing types. The street layout is reasonably permeable, providing ample opportunities for pedestrian movement and connections to an abundance of public open space, and is consistent with the design template already established in Phases 1 – 4 to the west. 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 (including 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;
- improving accessibility for persons with disabilities and older persons;

- encouraging the proper use and management of significant natural and cultural resources; and,
- protecting public health and safety.

Sections 4.0 and 5.0 (pgs. 16 – 17) of the RFA Planning Report **(APPENDIX I)** provides an overview of the PPS and Growth Plan, and the RFA Planning Report offers opinions in Section 11.0 (pgs. 59 – 60) that the proposal is consistent with the provisions of the PPS and conforms to the Growth Plan.

Based on my review of the applications for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, including the supporting background information, it is my opinion that the application would have appropriate regard to the PPS and Growth Plan. Specifically, the proposal includes provision for a wide range of housing types to satisfy the needs of current and future residents in the community, including opportunities for both affordable ownership and rental accommodation. The subject lands are located within an urban, fully-serviced growth area of the municipality and are suitably located to accommodate new development in an efficient, orderly fashion.

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 6.0 (pgs. 18 – 21) of the RFA Planning Report in **Appendix I** summarizes the applicable policies of the County Official Plan, particularly the urban area population and employment forecasts, minimum density targets, housing mix, 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 density of the overall Draft Plan of Subdivision at 28 units/gross ha and 70 persons/gross ha (using an overall persons/unit 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, my calculations based on the proposed housing mix in the Draft Plan are as shown in the Table below:



<b>Measurement</b>	<b>Unit Count &amp; Density</b>
Total Unit Count	334
Low Density Unit Count (including single and semi-detached dwellings)	56
Multiples (street townhouses)	54
Medium/High Density Unit Count (including 10-plex's and apartments)	224
Site Area	11.87 ha
Persons Per Unit (PPU – Based on 2016 Cobourg DC Study)	Low Density (singles/semis): 2.54 PPU Multiples (street towns): 2.01 PPU Medium/High Density (apts.): 1.83 PPU
Anticipated Residential Population	Low Density (17%): 142 Multiples (16%): 108 Medium/High Density (67%): 410 Total: 660
<b>Anticipated Residential Density</b>	<b>~55 persons per ha</b>

The minimum greenfield<sup>2</sup> density for the Town of Cobourg is 35 persons and jobs/ha as outlined in the adopted County of Northumberland Growth Management Study, 2009 (which was prepared by the County of Northumberland to conform to the 2006 Growth Plan in absence of a County Official Plan) and carried forward in the 2016 County Official Plan. Accordingly, the aforementioned calculation of 55 persons/ha for the East Village Phase 5 Draft Plan of Subdivision meets and exceeds the minimum density target for greenfield areas for Cobourg and therefore conforms to Provincial and County targets. It should also be noted that the proposed density under the Draft Plan is over 2 times higher than other areas developed in Cobourg over the last 30 years, which is consistent with the Province's goal of intensifying growth relative to historical lower density land use and growth patterns.

It is my opinion that the proposed East Village Phase 5 Draft Plan of Subdivision provides a diverse mix of land uses and housing types at densities which will accommodate projected needs over the long term, offers ample opportunities for public recreation and active transportation, promotes the efficient use of existing and planned infrastructure, and protects significant natural heritage features (pocket wetland), thus contributing to the concept of a complete community. In my opinion, I concur with the RFA Planning Report that the proposal conforms to the County Official Plan.

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<sup>2</sup> 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.

#### 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 provide a sense of enclosure to the street by orienting building mass adjacent to the street to frame and animate the street space. Section 7.0 (pgs. 22 -- 32) of the RFA Planning Report contained in **Appendix I** provides a detailed summary and opinion response to the relevant policies of the Official Plan, which this Report will not delve further into.

I concur with the conclusions of the RFA Planning Report. In particular, some of the key objectives of the Official Plan include the promotion of compact, walkable neighbourhoods, mixed use, high quality design, orderly, staged development patterns and integrating the community with existing and future development. 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. Mixed use and higher density 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 28 units/ha and approx. 55 persons/ha, which exceeds the minimum greenfield density targets prescribed for the Town of Cobourg. The proposed street pattern consists of relatively short, interconnected streets which form a compatible extension of the existing serviced built form and modified grid road pattern being established in the subdivision to the west, currently under construction, and will assist in maximizing accessibility and walkability, particularly with respect to safe, convenient access to parkland/open spaces and King Street East (a municipal transit route and active transportation corridor). The approval of development within the Draft Plan will be implemented in multiple phases with a comprehensive set of conditions in order to

conform to all municipal and agency requirements and to ensure development occurs in a timely and orderly fashion.

### 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.

The proposed Draft Plan of Subdivision for East Village Phase 5 has been designed to accommodate the needs of new residents with a wide range of housing opportunities, including a mix of low, medium and high density housing types. It is our understanding that a good number of units, particularly the 10-plex's, will be priced reasonably and at or below the average purchase price of a re-sale unit in Cobourg. It is also our understanding that the applicant is contemplating the development of a seniors/assisted living rental apartment complex in the high density block. While the Municipality cannot impose affordable housing units on a developer, it is my opinion that the development is well-positioned to offer a wide range of choice in the housing market at a number of different price-points, including those that are affordable.

## Transportation

A Traffic Impact Study (TIS) was conducted by TranPlan which updated the 2008 traffic study by MMM Group for Phases 1 –5. The transportation analysis included assessments of roads, intersections, existing and future demands/impacts, and improvements and timing thereof. Section 3.2 (pg. 13) of the RFA Planning Report in **Appendix I** provides a brief summary of the transportation review.

One of the key road network recommendations of the TIS is the need for an eastbound left turn lane into the subdivision at Maplewood Boulevard. Further study will be required to determine the exact timing for this new turning lane as development progresses and traffic demands warrant. A condition to this effect will be included in the conditions of Draft Plan approval.

Overall, the TIS concludes that the existing and planned transportation network in the area is adequate to service the Draft Plan, subject to the above recommendation.

## Municipal Servicing Infrastructure

A Functional Servicing Report (FSR) has been prepared by Engage Engineering in support of the Draft Plan of Subdivision. As outlined in Section 3.3 (pgs. 13 – 14) of the RFA Planning Report, the FSR demonstrates that the development will utilize existing public infrastructure facilities (municipal piped water, sanitary sewer) from Phases 1 – 4 and along King Street East, 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 a stormwater management pond, lot level controls and Low Impact Development (LID). Early examples of lot level and LID features include soakaway areas, bioswales and infiltration trenches, but additional bio-engineering measures will be investigated during detailed design. The amount of stormwater exiting the subdivision will be the same as or less than the rate of runoff before development.

In summary, the FSR confirms that the necessary infrastructure is in place to service the Subject Lands in accordance with relevant criteria of authorities having jurisdiction (GRCA, Town Public Works), subject to further detailed review as part of draft plan of subdivision conditions.

## Parkland

The proposed Draft Plan (see *Figure 2* and *Figure 3*) illustrates a 0.24 ha parkland block in the western quadrant of the subdivision, which will be added to the existing 1.0 ha park already planned in Phases 1 – 4. Combined, the total parkland block area will equal 5.4% of the total area of Phases 1 – 5 which meets and slightly exceeds the maximum permitted to be imposed (5%) by the Municipality under the *Planning Act*.



When complete, the parkland block will serve as an important, central public gathering and recreation place for residents of the neighbourhood and beyond.

### Natural Heritage/Environmental Systems

The protection of natural heritage systems and significant environmental features is a fundamental objective of the Official Plan and Secondary Plan. This key directive has been carried forward during the analysis and preparation of the Draft Plan. Given the large size of the site and the potential for the existence of significant natural heritage resources, an Environmental Impact Study (EIS) and Species At Risk (SAR) assessment was conducted by Cambium (a summary of the EIS review is found in Section 3.5, pgs. 14 – 15 of the RFA Planning Report of **Appendix I**).

The EIS identified a small, pocket wetland abutting the north-east corner of the Subject Lands, and a setback of 30.0 m has been illustrated on the Development Site Plan as a buffer area where no development shall encroach. In addition, while no species at risk were identified in the surveys, the EIS recommends the implementation of various technical provisions, including requirements for Permits and other approvals, restrictions on timing of site clearing and alteration, construction procedures, erosion & sedimentation controls, scanning for nests and wildlife, provisions for LID features, preparation of a landscape restoration plan and Monarch habitat compensation.

Generally, the EIS concludes that the proposed development of the Subject Lands will not adversely affect natural heritage features and functions identified on or abutting the site, subject to the implementation of recommendations as noted above which will be articulated in the conditions of Draft Plan approval.

### Acoustics and Noise Mitigation

An update to the Environmental Noise Analysis, originally conducted for Phases 1 – 5 in 2005, was prepared by Valcoustics to ensure that the development meets current Provincial and railway guidelines for residential use in close proximity to noise sources (railways, King Street arterial). The Analysis recommends the continuation of the 5.5 m high noise berm/barrier adjacent to the CN/CP railways from Phases 1 – 4, minimum railway setback of 30.0 m, and the inclusion of specific mitigation approaches for new buildings (air conditioning, building materials, warning clauses and fencing). These technical requirements are typically included in conditions of Draft Plan approval and implementing Subdivision Agreements.

### Sustainability

Sustainability has been an important consideration during the preparation of the Draft Plan of Subdivision. RFA Planning conducted an Urban Design, Sustainability and Land Use Assessment in support of the applications to demonstrate how the development intends to satisfy the Town's urban design and sustainability policies and guidelines (see Section 8.0 of the RFA Report in **APPENDIX I**).

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.

The sustainability assessment contained within the RFA Report (pgs. 34 – 35) 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 Urban & Landscape Design Guidelines. The proposed subdivision is an appropriate extension of the existing urban, serviced community and will achieve and exceed the minimum residential density targets established by the Province and County, which will serve to minimize land consumption and properly manage growth in the municipality. The site’s close proximity to existing and planned employment and commercial uses, transit and active transportation facilities and parkland will help promote alternative modes of travel and reduce greenhouse gas emissions. The design of the subdivision and orientation of the buildings (north-south) are such that they have the potential to benefit from passive solar gain and improved energy efficiency.

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

From an urban design perspective, the RFA Planning Report (pgs. 36 – 49) provides an in-depth overview of the design approach for the development and how it responds to the Town's community design objectives. The Draft Plan promotes the creation of: pedestrian-scale neighbourhood and road patterns; a distinct community feel and identity; a safe accessible public open space network; and, high quality urban design, streetscapes and architectural built form.

In particular, the development form will be consistent to that being established to the west. Similar to East Village Phases 1 – 4, special zoning provisions will regulate garage impacts (positioning, width) and front setbacks to create a sense of enclosure to the road and establish an intimate neighbourhood feel. For the medium and high density blocks, buildings will be oriented to the road, with minimal setbacks, and parking directed to the rear wherever possible. Generous use of landscaping and decorative features will enhance the public and private realm. The stormwater management facility will be designed to form a distinct public amenity, with gentler slopes, extensive vegetation and implementation of walking trails, and to act as a "window" into the neighbourhood.

The proposed high density block at the south-east corner of the Draft Plan (north-west corner of Willmott and King Street East) is intended to take advantage of direct access to the King Street arterial transportation corridor (transit and active transportation-supportive) and its close proximity to schools and commercial/employment uses, particularly the Lucas Point Industrial Park and the planned commercial complex on the south-east corner of Willmott and King Streets. Furthermore, its location on the north-west corner of the intersection of Willmott and King Streets is strategic in establishing a strong urban built form and an attractive eastern 'gateway' into the community.

According to the Development Site Plan (*Figure 2*), the high density residential block will accommodate up to 102 apartment units within two, 5-storey buildings<sup>3</sup>. The Official Plan permits up to 4-storeys in height within new residential development areas. An Official Plan Amendment is required for this block to increase the permitted density (from 50 u/ha to 72 u/ha) and height (from 4-storeys to 5-storeys). Special care will be required to ensure that an appropriate suite of design policies is adopted in the Amendment to reflect its prominent 'gateway' location in the community and ensure that the highest quality design considerations are in place. In addition, it is suggested that the preparation of site-specific architectural, urban and landscape design guidelines be included in the draft plan conditions which will inform the design process when development plans are being finalized.

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<sup>3</sup> The design of the high density block illustrated in the Development Site Plan is conceptual and is intended to act as an example of how development could be achieved on the subject block. The development of this block will be subject to Site Plan Approval by Council and will likely be further refined to reflect the community and urban design objectives of the Official Plan and respond to market and economic conditions prevalent at the time of development

To elaborate on possible design guidance, based on the guidelines established through the Town's Urban & Landscape Design Guidelines, the visual and pedestrian-level impacts of building height and massing can be mitigated through the use of innovative architectural approaches, such as step-backs above 3 or 4 storeys, and through variations in building materials and other features, such as terraces, balconies, rooflines, landscaping and other decorative building elements. Precedent examples of such approaches for taller buildings are outlined below (for illustrative purposes only to demonstrate the concept):



*This development respects the scale of surrounding buildings and successfully uses stepbacks to minimize the presence of its upper floors on existing adjacent residential buildings.*

Source: Cobourg Urban & Landscape Design Guidelines, 2010



Source: CondoNow – Tribute Communities



Source: CondoNow – Rosehaven Homes

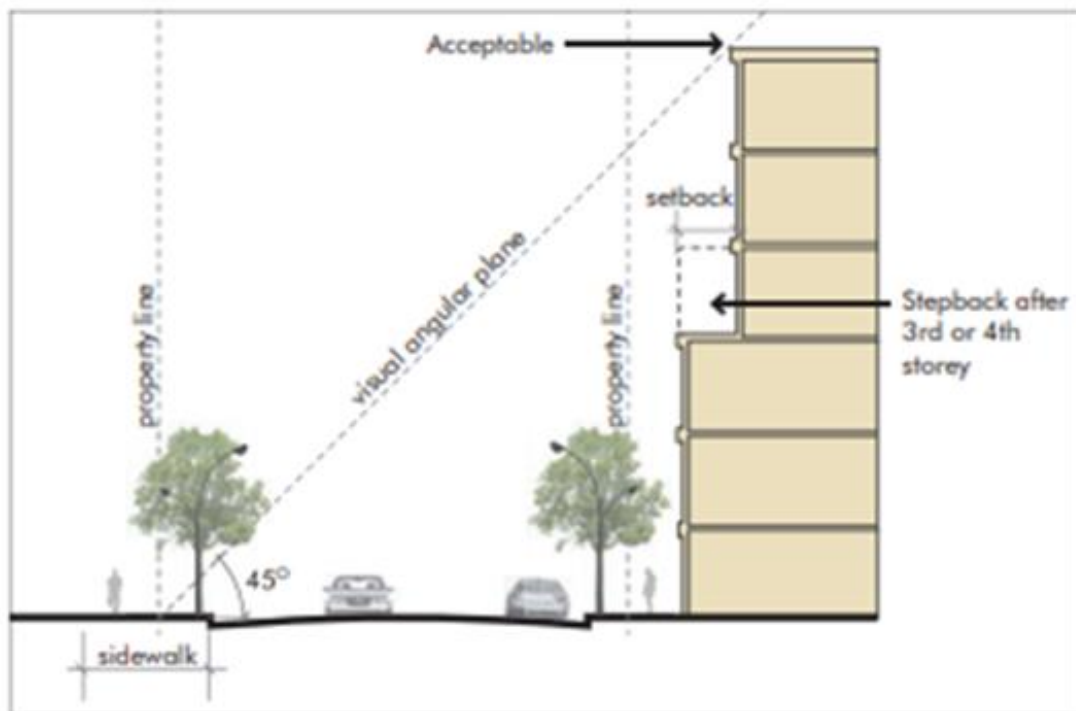




Source: CondoNow – Queensgate Homes



Source: CondoNow – LedgeMark Homes



*The Visual Angular Plane Analysis is used as one means to determine building mass and adjacent site impacts as the building height increases.*

Source: Cobourg Urban & Landscape Design Guidelines, 2010

## 6.5 Zoning By-law:

The existing zoning for the Subject Lands, “Development (D) Zone”, reflects the current vacant status of the site and the intention of the Zoning By-law to see the lands developed in the future. The “D Zone” only permits existing land uses and, thus, a re-zoning is required to permit any new land uses and development.

The proposed amendments to the Zoning By-law for Phase 5 attempt to continue to operate within the existing zone structure and framework established in Phases 1 – 4, with new land use provisions developed for the 2 medium density blocks and the high density block. Section 10 (pgs. 53 – 58) of the RFA Planning Report in **Appendix I** provides an overview of the existing and proposed zoning amendments. It is my opinion that the proposed amendments to the Zoning By-law are reasonably tailored to reflect the planned land use pattern outlined on the Draft Plan and satisfy the intended community design objectives of the Official Plan, subject to final refinement by Planning staff and final approval by Council.

## 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 agencies who have responded have expressed no major concerns

with respect to the proposed amendments to the Official Plan and Zoning By-law. With respect to the Draft Plan of Subdivision, agencies such as the GRCA, County, Canada Post, Union Gas, and CP Rail, have outlined a number of technical items relating to their areas of jurisdiction which 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.

## **7.0 CONCLUSIONS**

Based on an evaluation of the applications relative to the applicable policy and regulatory framework, it is my opinion that the applications for amendments to the Official Plan and Zoning By-law and for conditional approval of a Draft Plan of Subdivision for the East Village Phase 5 development are appropriate, desirable and represent 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 relating to the provision of a full range of housing types in an urban, serviced and built-up area of the municipality at a density of ~55 persons/ha, which conforms to and exceeds the minimum greenfield intensification target of 35 persons and jobs/ha for the Town of Cobourg;
- 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, affordable housing, transportation, natural heritage protection, and municipal infrastructure;
- iii) The inclusion of appropriate planning policies and controls in the amendments is warranted to guide and regulate the development of the subdivision, particularly relating to urban design and visual/height impact for the high density block (a prominent, 'gateway' location in the community) and ensure that the development achieves the highest quality design and conforms to the community design objectives of the Official Plan;
- iv) The implementation of the proposed Draft Plan of Subdivision would result in a logical extension of the existing built urban fabric of the community and facilitate a desirable, orderly land use and development pattern;
- v) Approval of the Draft Plan of Subdivision will be contingent on developing a comprehensive set of draft plan conditions to ensure that all relevant municipal and agency requirements are fulfilled, including the registration of a Subdivision Agreement, prior to the release of the Holding (H) Symbols by Council and commencement of construction.



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Director of Planning & Development



**Attachments** -- Appendix "I" RFA Planning Report (Dec. 2018)