

PLANNING JUSTIFICATION **REPORT**

1111 Elgin Street West, Cobourg
ZONING BY-LAW AMENDMENT

Date:

July 2019 (Revised November 2019)

Prepared for:

Trinity Development Group Inc.

Prepared by:

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INTRODUCTION

MacNaughton Hermsen Britton Clarkson Planning Limited (“MHBC”) has been retained by Trinity Development Group Inc. (“the Owner”) to seek planning justification for a Zoning By-law Amendment (“ZBA”) to permit the proposed infill development on their lands municipally addressed as 1111 Elgin Street West in the Town of Cobourg (hereafter referred to as the “Subject Lands”). The proposed development area is located at the northeast corner of the Subject Lands (hereinafter referred to as the “Proposed Development Area”). The Proposed Development Area is located on the south side of Elgin Street West between Strathy Road and Rogers Road (**Figure 1**).

The proposal requests an amendment to the Town of Cobourg Zoning By-law 85-2003 as amended by By-law 86-2007 and By-law 87-2007 to permit a multi-unit commercial infill development consisting of 6 units with a drive-through facility to the west within the Proposed Development Area. Uses contemplated include a restaurant, a financial institution and three retail operations.

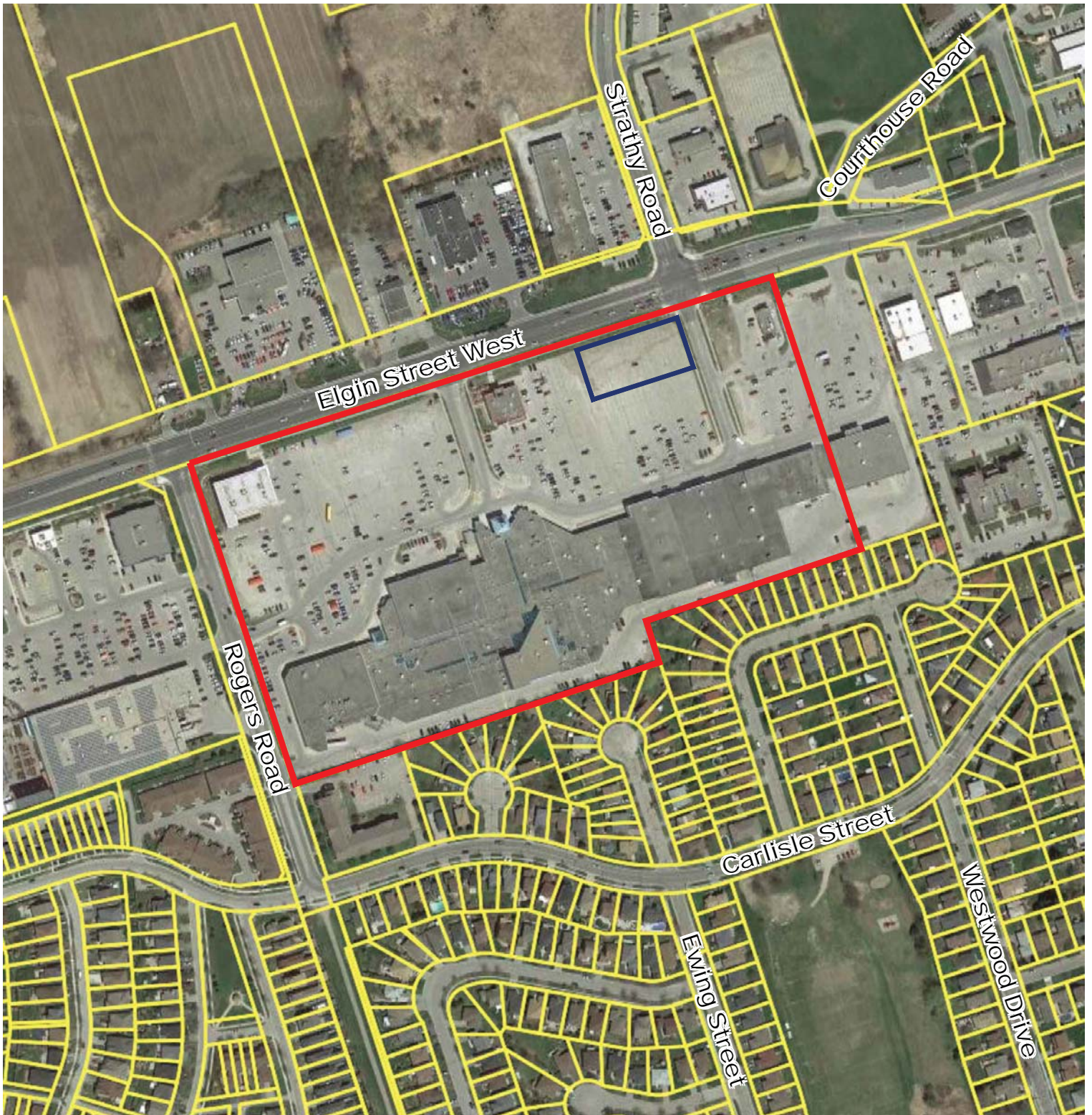
This report concludes that the proposed amendment is consistent with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe. The proposed amendment is not in conflict with the Northumberland County Official Plan or the Town of Cobourg Official Plan.

1.1 SUBJECT LANDS AND SURROUNDING AREA DESCRIPTION

1.1.1 Subject Lands Description

The Subject Lands are located on the south of Elgin Street West, municipally addressed as 1111 Elgin Street West (**Figure 1**). The Subject Lands are approximately 112,057 sq. m (27.69 acres) in size and has approximately 446 metres of lot frontage along Elgin Street West. The Subject Lands are currently occupied by the Northumberland Mall which consist of a variety of commercial retail uses including but not limited to a Metro Grocery Store, Rainbow Cinema, Dollarama and Staples. Furthermore, there are three free-standing buildings on the Subject Lands which include a Boston Pizza, LCBO and an A&W. The proposed development will be located east of the existing Boston Pizza where underutilized surface parking spaces currently exist.

The Subject Lands are serviced by both Route 1 and Route 2 transit routes providing service every 30 minutes. These routes provide connectivity throughout the Town of Cobourg, including access to the Cobourg VIA Rail Station. The Subject Lands also abut an active transportation corridor in the form of a bicycle lane along Elgin Street West.



Data Source: First Base Solutions Aerial Flown 2016

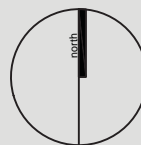
Figure 1
Location Map

LEGEND

- Subject Lands
- Proposed Development Area

DATE: June 3, 2019

SCALE 1:4000



1111 Elgin Street West,
Cobourg, Ontario

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1.1.2 Surrounding Area

The surrounding land uses within the immediate area of the Subject Lands include:

- NORTH:** Immediately north of the Subject Lands is Elgin Street West, a variety of automotive services including vehicular sales and rental establishments, a variety of commercial and retail uses. Further north of the Subject Lands is agricultural lands. ;
- EAST:** Immediately east of the Subject Lands is a variety of retail, service and restaurant uses;
- SOUTH:** Immediately south of the Subject Lands is residential uses consisting of semi-detached and single detached dwellings and Westwood Park.
- WEST:** Immediately west of the Subject Lands is Rogers Road and a variety of retail, service and restaurant uses.

Figure 2 of this report illustrates the surrounding land uses.

1.2 POLICY CONTEXT

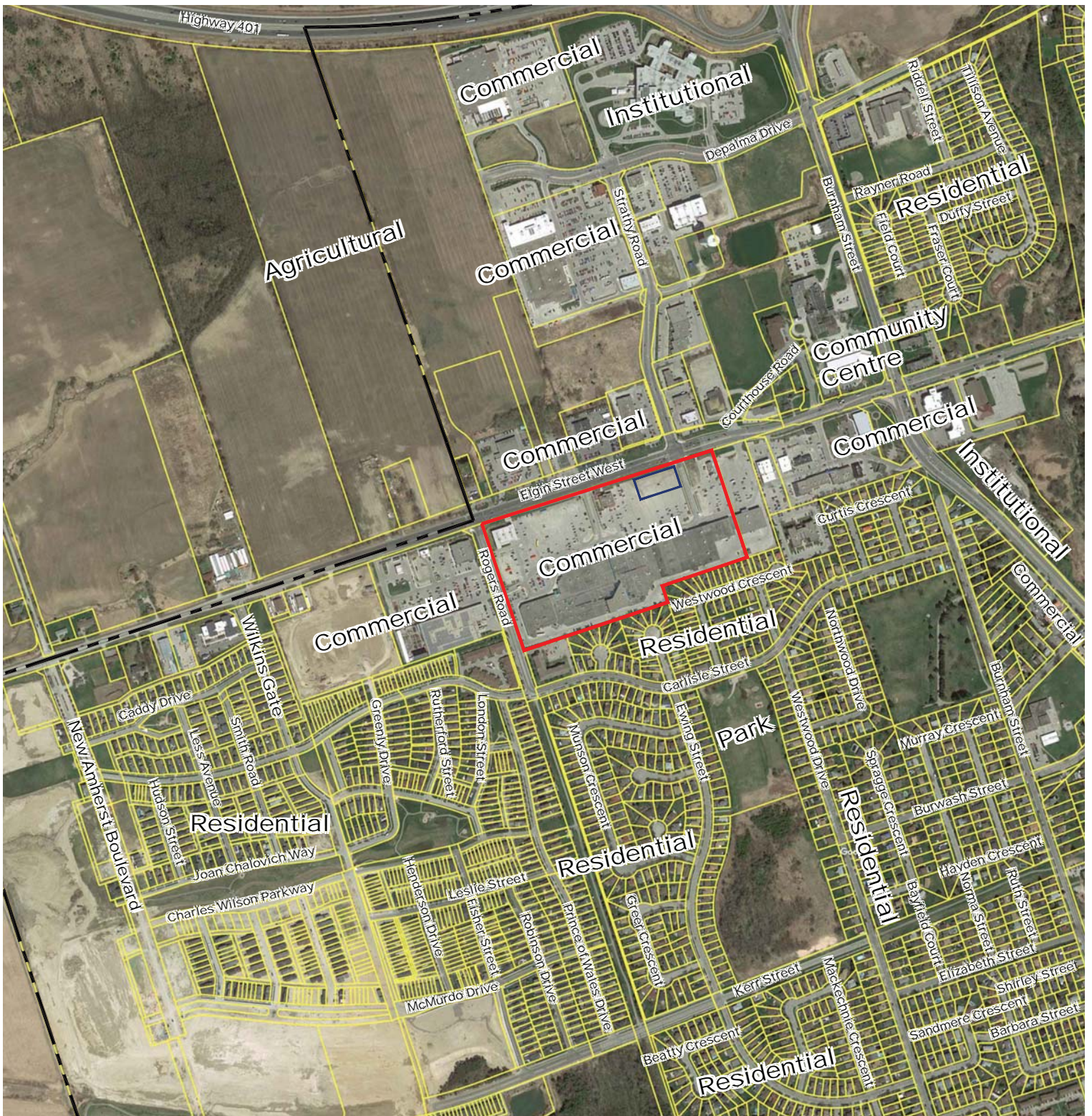
The following section provides an initial summary of the policy context for the Subject Lands and Proposed Development Area. A further, more detailed review of these policy documents are contained within **Appendices A to D**.

The 2014 Provincial Policy Statement (“PPS”) and Growth Plan for the Greater Golden Horseshoe, 2019 (“Growth Plan”) are applicable to the Subject Lands.

The Northumberland County Official Plan (“NCOP”) has identified the Subject Lands and Proposed Development Area being within the “Urban Area” and within the “Built Boundary” on **Schedule A – Land Use (Figure 3)**. Urban Areas are to be planned in a manner for growth and their vitality and promote regeneration to create complete and healthy communities. The Subject Lands and Proposed Development Area front onto a “County Arterial Road” (Elgin Street West) as shown on **Schedule C – Transportation (Figure 4)**. County Arterial Roads connect urban areas and rural settlement areas to Highway 401 with a right-of-way width up to 36.5 m. Elgin Street West has a right-of-way width of 44 m.

In the Town of Cobourg Official Plan (“COP”), **Schedule A - Land Use Plan (Figure 5)**, the Subject Lands and Proposed Development Area designated as “Shopping Node Area”. The Shopping Node Area designation is intended to apply to existing shopping areas that have a minimum gross floor area of 4,645 square metres. Intensification within existing shopping nodes is encouraged. Furthermore, the north-west corners of the Subject Lands at the intersection of Rogers Road and Elgin Street West is identified as a “Gateway Area” on **Schedule B – Greenland System & Gateway Areas (Figure 6)**. The intent of Gateway Areas is to create major entrances to the Town by incorporating features such as landscaping and signage to emphasize the unique nature of the community.

In addition, the Subject Lands and Proposed Development Area front onto an “Existing Arterial” road, an “Existing and Planned Pedestrian/Bicycle Path”, and a “Transit Route” as shown of **Schedule E –**



Data Source: First Base Solutions Aerial Flown 2016

Figure 2
Context Map

LEGEND

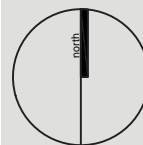
- Subject Lands
- Proposed Development Area
- Cobourg Town Boundary

DATE: July 25, 2019

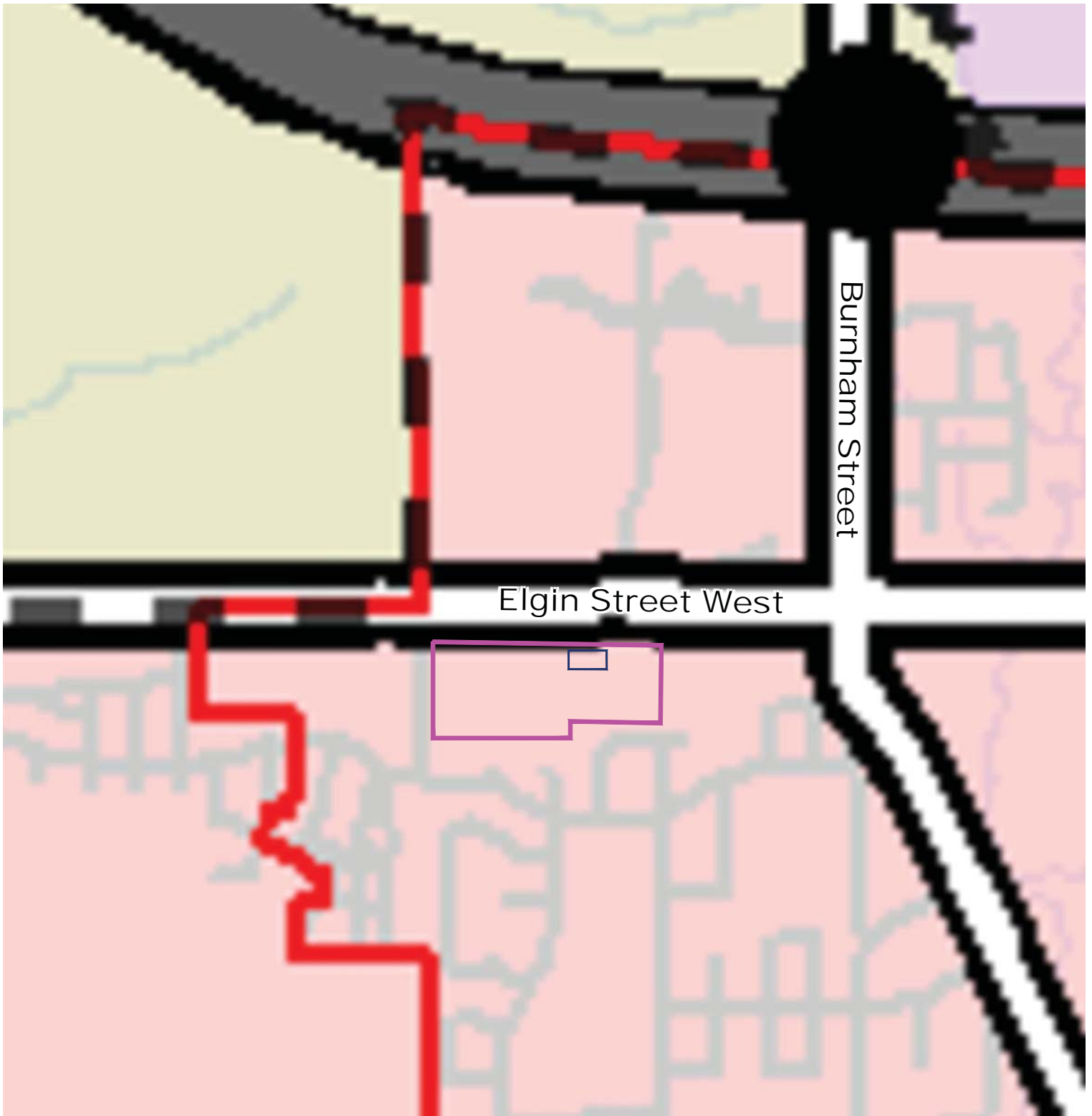
SCALE 1:10000

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Data Source: Northumberland County Official Plan- Schedule A Land Use (2016)












Figure 3

**Northumberland
County Official Plan**

**Schedule A
Land Use**

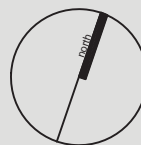
**1111 Elgin Street West,
Cobourg, Ontario**

LEGEND

- | | | |
|---|--|---|
|  Subject Lands |  Built Boundary |  County Boundary |
|  Proposed Development Area |  Highway 401 | |
|  Urban Area |  Country Road/Arterial Road | |
|  Rural Settlement Area |  Local Road | |
|  Agricultural Area |  Highway 401 Interchange | |

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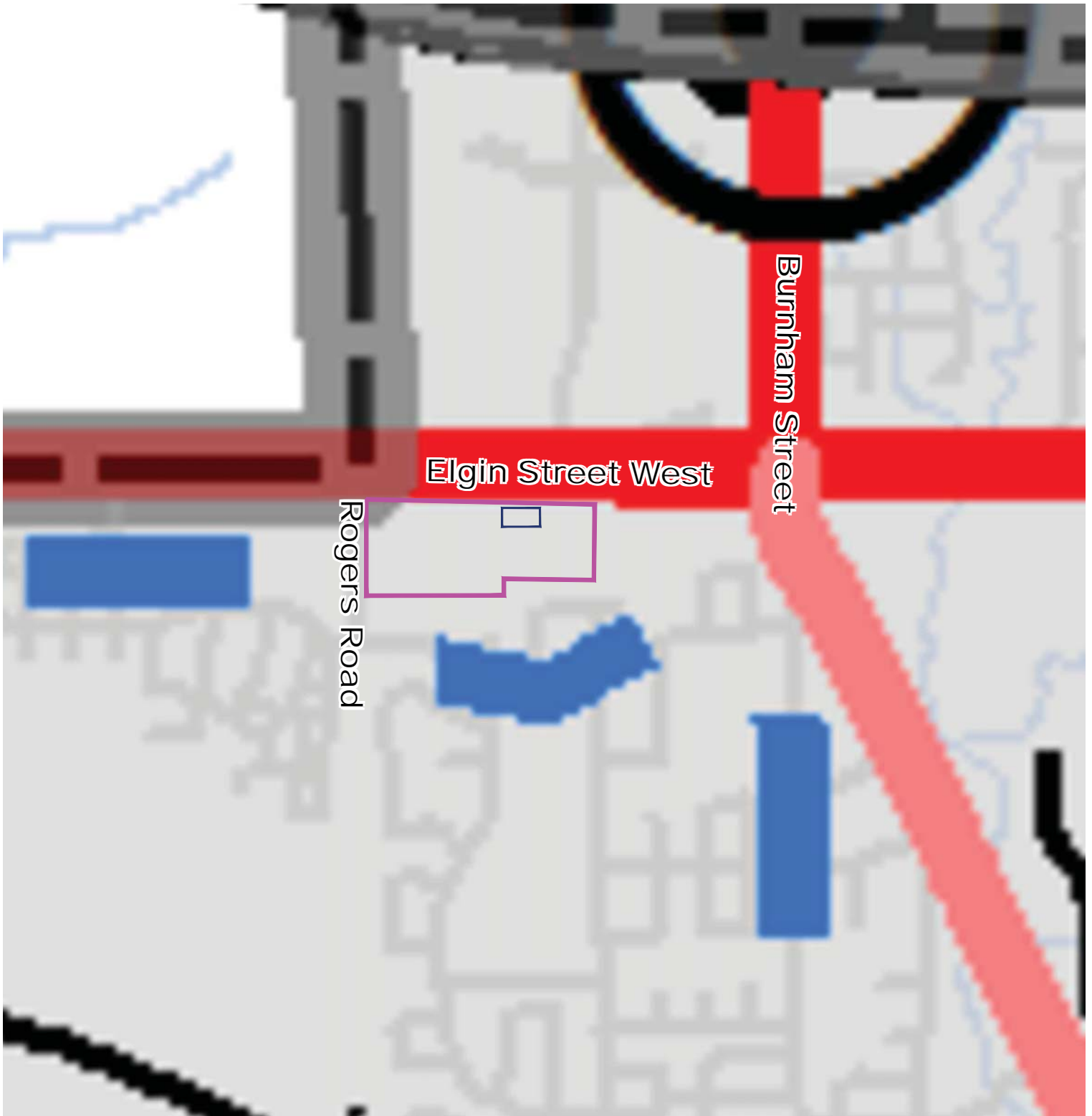
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Data Source: Northumberland County Official Plan- Schedule C Transportation (2016)

Figure 4

**Northumberland
County Official Plan**

**Schedule C
Transportation**

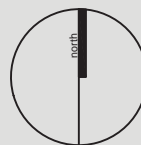
**1111 Elgin Street West,
Cobourg, Ontario**

LEGEND

- Subject Lands
- Proposed Development Area
- County Arterial Road
- Local Arterial Road
- Highway 401
- Local Road
- Highway 401 Interchange
- County Boundary
- Waterfront Trail
- Urban Area

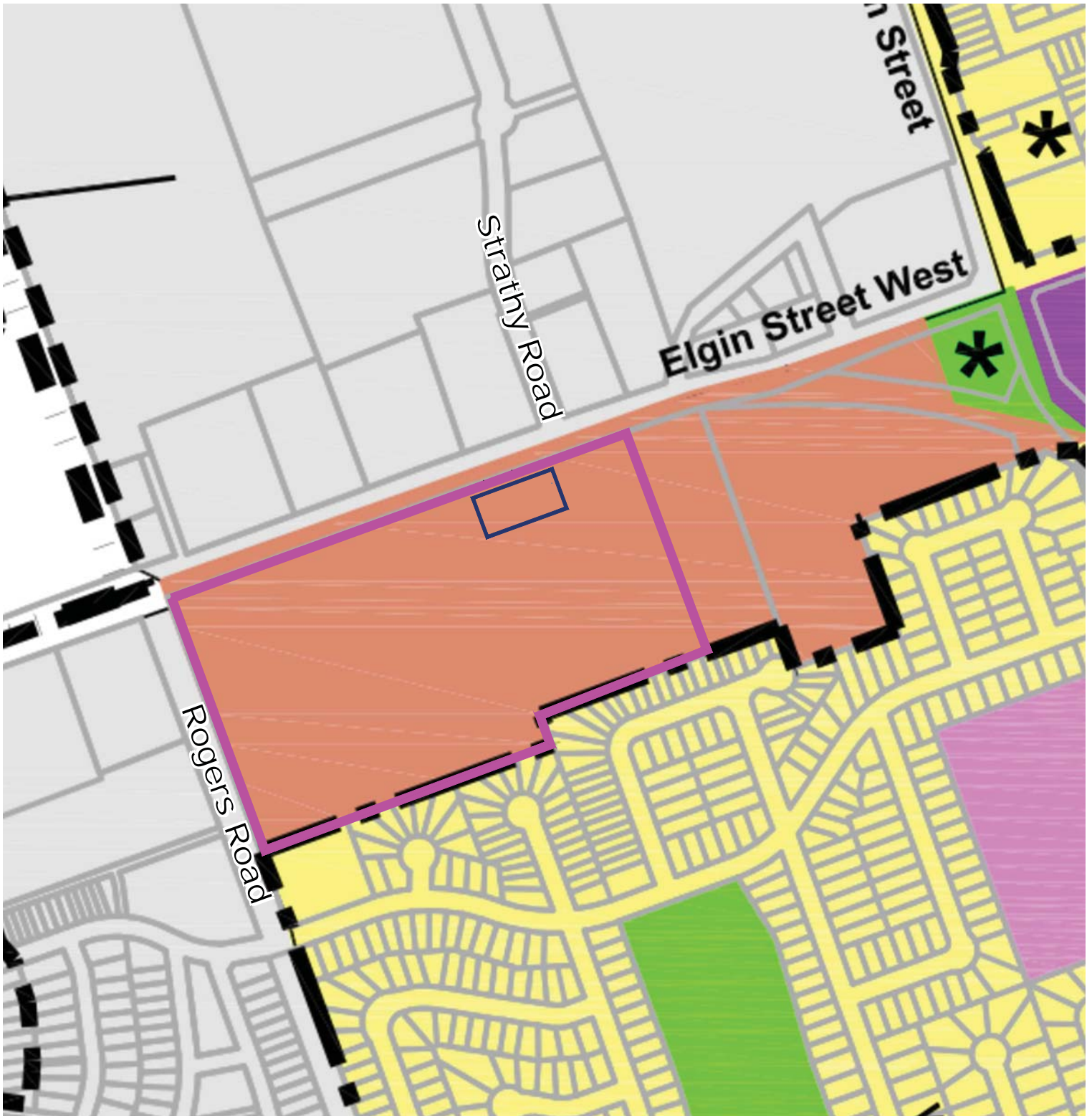
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Data Source: Town of Cobourg Official Plan- Schedule 'A' Land Use Plan (2010)

Figure 5

**Town of Cobourg
Official Plan
Schedule 'A'
Land Use Plan**

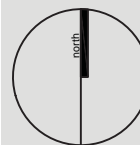
**1111 Elgin Street West,
Cobourg, Ontario**

LEGEND

- | | | |
|---------------------------|--------------------------------|-------------------|
| Subject Lands | Residential Area | Special Provision |
| Proposed Development Area | Shopping Node Area | |
| Major Institutional | Secondary Plan Area | |
| Mixed Use Corridor Area | Built Boundary | |
| Park Area | Urban Settlement Area Boundary | |

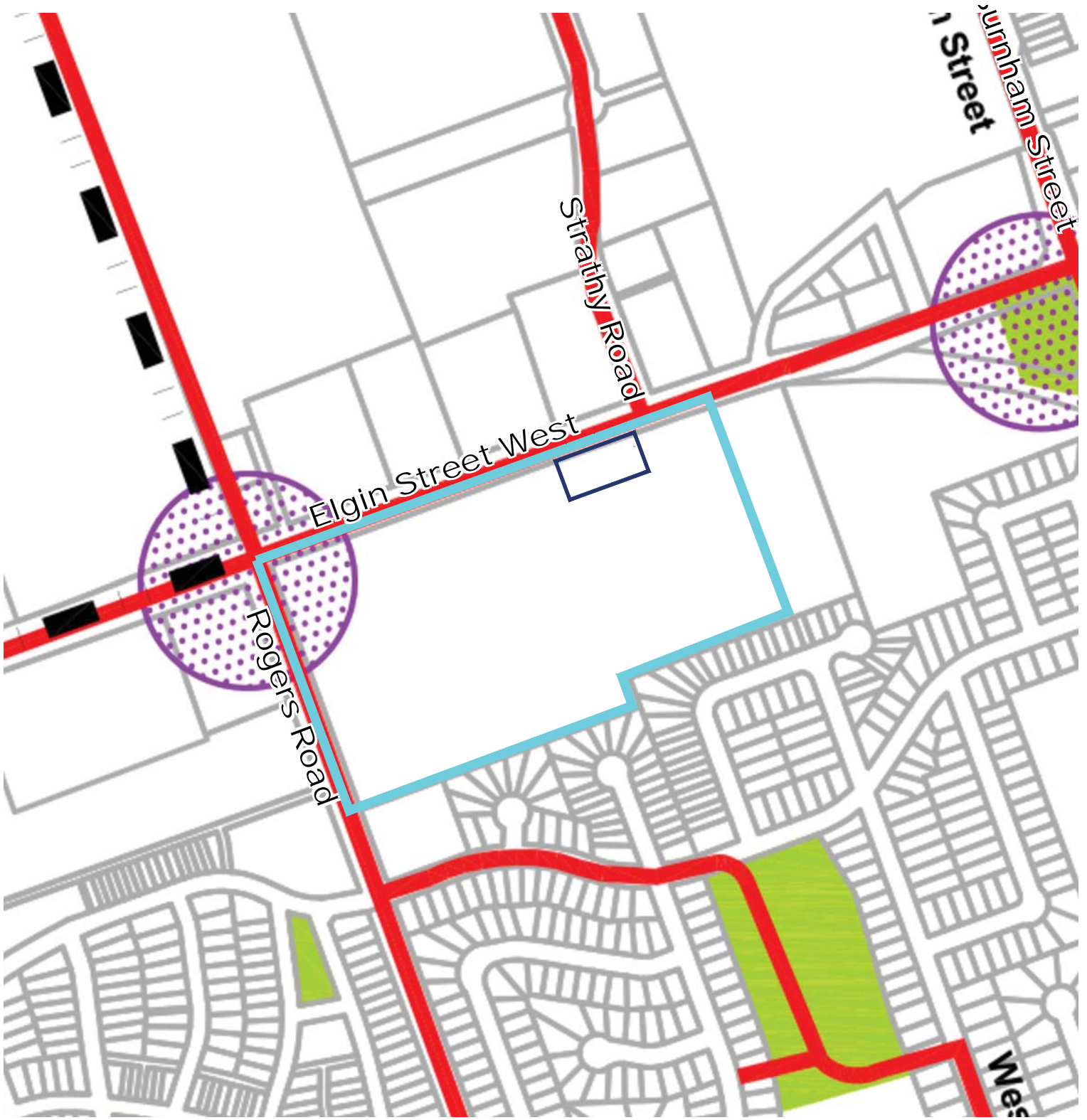
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Data Source: First Base Solutions Aerial Flow 2016

Figure 6

**Town of Cobourg
Official Plan**

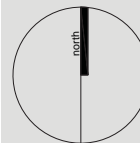
Schedule 'B'
Greenland System
& Gateway Areas
1111 Elgin Street West,
Cobourg, Ontario

LEGEND

- | | | |
|---|--|--|
|  Subject Lands |  Greenland System |  Urban Settlement Area Boundary |
|  Proposed Development Area |  Existing and Planned Pedestrian/Bicycle Path | |
|  Gateway Area |  Linkage | |

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Transportation Plan (Figure 7). These transit systems provide both vehicular and pedestrian connection to and from the Subject Lands.

The Subject Lands are within the “Shopping Centre 1”, “Shopping Centre 2” and “Shopping Centre 3” zones (SC-1; SC-2; SC-3) in the Town of Cobourg Zoning By-law 85-2003 (**Figure 8**). However, the Proposed Development Area is only subject to the SC-1 zone. The SC-1 zoning category permits eating establishments, financial institutions as well as retail commercial uses, among other land uses.

In 2007, two site specific amendments were approved for the subject lands, By-law 86-2007 and By-law 87-2007. The site specific amendments permit free standing buildings and a minimum parking rate for lands zones SC-1.

1.3 PROPOSED DEVELOPMENT

The proposal is seeking a Zoning By-law Amendment (“ZBA”) for the proposed development on the Proposed Development Area. The amendment is required to permit an additional free standing building, as well as remove Schedule B-7 for the eastern portion of the Subject Lands as Schedule B-7 does not correctly reflect the existing condition of lands within the SC-1 zone.

The proposal is for a one-storey multi-unit commercial building 929 sq. m (10,000 sq. ft.) in size. The proposed building consists of 6 units. The westerly unit will consist of a restaurant use, with a drive-through to the west of the unit; the easterly unit will consist of a financial institution use; and the three central units will allow for future commercial tenant opportunities.

The proposed development will be located within the Subject Lands where underutilized surface parking currently exists on the site. The proposed commercial building will have frontage on Elgin Street West and the easterly entrance off of Elgin Street West at Strathy Road. Enhanced landscaping along the Elgin Street West frontage is proposed to provide an attractive presence for pedestrians and vehicular traffic.

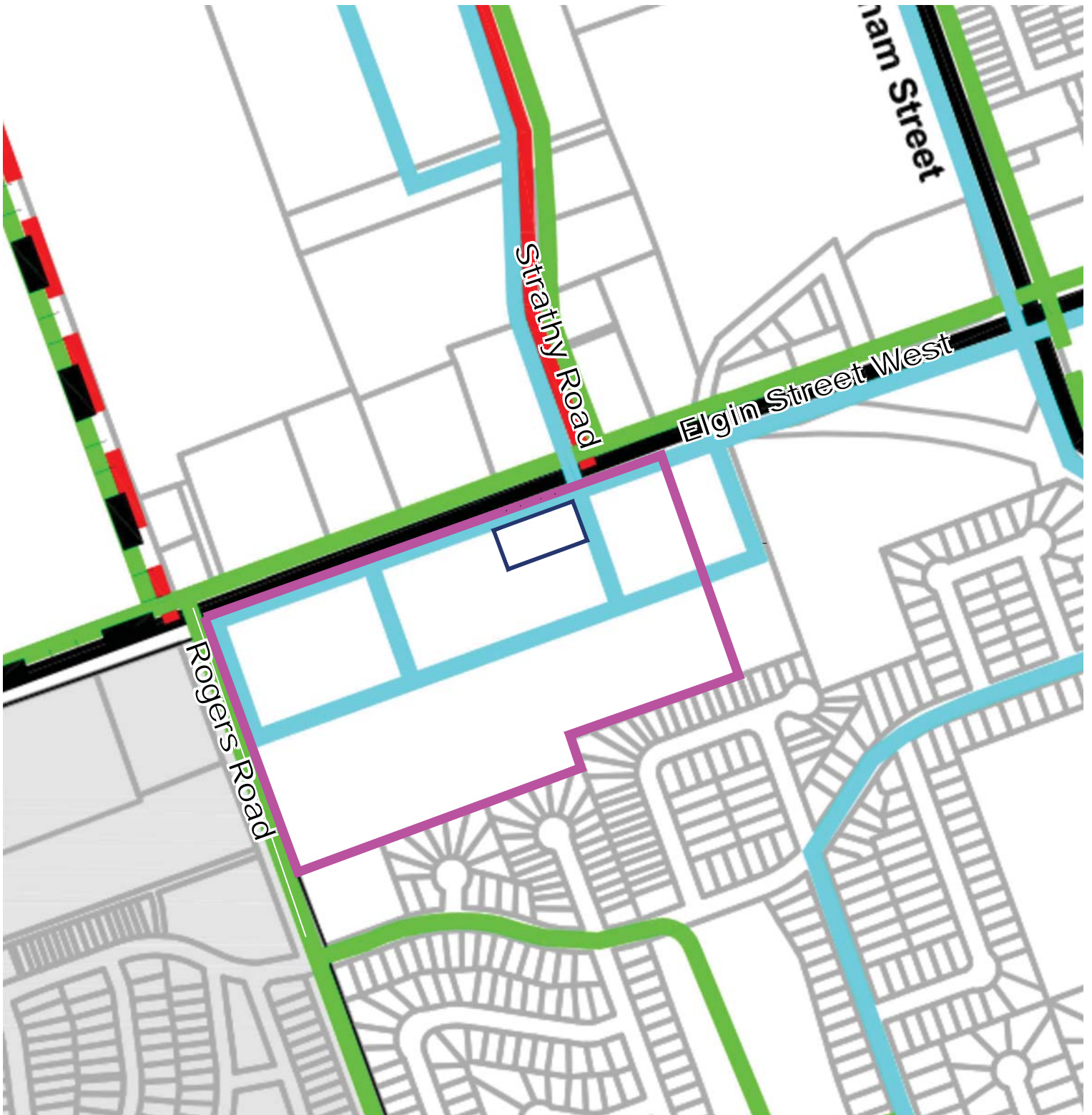
The Proposed Development Area will provide 21 parking spaces. As part of the development application the existing parking located in within the westerly limit of the Subject Lands will be realigned to provide additional parking for the remainder of the Subject Lands.

The site plan, floor plans, elevations and renderings can be found in **Appendix F**.

1.3.1 Rationale for Zoning By-law Amendment

The proposal is seeking a Zoning By-law Amendment (“ZBA”) to amend existing site specific provisions within the Town of Cobourg By-law 85-2003, By-law 86-2007 and By-law 87-2007. The proposed amendments will permit an additional freestanding building with a reduction in required parking, landscaping and setbacks. Furthermore, the proposed amendment will remove Schedule B-7 of Zoning By-law 85-2003 as it does not reflect the existing Northumberland Mall lands. The proposed amendment is supported by a Market Report prepared by Urban Metrics which justifies the increase in Gross Floor Area (GFA) on the Subject Lands.

Section 2.5.1 of this report provides rationale for the proposed amendment. It is our opinion that the proposed amendment represents good planning and in the interest of the public.



Data Source: Town of Cobourg Official Plan- Schedule 'E' Transportation Plan (2010)






Figure 7





**Town of Cobourg
Official Plan**

**Schedule 'E'
Transportation Plan**

**1111 Elgin Street West
Cobourg, Ontario**

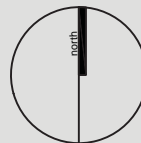
LEGEND

-  Subject Lands
-  Proposed Development Area
-  Existing Collector
-  Proposed Collector
-  Existing Arterial

-  Existing and Planned Pedestrian/Bicycle Path
-  Transit Routes
-  Urban Settlement Area Boundary
-  Secondary Plan Area

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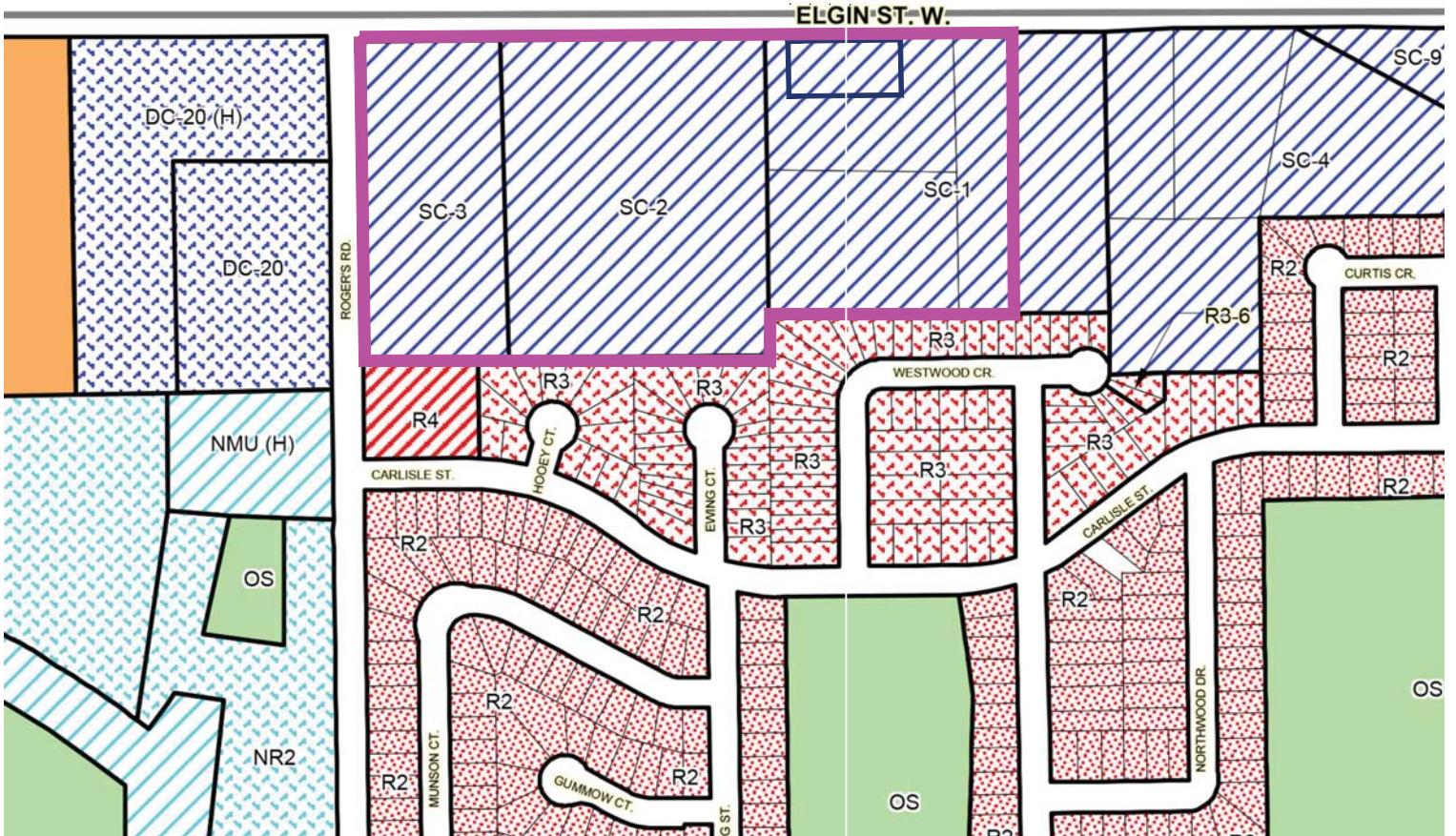
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SEE MAP 15



Data Source: The Corporation of the Town of Cobourg- Zoning By-Law No. 85-2003 Schedule A Map 8 (2004)

Figure 8
**The Corporation of
 the Town of Cobourg**
 Zoning By-Law
 No. 85-2003
 Schedule A- Map 8
 1111 Eglin Street West,
 Cobourg, Ontario

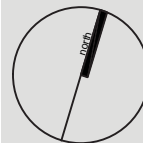
LEGEND

- Subject Lands
- Proposed Development Area
- SC- Shopping Centre Commercial
- R2- Residential 2
- R3- Residential 3

- R4- Multiple Residential 4
- D- Development
- DC- District Commercial
- OS- Open Space
- NR2- Neighbourhood Residential 2
- NMU- Neighbourhood Mixed Use

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POLICY ANALYSIS

The relevant planning policies have been analyzed to evaluate how the proposed Zoning By-law Amendment supports the intention and goals of Provincial, Regional and Local policy direction. The Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, the Northumberland County Official Plan, and the Town of Cobourg Official Plan policies have been analyzed.

The following sections provide a summary of the relevant policies and how they have been addressed. A detailed analysis for each policy documented can be found in **Appendices A to D**.

2.1 PROVINCIAL POLICY STATEMENT

The 2014 Provincial Policy Statement (the “PPS”) was approved by the Ministry of Municipal Affairs and Housing on April 30th, 2014 and is applicable to the Town of Cobourg. The PPS provides general policy direction in matters relating to land use planning and development. The PPS outlines policy for Ontario’s long term prosperity, economic health and social well-being. These directives help to inform Municipalities’ Official Plans and Zoning By-laws, which then allow for the efficient use of lands and development patterns that support strong, livable and healthy communities that protect the environment and public health and safety, and facilitate economic growth.

Building strong healthy communities is one of the key policy directives of the PPS as found in **Section 1.0**. It helps to inform the management and promotion of efficient development and land use patterns for accommodating an appropriate mix of residential, employment, institutional, recreation, park and open space uses and improving accessibility by removing land use barriers in order to create livable communities. The policies support the promotion of healthy, livable and safe communities through such matters as, intensification, land use compatibility, provision of housing, and the efficient use of public services and infrastructure.

The policies in **Section 1.6** deal with the efficient use of existing water, storm water, sanitary sewer, and transportation infrastructure. New developments are encouraged to utilize and support existing municipal infrastructure and support and enhance existing and planned transportation networks and corridors.

Section 1.7 focuses on how to achieve and support long-term economic prosperity. The policies recognize that promoting redevelopment on underutilized lands can optimize the use of land, resources and infrastructure.

Section 1.8 discusses the policies to support energy conservation through appropriate land use and development patterns.

A full analysis of the relevant Provincial Policy Statements in relation to the proposed amendments can be found in **Appendix A**. In summary:

1. The proposed amendment will permit the development of the Subject Lands that support the financial well-being of the County and Town by providing a use which is compatible with the surrounding mix of land uses.
2. The proposed amendment will allow a compact built-form through infill development that efficiently utilizes existing infrastructure without requiring the uneconomical expansion of servicing.
3. The proposed development does not cause undue environmental or public health and safety concerns, and further contributes to a healthy, walkable community.
4. The proposed amendment will ensure that the Subject Lands and Proposed Development Area are developed in a manner which is compatible with and supportive of the adjacent residential, commercial and recreational uses. The proposed commercial uses will offer a diversified range of services to local residents and businesses in the Town of Cobourg.
5. The proposed development will permit a transit-supportive development which provides connectivity throughout Cobourg and other municipalities within the County.
6. The proposed development will comply with all applicable Provincial legislation, including the Ontario Building Code and Accessibility for Ontarians with Disabilities Act (AODA).

In our opinion the proposed Zoning By-law Amendment and the development it will permit is consistent with the PPS.

2.2 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE

The Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) was approved by the Province of Ontario on June 16th, 2006 and amended May 19, 2019.

The Growth Plan sets out policies to manage growth in the Greater Golden Horseshoe to achieve compact, complete communities in the future. Similar to the PPS, the objectives of the Growth Plan are to create complete, healthy and safe communities with a focus on intensification in settlement areas and optimizing the use of existing infrastructure. The policies within **Section 2.2** of the Growth Plan speak to achieving these objectives.

A full analysis of the relevant Growth Plan policies in relation to the proposed amendments can be found in **Appendix B**. In summary:

1. The proposed amendments will provide for intensification that will contribute to creating a complete community. The proposed compact built form of the commercial building is an efficient and appropriate utilization of land.

2. The proposed development is compatible with surrounding land uses and will assist in meeting the daily needs of local residents and commercial businesses.
3. The proposed amendments will permit the development of retail, service, restaurant and financial institution operations which will result in the efficient use of the Subject Lands and Proposed Development Area and available infrastructure.
4. The proposed development will permit a transit-supportive development being on local bus services connecting to the Town's broader transit system.

In our opinion, the proposed Zoning By-law Amendment and the development it will permit conforms to the Growth Plan.

2.3 NORTHUMBERLAND COUNTY OFFICIAL PLAN

The Northumberland County Official Plan ("NCOP") was approved by the Ontario Municipal Board on November 23, 2016. The purpose of the County Official Plan is to provide a policy basis for managing growth within the County.

The Northumberland County Official Plan ("NCOP") has identified the Subject Lands and Proposed Development Area as being within the "Urban Area" and within the "Built Boundary" on **Schedule A – Land Use (Figure 3)**.

Section C1 of NCOP directs growth towards the Urban Areas to contribute to the creation of complete communities. Urban Areas consist of established market places, residential neighbourhoods, services and cultural and recreational opportunities. Urban Areas should be planned to support communities that are compact, well-designed and lively to be socially inclusive, environmentally sustainable, and economically vibrant. Urban Areas, as per **Section B2** of NCOP, aims to accommodate a significant portion of the planned population and employment growth in the County.

Furthermore, The Subject Lands and Proposed Development Area front onto a "County Arterial Road" (Elgin Street West) as shown on **Schedule C – Transportation (Figure 4)**.

Section E2 of NCOP provides objectives to facilitate safe and efficient movement of people and goods within the County's communities. County Arterial Roads connect urban areas and rural settlement areas to promote public transit, cycling and walking as alternative forms of travel. County Arterial Roads also protect transportation corridors to facilitate transportation systems that support existing and future land uses.

A full analysis of the relevant Northumberland County Official Plan policies in relation to the proposed development can be found in **Appendix C**. In summary:

1. The proposed development conforms to the policies set out in the NCOP for Urban and Built-Up Areas as the proposed multi-unit commercial building is an efficient and cost-effective use of land and existing infrastructure.
2. The proposed amendment will diversify the range of available services to the local community. The proposed uses are compatible with surrounding land uses and will be accessible to local residents and employees in the surrounding area.

3. The proposed development will be a transit-supportive development that will support the increased utilization of public transit.
4. The proposed development permitted by the amendment will support a vibrant urban area due to its proximity to a range of commercial and residential opportunities within the Urban Area.
5. The proposed development will be of high quality in built form and landscape design.

In our opinion, the proposed Zoning By-law Amendment and the development it will permit conforms to the RWOP.

2.4 TOWN OF COBOURG OFFICIAL PLAN

The Town of Cobourg Official Plan (“COP”) was adopted by the Cobourg Municipal Council and approved by the Ministry of Municipal Affairs and Housing in 2010. However, the COP was subject to appeal to the Ontario Municipal Board. In May 2017, the COP was approved by the Ontario Municipal Board and is now in-effect.

In the COP, **Schedule A - Land Use Plan (Figure 5)**, shows the Subject Lands and Proposed Development Area designated as “Shopping Node Area”.

Section 14.3.4 of COP provides specific land use policies for lands designated as Shopping Node Area. The purpose of the Shopping Node Area provide commercial opportunities along Strathy Road and Elgin Street West to provide focus to the Northumberland Mall. Permitted uses include but not limited to commercial, office, institutional, hotels and conference centres. Intensification is encourage within existing shopping nodes.

Furthermore, the north-west corner of the Subject Lands at the intersection of Rogers Road and Elgin Street West is identified as a “Gateway Area” on **Schedule B – Greenland System & Gateway Areas (Figure 6)**. **Section 5.3** of COP states the intent of Gateway Areas is to create major entrances to the Town by incorporating features such as landscaping and signage to emphasize the unique nature of the community.

In addition, the Subject Lands and Proposed Development Area front onto an “Existing Arterial” road, an “Existing and Planned Pedestrian/Bicycle Path”, and a “Transit Route” as shown of **Schedule E – Transportation Plan (Figure 7)**. These transit systems provide both vehicular and pedestrian connection to and from the Subject Lands as set out in **Section 6** of COP.

Overall, the proposed development will assist in achieving the Town’s Built Boundary employment targets as outlined in **Section 3.2.3**. Further, as per **Section 3.8.3.3**, the infill development conforms to the intensification policies for Shopping Node Areas and the site specific design guidelines in **Section 3.8.4.2.2**.

An analysis of the relevant of Town of Cobourg Official Plan policies in relation to the proposed development can be found in **Appendix D**. In summary:

1. The proposed development allows for the intensification of built-form in an existing shopping node, and be developed to provide a compact built-form that is consistent with the policies for Shopping Node Areas.

2. The proposed amendment will allow for an eating establishment, financial institution and commercial uses which will be complementary to and compatible with the existing adjacent commercial and residential uses.
3. The proposed amendments conform to the policies set out in the COP for development in Built-Up Area as the proposal will encourage a more efficient and cost-effective use of existing land and infrastructure. The proposed development will meet municipal infrastructure and transportation policies of the COP.
4. The proposed development will permit a transit-supportive development connecting to local bus services and Cobourg's VIA Rail Station.
5. The proposed development will provide high quality landscaping and architecture that complement the surrounding area and help create a sense of place and an attractive public realm.

In our opinion, Zoning By-law Amendment and the development it will permit conforms to the policy direction of the Town of Cobourg Official Plan.

2.5 TOWN OF COBOURG ZONING BY-LAW 85-2003

The Subject Lands are within the "Shopping Centre 1", "Shopping Centre 2" and "Shopping Centre 3" zones (SC-1; SC-2; SC-3) in the Town of Cobourg Zoning By-law 85-2003 (**Figure 8**). However, the Proposed Development Area is only subject to the SC-1 zone. The SC-1 zoning category permits eating establishments, financial institutions as well as retail commercial uses, among other land uses.

Furthermore, the subject lands are subject to a site specific amendments by-law 86-2007 and by-law 87-2007 which apply to lands identified on Schedule B-7 and zoned SC-1. In 2007, two site specific amendments were approved for the subject lands which amended By-law 85-2003. Site specific by-law 086-2007 amended by-law 85-2003 permit free standing buildings and a minimum parking rate for lands within the SC-1.

The proposed uses are permitted on the Subject Lands and Proposed Development Area, however a Zoning By-law Amendment is required to modify zoning regulations to accommodate the building on the north-easterly portion of the property. Relief is required from the following regulations:

- Update the definition of Lot Frontage;
- Update the Permitted Uses to remove restrictions; and
- Update required Parking and Loading standards.

Furthermore, the amendment will remove "Schedule B-7" as the current schedule is out of date and does not correctly reflect the existing condition.

A draft of the zoning by-law to amend the Town of Cobourg Zoning By-law 85-2003 is included as **Appendix E** of this Report.

2.5.1 Rationale for the Proposed Amendments

The proposed amendment is appropriate for the Subject Lands as they implement many of the Town of Cobourg Official Plan polices as established earlier in this Report. In addition:

- The removal of Schedule B-7 will bring the entire SC-1 Zone into conformity to the existing and proposed building footprints for the entire site;
- The proposed amendment will remove reference to former uses which stifles the growth of the Shopping Centre;
- The proposed amendment modifies the parking requires that are more in keeping with the current parking demand of the overall Shopping Centre, thereby promoting infill on underutilized lands.
- The proposed amendment updates the lot coverage to include new infill opportunities;
- The proposed amendment adds new commercial opportunities that are supported by a Market Study prepared by Urban Metrics.

Based on the above, we believe the proposed amendment to Town of Cobourg Zoning By-law 85-2003 as amended is in the public interest and represents good planning.

3.0

SUMMARY AND CONCLUSIONS

MHBC has prepared this planning justification report in support of amendments to the Town of Coburg Zoning By-law 85-2003 as amended to permit a one-storey multi-unit commercial building on the Subject Lands.

The proposed vision for the Subject Lands and Proposed Development Area contemplates a low-density commercial building to support the existing commercial and residential uses within community. The redevelopment of the Subject Lands and Proposed Development Area will allow for an appropriately designed commercial building intensifying an underutilized parking lot which implements the vision being established by the Provincial and Local policies.

The proposal meets the intent of provincial planning policies, including the PPS and the Growth Plan, as well as the County Official Plan. Specifically, the proposed development will contribute to the planning goals of creating a complete community, intensification of built-form, and sensitive to the existing context of surrounding land uses.

Furthermore, in our opinion, the proposed development conforms to the Town of Cobourg "Shopping Node Area" designation as it provides additional local commercial services to the greater community and meets design criteria within the Town Official Plan. The proposed development meets the Town Official Plan policies as it will assist the Town meeting intensification objectives within this area.

In summary, in our professional planning opinion the proposed amendment to permit the proposed development is in the public interest and represents good planning for the following reasons:

1. The proposed amendment and proposed development are consistent with the relevant development, planning and environmental protection policies of the Provincial Policy Statement.
2. The proposed amendment and proposed development are in keeping with the relevant intensification, development, infrastructure and environmental protection policies of the Growth Plan for the Greater Golden Horseshoe.
3. The proposed amendment and proposed development conform to the policies of the Northumberland County Official Plan.
4. The proposed amendment and proposed development conform to the policies of the Town of Cobourg Official Plan.

5. The proposed amendment will permit a development which is designed at a high level of quality, implementing the urban design policies and guidelines of the Town of Cobourg, as reflected in the Urban Design Brief prepared by MHBC under separate cover.
6. The proposed development will optimize the existing municipal infrastructure, including municipal water and sewage services, utilities, roads and public transit in a compact built-form.
7. The proposed development provides a transit-supportive form that is in proximity to local bus services.

For the above reasons, we respectfully recommend that the proposed Zoning By-law Amendment as contained in **Appendix E** be approved.

Yours truly,
MHBC

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APPENDIX **A**

APPENDIX A: PROVINCIAL POLICY ANALYSIS

The Provincial Policy Statement, 2014 (“PPS”) was approved by the Ministry of Municipal Affairs and Housing on April 30, 2014 and functions as the policy foundation for regulating the development and use of land in Ontario. The PPS is applicable to the master plan area and the development site.

The PPS aims to facilitate the construction of healthy, livable, safe communities by encouraging efficient use of land, resources, and infrastructure that in turn contribute to citizens’ wellbeing, economic vitality, and environmental protection. The following is a summary of policies within the PPS applicable to the proposal and how the proposal responds to those policies.

The following is an analysis of the proposed Zoning By-law Amendment in relation to the 2014 Provincial Policy Statement.

Within **Section 1.0** Building Strong and Healthy Communities, Policy 1.1, Subsection 1.1.1, describes how healthy, livable and safe communities are sustained. The following is a review of the relevant policies and how the proposed amendment address them.

Policy 1.1.1 of the PPS states *that healthy, liveable, and safe communities are sustained by:*

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- 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;*
- e) *promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;*
- f) *improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society; and*
- 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.*

Evaluation: The proposed redevelopment contributes to a healthy, liveable, and safe community in the following way:

- The proposed development will develop on underutilized lands in a designated settlement area, no expansion to the existing settlement area is required to accommodate the proposal.
- The proposed redevelopment will contribute to the mix and range of employment/commercial uses within the shopping centre area of the Town, which currently consists of predominately low-rise commercial units. The proposed infill will further enhance an identified gateway in the Town by urbanising the existing streetscape.
- The proposed development will have no adverse affects on the environment, public health or safety, or prevent the efficient expansion settlement areas.
- The proposed development will be fully accessible and meet the needs of all patrons of the commercial and financial institutional uses.
- The proposed development takes advantage of existing infrastructure within the built-up area, reducing land consumption and servicing costs.

- The proposed building will be constructed in accordance with the Ontario Building Code, AODA and all required accessible standards.

Policy 1.1.2 of the PPS states *that intensification and redevelopment of designated growth areas are intended to accommodate for a range and mix of employment and housing opportunities and other land uses to meet the needs for the time horizon of up to 20 years.*

Evaluation: The proposed development intends to develop underutilized lands to provide restaurant, financial institution and other commercial uses providing a greater range of local commercial opportunities in the Town.

Policy 1.1.3.1 promotes *located growth and development within settlement areas*, additionally **Policy 1.1.3.2** of the PPS states *that land use patterns within settlement areas shall be based on:*

- a) *densities and a mix of land uses which:*
 1. *efficiently use land and resources;*
 2. *are appropriate for and efficiently use the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
 3. *minimize negative impacts to air quality and climate change, and promote energy efficiency;*
 4. *support active transportation; and*
 5. *are transit-supportive, where transit is planned, exists, or may be developed*
- b) *A range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.*

Evaluation: The proposal is situated within the settlement area of the Town of Cobourg. The proposal supports the policies of 1.1.3.2 as the infill will intensify the existing shopping centre through infill development. The proposal is within an area that is serviced by existing and planning infrastructure with access to two bus routes located on site, including the Downtown Terminus which will assist in promoting public transportation opportunities. The intensification of the development site provides opportunities to reduce negative impacts of climate change by promoting active transportation through proximity to public transportation, and pedestrian and bicycle friendly environment that encourages walking and cycling. The proposal provides a range of uses through intensifying an existing development that includes restaurant, financial institutional and space for other uses.

Policy 1.1.3.3 of the PPS states *planning authorities are directed to identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

Evaluation: The Town of Cobourg encourages the intensification of existing shopping centre areas. Municipal services exist in the vicinity, making the lands readily available to accommodate development that will support growth and employment projections into the future. The proposed development on a currently underutilized portion of existing surface parking and is appropriate and supports the intent of the policy and contributes to the optimum utilization of existing infrastructure.

Policy 1.1.3.4 of the PPS states that *appropriate development standards should be promoted which facilitate intensification, redevelopment, and compact form, while maintaining appropriate levels of public health and safety.*

Evaluation: The proposed development will promote intensification and the redevelopment of the Subject Lands by providing a compact built form which represents efficient development of the lands. The proposal will not result in any adverse effects on public health or safety.

Policy 1.1.3.6 of the PPS encourages development to take place in designated growth areas to have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Evaluation: The proposal is within the existing built-up area and will have a compact built form with a mix of non-residential uses that will efficiently utilize existing infrastructure.

Policy 1.6.7.2 of the PPS states that *efficient use shall be made of existing and planned transportation infrastructure.*

Evaluation: The proposed development is accessible by Cobourg's public transit infrastructure and fronts onto an arterial right-of-way and public sidewalks, therefore efficiently using existing and planned transportation infrastructure.

Policy 1.7.1 of the PPS states the *long-term economic prosperity should be supported by:*

- a) *promoting opportunities for economic development and community investment-readiness;*
- b) *optimizing the long-term availability and use of land, resources, infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities;*
- c) *maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;*
- 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.*

Evaluation: The proposal promotes opportunities for economic development by introducing additional non-residential uses for economic development through job creation within the Shopping Node Area designation. The proposed non-residential uses will be complementary to the surrounding existing commercial non-residential land uses, and utilize existing infrastructure available for the site taking advantage of infrastructure investments. The location of the built form will promote a sense of place along Elgin Street West, an identified Count Arterial Road, by urbanizing and animating the existing public realm. Overall the proposal promotes the long-term economic prosperity of the County and Town.

Policy 1.8.1 describes how *Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which:*

- a) *promote compact form and a structure of nodes and corridors;*
- b) *promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;*
- c) *improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;*
- d) *promote design and orientation which:*

- i. maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation; and*
- ii. maximizes opportunities for the use of renewable energy systems and alternative energy systems; and*
- g) maximize vegetation within settlement areas, where feasible.*

Evaluation: The proposed building represents an efficient use of the Subject Lands and will be of a compact built form, making use of the existing infrastructure at an appropriate. The Subject Lands are currently serviced by two existing transit stops located on site, including the Downtown Terminus. The proposed building will provide bicycle parking for visitors and employees to reinforce the objective of providing opportunities for active transportation. The proposal will take advantage of existing facilities connecting the proposal with the surrounding commercial uses. The proposed location will optimize and improve the public realm by locating the new building adjacent to the existing intersection of Elgin Street West and the driveway. This location will assist in promoting walkable connections to the proposed development to the existing public sidewalk. Lastly, energy efficiency requirements of the Town and Province will be encouraged to maximize energy efficiency and conservation.

Based on the above, it is concluded that the proposal as facilitated by the Zoning By-law Amendment is consistent with the policies of the Provincial Policy Statement.

APPENDIX **B**

APPENDIX B: GROWTH PLAN ANALYSIS

The Growth Plan for the Greater Golden Horseshoe (“Growth Plan”), as amended on May 16, 2019, is applicable to the Subject Lands. The management of growth in existing areas, and where it should be taking place, is guided through the Growth Plan as it recognizes the importance of intensification and the way municipalities plan that growth.

An analysis of the Growth Plan policies has been conducted to demonstrate that the proposed Zoning By-law Amendment application is in keeping with the direction of and thus conformity with the Growth Plan policies. The following is a summary of the policies applicable to the proposed development.

Policy 2.2.1.1 provides *that the forecasted population and employment growth identified within the Growth Plan will be used for planning and managing growth in the Greater Golden Horseshoe (“GGH”) to the horizon of this Plan.*

Evaluation: The proposed amendment will permit the development of a range of non-residential land uses which will assist in creating new jobs, thereby assisting the Town in achieving the planned employment growth.

Policy 2.2.1.2 directs *that the forecasted growth should be allocated based on the following priorities:*

- a) *the vast majority of growth will be directed to settlement areas that:*
 - 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;*
- c) *within settlement areas, growth will be focused in:*
 - i. *delineated built-up areas;*
 - ii. *strategic growth areas;*
 - iii. *locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*
 - iv. *areas with existing or planned public service facilities;*
- d) *development will be directed to settlement areas, except where the policies of this Plan permit otherwise;*
- e) *development will be generally directed away from hazardous lands;*

Evaluation: The proposal supports the Growth Plan’s intensification directives by:

- adding new commercial units within the Town of Cobourg’s urban boundary that will utilize existing public infrastructure;
- promoting reinvestment of an existing greyfield site through intensification of an underutilized portion of a site;
- providing an infill development in proximity to existing public transit routes;
- providing additional commercial uses within the settlement area that supports the achievement of complete communities; and,
- directs development away from hazardous lands.

Policy 2.2.1.4 states *that applying the policies of this Plan will support the achievement of complete communities that:*

- 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;*
- c) *expand convenient access to: i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;*
- d) *expand convenient access to:*
 - a. *a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;*
 - b. *public service facilities, co-located and integrated in community hubs;*
 - c. *an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and,*
 - d. *healthy, local, and affordable food options, including through urban agriculture;*
- e) *ensure the development of high-quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards;*
- f) *mitigate and adapt to climate change impacts, build resilience, reduce greenhouse gas emissions, and contribute towards the achievement of low-carbon communities; and*
- g) *integrate green infrastructure and low impact development.*

Evaluation: The proposed development will contribute to achieving complete community by:

- providing for a new commercial uses that will be convenient and accessible to existing residential neighbourhoods and area businesses within the surrounding area;
- providing a diverse range of retail/commercial land uses at various unit sizes to accommodate a mixture of tenants
- Diversify the range of commercial uses and service that promote a high-quality of life for residents in adjacent neighbourhoods;
- proposing a high-quality public and private realm with visual interest, and a framework that will achieve an attractive and vibrant public realm;
- Reducing the demand for vehicles through proximity to transit options, active transportation infrastructure and reduction in surface parking area which will effectively reduce greenhouse gas emissions; and,
- Incorporating low impact development standards of design into the proposal where feasible.

Based on the above analysis, it is concluded that the proposed amendment and the proposal is in keeping with the applicable policies of the Growth Plan.

APPENDIX C

APPENDIX C: NORTHUMBERLAND COUNTY OFFICIAL PLAN

The Northumberland County Official Plan (“NCOP”) was approved by the Ontario Municipal Board on November 23, 2016. The purpose of this Official Plan is to provide a policy basis for managing growth within the County.

Section A2 of the NCOP outlines *the guiding principles that establish the basis for making land use planning decisions. The applicable principles are as follows:*

2. *To provide opportunities for economic development in both urban and rural areas in a manner that fosters competitiveness and a positive and attractive business environment.*
3. *To direct most forms of development to urban areas where full services are available and to support the efficient use of land and infrastructure to meet the needs of present and future residents and businesses and ensure that an adequate supply of land and housing choices are available for present and future residents.*
4. *To protect and enhance the character of existing urban areas and rural settlement areas, and to maintain them as diverse, livable, safe, thriving and attractive communities.*

Evaluation: The proposal supports the NCOP’s guiding principles by:

- Providing commercial uses that will foster competitiveness and support economic development of the Town; adding new commercial units within the Town of Cobourg’s urban boundary will utilize existing public infrastructure;
- providing a convenient, comfortable and safe environment that will serve all components of the population; and,
- maintaining and enhancing the shopping centre’s character to enhance the Town’s attractive character.

Section B2 states that *a minimum of 80% of expected population and employment in the planning period is expected to occur in the six urban areas in the County as shown on Tables A and B. More specifically, Table B states that there is a target of 1,772 new jobs within the Town between 2011 and 2034.*

Evaluation: The proposed development will contribute to achieving the 1,772 new jobs by providing additional commercial opportunities within the Town of Cobourg between 2011 and 2034.

Section B8.1.a) states that *planning for sewage and water services shall:*

- i. *Direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing:*
 1. *Municipal sewage services and municipal water services; and*
- ii. *Ensure that these systems are provided in a manner that:*
 1. *Can be sustained by the water resources upon which such services rely;*
 2. *Is feasible, financially viable and complies with all regulatory requirements; and*
 3. *Protects human health and the natural environment;*
- iii. *Promote water conservation and water use efficiency;*
- iv. *Integrate servicing and land use considerations at all stages of the planning process; and*
- v. *Be in accordance with the servicing hierarchy outlined through Sections B8.1 b), B8.1 c) and B14.*

- a) *Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.*

Evaluation: The proposal will utilize existing municipal servicing infrastructure, therefore promoting efficient use of infrastructure and services.

Section C1.1 states that the County encourages urban areas to become complete communities where there is:

- a) *A strong live/work ratio, where the majority of residents are employed in the community in which they live;*
b) *Choice in the market place, in terms of obtaining goods and services;*

Evaluation: The proposed development will promote a range of commercial services in close proximity to existing residential areas, supporting a live/work environment while providing a greater range of choice in the marketplace. This is confirmed by a Market Study prepared by Urban Metrics.

Section C1.2.2 of the NCOP outlines the commercial area objectives for urban areas in Northumberland County. The following are the applicable objectives for commercial development in urban areas:

- a) *Encourage commercial development that will provide a full range of goods and services, at appropriate locations, to meet the needs of the County's residents, employees and businesses;*
b) *Encourage and promote development that combines commercial, residential and other land uses to facilitate the more efficient use of urban land and the establishment of a pedestrian environment;*
c) *Promote the efficient use of existing and planned infrastructure by creating the opportunity for various forms of commercial and residential intensification, where appropriate;*
d) *Encourage the protection of existing commercial areas to ensure that their function as neighbourhood and community gathering places is retained;*
e) *Encourage the continued revitalization of traditional and emerging main street areas which reflects their heritage significance and which promotes a mix of uses and attractions for retail, other community uses and activities, and tourism; and,*
f) *Encourage good urban design to improve the aesthetic quality of retail corridors in the County to ensure that they function as attractive destinations for shoppers from the County and the surrounding area.*

Evaluation: The proposal supports the general provisions for urban areas by:

- providing additional commercial opportunities to residents and employees and contribute to the existing business within a community.
- promoting an appropriate built-form for the proposed commercial uses that will retain the existing character of the existing commercial neighbourhood. This built-form will also strengthen the streetscape at Elgin Street West to promote a main street type environment.
- providing high quality architecture and landscaping to create an attractive shopping environment.

Section C1.4 of the NCOP states that a full range of uses is permitted within urban areas in accordance with local Official Plan policies and land use designations.

Evaluation: The proposed additional commercial uses are permitted within the Shopping Node Area designation as outlined within the Town of Cobourg Official Plan..

Section E2.1.k) encourages the efficient use of land along transportation corridors to maximize the use of public transit.

Evaluation: The proposed development area fronts onto the Elgin Street West right-of-way which currently has active transportation infrastructure.

Based on the above, it is concluded that the proposal as facilitated by the Zoning By-law Amendment conforms to the policies of the Northumberland County Official Plan.

APPENDIX **D**

APPENDIX D: THE TOWN OF COBOURG OFFICIAL PLAN

The Town of Cobourg Official Plan (“COP”) was adopted by the Cobourg Municipal Council and approved by the Ministry of Municipal Affairs and Housing in 2010. However, the COP was subject to appeal to the Ontario Municipal Board. In May 2017, the COP was approved by the Ontario Municipal Board and is now in-effect.

Section 2 of the COP outlines Vision Principles for the Town and the objectives to execute these visions. These are as follows:

Policy 2.2 states *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:*

- 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; and,*
- iv. *a mix of employment uses, including innovative employment opportunities, which will promote Cobourg’s role as a major employment centre in Northumberland County.*

Evaluation: The proposed development will be compact, transit supportive and provide a greater range of commercial opportunities for Northumberland County.

Policy 2.5 states *decisions made with respect to the future of the Town of Cobourg will reflect the need to maintain a healthy and economically viable community. The applicable objectives to achieve this vision statement are:*

- i. *To foster an economic climate and community structure that supports the viability of existing businesses and encourages the location of new employment opportunities in the community;*
- iii. *To provide for a range of commercial facilities to serve the residents of the Town and the surrounding area;*
- vii. *To ensure that all changes to the community promote safety and security through the use of appropriate design strategies;*
- viii. *To encourage accessibility for pedestrian, bicycle and other active transportation modes throughout the community;*
- x. *To minimize or prevent conflict between sensitive development and potentially incompatible industrial, commercial and institutional land uses;*

Evaluation: The proposal supports Cobourg’s economic objective policies by:

- i. Supporting existing businesses by providing additional commercial opportunities within an identified gateway area;
 - Utilizing existing infrastructure and services provided on Elgin Street West;
 - Promotes active transportation and transit ridership by locating additional commercial opportunities in proximity to existing transportation routes;
 - Introducing a design that will not compromise the safety and security of the area; and,
 - Promoting a compact built form and uses that will achieve compatibility with the surrounding context.

Policy 2.7, states that the Town's approach to community and site design is based on the following:

- ii. *The interconnected street network will foster compact, walkable neighbourhoods. Compact development will be encouraged in the design of vacant or underutilized parcels of land. A mixture of uses and appropriately scaled building forms will contribute to an active streetscape and increased densities in the community.*
- iii. *Active transportation will promote the priority of pedestrian, cyclists and transit over vehicles through the design of streets and their boulevards.*
- iv. *The Town will actively encourage development which is designed based on the principles of sustainability to reduce the consumption of energy, land and other non-renewable resources; minimize the waste of materials, water and other limited resources; create a liveable, healthy and productive environment; and reduce greenhouse gas emissions.*

Evaluation: The proposal will have a compact built-form that will contribute to an attractive, walkable streetscape through aesthetic architectural design and landscaping. Further, the proposal seeks to develop underutilized parking spaces that will efficiently utilize existing services and provide additional commercial opportunities. The proposed location of the infill development abutting Elgin Street West to the north will encourage the use of public transportation and active modes of transportation as the proposal will connect to existing municipal sidewalks with connections to existing bus routes, thus contributing to a reduction of greenhouse gas emissions.

Policy 3.7.5 states *evaluating applications for new anchor uses outside the Main Central Area which require an Official Plan and/or zoning by-law amendment, or the relocation of such existing anchor uses which are in the Main Central Area to lands outside the Main Central Area, or the establishment of a second anchor store outside the Main Central Area, shall retain their own specialist market, design and other required consultants at the expense of the applicant. In particular, the Town will satisfy itself that every effort has been made to establish or maintain the use in the Main Central Area, including the use of a non-standard building or building design, and/or the establishment of a satellite operation in the Main Central Area, recognizing the potential benefits to the community of intensification and infill, as well as the benefits to be derived from locating new anchor uses in the Main Central Area or retaining existing anchor uses in the Main Central Area, all of which contribute to the long term economic prosperity of the community by maintaining and enhancing the vitality and viability of the Main Central Area in conformity with Provincial policy.*

Evaluation: As per the Market Study prepared by urbanMetrics inc. no impact will be created by the proposed development on the viability of established commercial areas within the community, and particularly the Main Central Area. The commercial uses proposed will support local businesses and enhance the range of retail uses and services available to local employees and employers located in the vicinity of Northumberland Mall.

Policy 3.8.1 states that *the purpose of the Shopping Node Area designation is intended to apply to existing shopping areas which are anchored by one or more centres with a minimum gross floor area of 4,645 square metres (50,000 sq. ft.) and are comprised of shopping centres or other facilities which have been planned, developed and managed as a unit.*

Evaluation: The Subject Lands and Proposed Development Area will maintain compatibility by ensuring consistency through similar materials and design with the existing Northumberland Mall, to read as one site. The Subject Lands are owned by one entity and will continue to be managed as one unit.

Policy 3.8.2 states that the following are the permitted uses within the Shopping Node Area designation:

- i. commercial including department stores and supermarkets;
- ii. office;
- iii. institutional;
- iv. parks and recreation;
- v. high density residential.

Evaluation: The proposed development will consist of commercial and institutional uses, and are therefore permitted uses

Policy 3.8.3.3 of the COP states that the intensification of existing Shopping Nodes will be encouraged, in particular the introduction of mixed use development and high density residential uses through the redevelopment of existing buildings and parking lots. New development shall conform with all the policies of this section:

- i. the new buildings should be designed and located to assist in the creation of an attractive streetscape appearance and, with no parking between the buildings and the street;
- iii. minimum height of two full storeys, however, the Town may consider a minimum height of 6 metres where limited development of parking lots is proposed where such development will not limit future intensification proposals, and maximum height six storeys;
- iv. a minimum floor space index of generally in the order of 0.3 and maximum floor space index of 2.0 provided that the Town may consider a reduction in the minimum density on specific sites for the initial phase of development where the approved development plan provides for the achievement of the minimum density; and,
- v. Council may by by-law reduce the parking requirements in the Zoning By-law for a mixed use development in accordance with a parking analysis as set out in Section 3.7.7 iv).

Evaluation: The proposal conforms to the intensification of Shopping Node Areas by:

- The built form and landscaping will contribute to an attractive built-form and streetscape by locating the proposed building adjacent to Elgin Street West, thereby animating the public realm
- The proposal consists of a one-storey non-residential multi-unit building that will be perceived as a two-storey building due to the increased ground floor height, thereby achieving the intent of this policy;
- The proposed infill development will increase the overall site density to 0.38 FSI, thereby meeting the minimum requirement of 0.3 FSI;
- The proposed amendment seeks to permit a parking reduction to permit 21 spaces for the Proposed Development site that maintains adequate parking rates as supported by the Parking Justification Report.

Furthermore, a detailed Market Study prepared by urbanMetrics inc. has been prepared in support of this application which provided detailed analysis of the proposed uses for the Subject Lands.

Policy 3.8.4.2.1 of the COP *outlines the permitted uses for lands on the South Side of Elgin Street West, West of William Street/Jubilee Gateway Park, North of Victoria Place Shopping Centre. These include all uses outlined in Section 3.8.2.*

Evaluation: The proposed uses conform to the permitted uses outlined in Section 3.8.2.

Policy 3.8.4.2.2 *outlines urban design guidelines specific for the development of the Subject Lands, in addition to the urban design guidelines in Section 5.*

Evaluation: The site-specific guidelines have been evaluated and justified in the Urban Design Brief completed by MHBC under separate cover.

Policy 4.8.2 states the town will 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.

Evaluation: The proposed development will provide a high standard of development through material considerations, landscape elements and a range of sustainable initiatives. The proposal represents an infill development on an existing underutilized parking lot fronting along a major arterial road that will contribute to the Town's vision for sustainable development and promoting better use of land resource and energy efficiency. A detailed analysis of the properties sustainability is provided in the Urban Design Brief prepared by MHBC Planning.

Policy 5.2.1 - 5.2.10 *outlines the urban design policies for the Town of Cobourg.*

Evaluation: The urban design policies for the proposed development will be evaluated and justified in the Urban Design Brief completed by MHBC Planning.

Policy 5.3 *outlines gateway areas, specifically development in these areas shall generally conform to the following:*

- a) buildings and structures shall incorporate architectural, landscaping or other features which emphasize the unique nature of the community;*
- b) buildings or structures are sited and massed toward the major intersection; and,*
- c) parking areas shall be at the rear or side of buildings.*

ii) *The Town shall incorporate features such as landscaping and signage in the road allowance to clearly identify gateway areas.*

Evaluation: The proposed infill development conforms to the above noted gateway policies by locating the proposed units towards the main intersection of Elgin Street West and the mall drive aisle, to promote an animated public realm. Proposed parking spaces will be located in the rear and side yards, thereby meeting the intent of this policy. Specific details related to the built form and site design have been address in the Urban Design Brief submitted in support of the proposed amendment.

Moreover, **Policy 6.6.1** outlines *policies for general parking requirements for all new development. These are as follows:*

- a) *adequate off-street vehicular parking and loading facilities be provided which are planned and engineered to allow access to all parking spaces;*
- b) *ingress and egress to parking and loading areas be limited in number and designed to acceptable standards for traffic safety; and,*
- c) *access points on arterial and collector roads be shared by adjoining land uses, where practicable, to minimize traffic hazards.*

Evaluation: Existing access points to the Subject Lands will be maintained from Elgin Street West to the north, while access to the Proposed Development Area will be facilitated through internal driveways. The proposed development as facilitated through the proposed Amendment will provide sufficient off-street parking and loading facilities. The proposed parking reduction will maintain adequate parking spaces, while promoting intensification. The proposed infill development will consist of one loading space on site that will be free and clear of encumbrances.

Policy 7.2.1.i) states that *new development and/or redevelopment shall only be permitted where the water supply and distribution system has adequate capacity to service such development and/or redevelopment.* Furthermore, **Policy 7.2.2.i)** states that *all new development shall be serviced by the municipal water supply and distribution system and the developer shall be responsible for the installation of such works subject to the approval of the Town, Lakefront Utilities Services Inc. and the Ministry of the Environment.* **Policy 7.3.1.i)** then states that *all new development and/or redevelopment shall only be permitted where the sewage collection and treatment facilities are adequate to service such development.* **Policy 7.3.2.i)** of the COP states that *all new development shall be serviced by the municipal sewage collection and treatment system and the developer shall be responsible for the installation of such works subject to the approval of the Town and the Ministry of the Environment. The recommendations of any relevant watershed plan shall also be taken into consideration.* **Policy 7.4.1.i)** then states that *no development or redevelopment shall be permitted if such development or redevelopment will have a detrimental effect on the storm water drainage system.* Finally, **Policy 7.5.1** states that *development will be managed to efficiently use land, resources, infrastructure, and public service facilities and to avoid any unnecessary and/or uneconomic expansion of infrastructure. In particular, infilling and intensification are encouraged where lands are designated for the proposed use and full municipal services are available in accordance with the Growth Management Strategy in Section 3.2 and other relevant policies of this Plan.*

Evaluation: The proposal satisfies the policies above by providing the following:

- As confirmed by the Functional Servicing Report, the proposed infill development will be adequately serviced. The proposed development will connect to municipal services.
- As confirmed by the Functional Servicing Report, the proposed development will utilize existing sewage collection and treatment system and will not create an impact on existing sewage treatment facilities.
- The proposed development will utilize existent infrastructure and servicing on underutilized lands.

Section 7.6 states that:

- All local power and telephone lines and other “cable ” services serving new developed areas shall be located underground and shall be grouped into a single utility conduit, wherever possible. The Town shall also encourage all “cable” service providers in existing developed areas to locate their services underground whenever physically and financially possible.*
- The Town will support the provision of electronic communications technology involving high capacity fibre optics to enhance telecommunications services within the Town. However, telecommunications transmission tower proposals shall be evaluated in conformity with the policies of Section 3.14 of this Plan.*
- Cable requirements for telecommunications shall be located underground consistent with the intent of Section 7.7 i).*

Evaluation: The proposal will connect to all existing services which are currently located underground. Approval of connections will be secured through Site Plan Approval.

Based on the above, it is concluded that the proposal as facilitated through the proposed Zoning By-law Amendment conforms to the relevant policies of the Town of Cobourg Official Plan.

APPENDIX **E**

THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER XXX-2019

A BY-LAW TO AMEND ZONING BY-LAW NUMBER 85-2003 (1111 ELGIN STREET WEST).

WHEREAS the Council of the Corporation of the Town of Cobourg held a Public Meeting in accordance with the Planning Act, R.S.O. 1990, c.P. 13, as amended, on the XXth day of XXXX, 2019 regarding an application by Trinity Development Group Inc. to re-zone portion of the 9.92 ha (24.52 ac) parcel of land 1111 Elgin Street West (hereinafter referred to as the "Subject Lands") to permit a 6 unit commercial development consisting of a restaurant, a financial institution and three retail units;

AND WHEREAS the Council of the Corporation of the Town of Cobourg duly considered all public submissions, the Manager of Planning Services' report and all other relevant information surrounding the subject matter, and deems it advisable to amend By-Law Number 85-2003, as amended;

NOW THEREFORE the Council of the Corporation of the Town of Cobourg enacts as follows:

1. THAT the lands subject to this By-law are outlined by heavy blacklines on Schedule 1 attached to this By-law;
2. THAT Zoning By-law 85-2003, as amended, is amended by deleting "Schedule B-7";
3. THAT Zoning By-law 85-2003, as amended, is further amended by modifying Section 13.2.1 (Shopping Centre Commercial Exception 1 (SC-1)), as follows:
 - (A) Notwithstanding Regulation 3.116 the Lot Frontage shall be Elgin Street West (County Road 2).
 - (B) Regulation 13.2.1.3 Permitted Building and Structures be deleted in its entirety and replaced with the following new regulation:

The buildings and structures existing at the date of adoptions of this By-law plus any expansion of the existing buildings within the "Building Area" (as shown on Schedule 1 to this By-law) shall be permitted for Permitted Uses in Section 13.1.1 and 13.1.2.

- (C) Regulation 13.2.1.4 (iii) Driveway Locations be deleted in its entirety and replaced with the following new regulation:

Only three driveway entrances/exits will be permitted from Elgin Street West (County Road 2) for property zoned (SC-1), (SC-2), and (SC-3).

- (D) Regulation 13.2.1.4 (iv) Parking Requirements be deleted in its entirety and replaced with the following new regulation:

Notwithstanding Parking Regulations of Section 6, for property zoned (SC-1), (SC-2) and (SC-3):

- (i) Each parking space shall have a minimum area of 14.85 sq. m (159.85 sq. ft.);
- (ii) A parking rate of 4.61 parking spaces per 100 sq. m for (SC-1), (SC-2) and (SC-3) zones.

- (E) Regulation 13.2.1.4 (ix) Free-Standing Building be deleted in its entirety and replaced with the following new regulation:

Two free-standing buildings are permitted in the parking lot area of property zoned (SC-1) and shall contain:

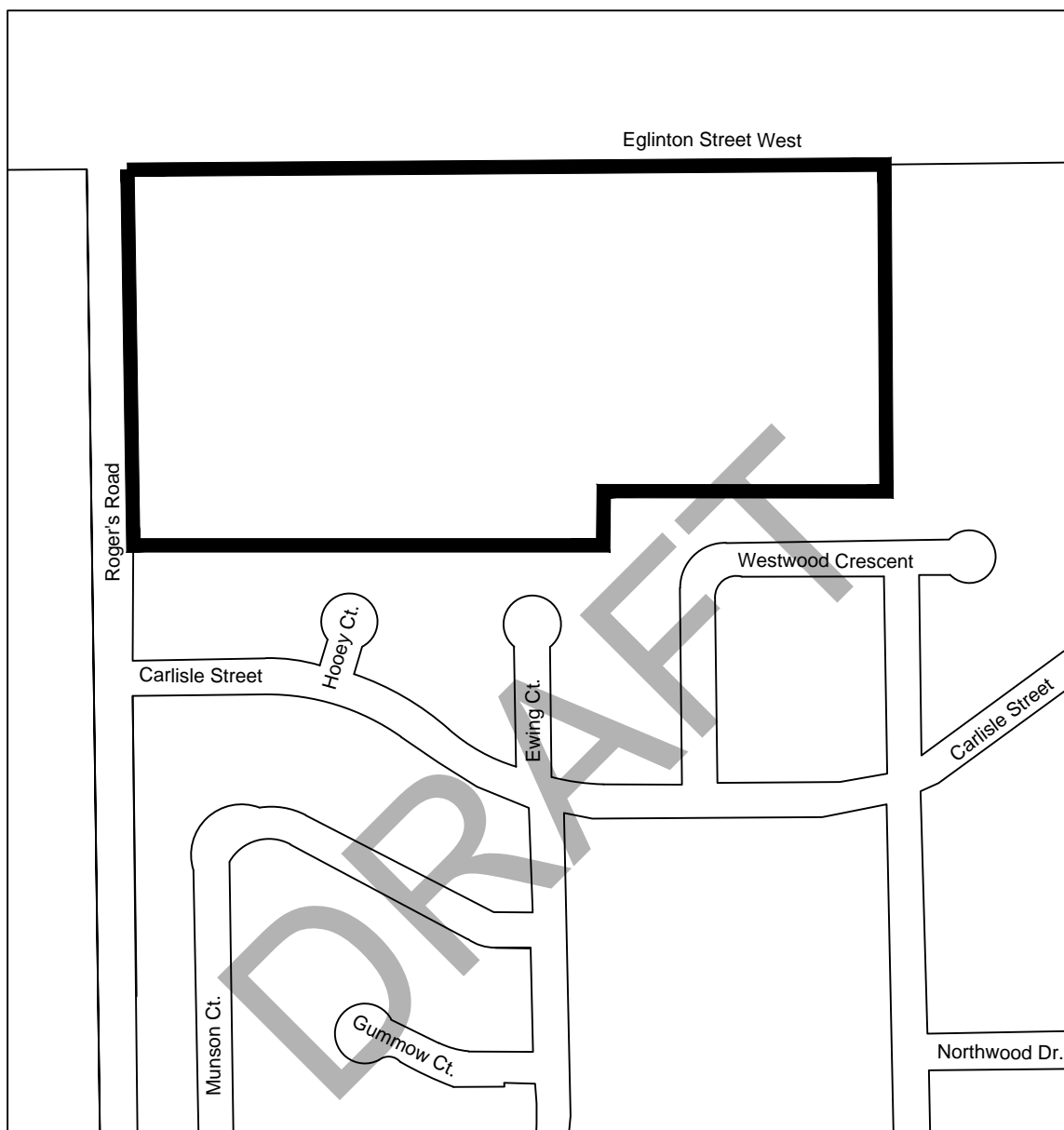
- (i) One single storey restaurant unit with a minimum unit area of 157 sq. m (1,700 sq. ft.) and a maximum unit area of 700 sq. m (7,500 sq. ft.) or one single storey retail unit with a minimum unit area of 157 sq. m (1,700 sq. ft.) and a maximum unit area of 930 sq. m (10,000 sq. ft.);
- (ii) One multi-unit building with a maximum gross floor area of 940 sq. m (10,100 sq. ft.), inclusive of one drive-through.

4. THAT this By-law shall take effect upon the date of final passing hereof, subject to the provisions of the Planning Act, R.S.O. 1990, c. P. 13, as amended.

By-law read and passed in Open Council this XXth day of XXXX, 2019.

MAYOR

MUNICIPAL CLERK



1111 ELGIN STREET WEST

SCHEDULE 1

For By-Law 85-2003



File#



Not to Scale
07/04/2019



MHBC
P L A N N I N G
U R B A N D E S I G N
& L A N D S C A P E
A R C H I T E C T U R E