

**STAFF**

**REPORT**

**The Corporation of the Town of Cobourg**

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| **Report to:** | Mayor and Council Members | **Priority:** | [ ]  High [x]  Low |
| **Submitted by:** | Kaveen FernandoPlanner I – Development Planning and Development Services Department kfernando@cobourg.ca  | **Meeting Type:**Open Session [x]  Closed Session [ ]   |
| **Meeting Date:** | **February 14, 2022** |
| **Report No.:** | Z-02-22 |
| [Submit comments to Council](https://www.cobourg.ca/en/index.aspx) |

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| **Subject/Title:**  | **Application for Zoning By-law Amendment, Tribute (Cobourg) Limited - Cobourg Trails Subdivision – Phases 2 to 7** |

**RECOMMENDATION:**

THAT Council receive the Staff report for information;

THAT the application be deemed complete; and,

FURTHER THAT the application be referred to the Planning and Development Services Department to process and review the application and to fulfill the notice requirements of the *Planning Act* and the Municipality for the purposes of holding a Public Meeting.

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| 1. **STRATEGIC PLAN**
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N/A

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| 1. **PUBLIC ENGAGEMENT**
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The *Planning Act* prescribes statutory public notice requirements for complete applications and for the scheduling of public meetings.

The notice of statutory public meeting can be provided together with notice of the complete application, or separately. The Municipality is required to give notice by either:

1. Publication in a newspaper that is of sufficient circulation in the area which the application applies; or
2. Personal or ordinary service mail to every landowner with 120 metres of the subject lands, and by posting a notice, clearly visible from a public highway or other place the public has access on the subject land, or a location chosen by the Municipality.

Under the Town of Cobourg’s new public notification procedures, notification will be provided via both a) and b) above, including the posting of a sign. Additionally, the application material will be posted on the Municipal website under the Planning Applications page (Planning and Development).

The Municipality’s notification procedures for complete application and public meeting meet and exceed the requirement prescribed by the *Planning Act*.

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| 1. **PURPOSE**
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The purpose of this report is to advise the Council and the public of the receipt of a complete application for Zoning By-law Amendment and to refer the application to the Planning and Development Services Department. Staff will process and review the application which includes the scheduling of a Public Meeting while fulfilling notification requirements under the *Planning Act* and municipal procedures.

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| 1. **ORIGIN AND LEGISLATION**
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On February 1, 2022, the Planning and Development Services Department received an application for Zoning By-law amendment from Tribute (Cobourg) Limited and Planning Partnership Limited to amend the Comprehensive Zoning By-law No. 085-2003, as amended, to permit changes to certain zoning provisions for Phases 2 to 7, inclusive. Pursuant to the provisions of the *Planning Act*, if the Municipality fails to approve the complete application within 90 days after its receipt by Council, the Owner may appeal the application to the Ontario Land Tribunal (OLT).

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| 1. **BACKGROUND**
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The Cobourg Trails Subdivision encompasses approximately 107 hectares at Elgin Street East and Brook Road North. The overall development consists of seven phases with a mix of single detached, semi-detached, townhouses, institutional and commercial land uses. Refer to attached **Schedule A** “Context Map” and **Schedule B** “Phasing Concept Plan”.

Phase 1 is draft approved and Tribute is proceeding through the final subdivision approval process, including obtaining approval of the detailed engineering drawings and entering into a subdivision agreement.

The subject property is designated “Living Area” and “Open Space” in the Cobourg East Secondary Plan and predominantly zoned Cobourg East Low Density Residential Holding (CER1(H)) Zone, Cobourg East Medium Density Residential Holding (CER2(H)) Zone and Cobourg High Density Residential Holding (CER3(H)) by By-law No. 083-2010, as amended. The submitted Zoning By-law Amendment application is to amend regulations that are applicable to Low and Medium Density dwelling typologies such as Single Detached, Semi-Detached and Townhouse lots.

The subject application would have the effect of revising the zone regulations that are applicable to Cobourg Trails Subdivision and to establish the following revised regulations:

* Maximum Front yard setback of 7.5 metres measured to either the Main wall or Garage;
* Maximum exterior side yard setback of 7.5 metres for corner side yards;
* Minimum soft landscaping of 30% of the front yard for interior townhouses;
* Minimum driveway setback of 7.0 metres from an intersection;
* Minimum setback of 3.0 metre between exterior walls of two groups of townhouses regardless of the number of storeys;
* Minimum setback of 0.0 metres along the full extent of any interior lot line between two townhouses.

In 2021, the first phase of the Subdivision was the subject of a Minor Variance application for the abovementioned provisions and was conditionally approved. The proposed rezoning is to accommodate different design typologies on lots for Phases 2 to 7 of the Cobourg Trails subdivision. Amending the above provisions would streamline the approvals process for all phases and eliminate the requirement for Minor Variance applications at each step of the development.

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

* Planning Justification Report prepared by Planning Partnership
* Sustainability Report prepared by Planning Partnership
* Visual demonstrations for specific relief & provisions.

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| 1. **ANALYSIS**
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This report provides background on the application and a full analysis will be provided in a subsequent report.

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| 1. **FINANCIAL IMPLICATIONS/BUDGET IMPACTS**
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As this is a development application under the *Planning Act,* there are no financial or budget impacts to report on at this time. The Owner has submitted the requisite $7,500.00 fee and deposit.

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| 1. **CONCLUSION**
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Staff recommend that the Zoning By-law Amendment application be deemed complete and that the application be referred to Staff for processing and review including the scheduling of a Public Meeting.