



THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 061-2019

A BY-LAW TO ADOPT AMENDMENT NO. 78 TO THE OFFICIAL PLAN OF THE COBOURG PLANNING AREA (EAST VILLAGE PHASE 5 – JMCD HOLDINGS INC.)

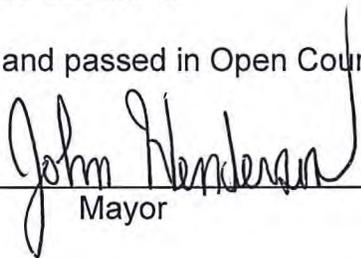
WHEREAS the Council of the Corporation of the Town of Cobourg held a Public Meeting in accordance with the Planning Act, R.S.O. 1990, c.P. 13, as amended, on the 24th day of June, 2019 regarding an application by RFA Planning Consultant Inc. on behalf of JMCD Holdings Inc. to re-designate a 1.417 ha parcel of land at the north-west corner of King Street East and Willmott Street (hereinafter referred to as the "Subject Lands") from "*Residential Area*" to "*High Density Residential Area – Special Provision*" to permit a 5-storey, 102 unit residential apartment complex;

AND WHEREAS the Council of the Corporation of the Town of Cobourg duly considered all public submissions, the Director of Planning & Development's reports and all other relevant background information surrounding the subject matter, and deems it advisable to amend the Town of Cobourg Official Plan, subject to a detailed land use policy framework designed to address streetscape design, building design, height and massing, and pedestrian and vehicular connections;

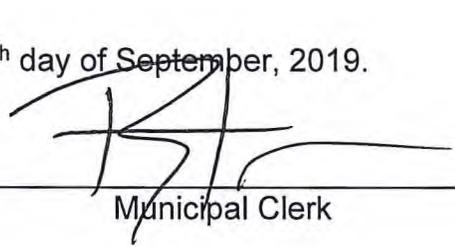
NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg, in accordance with the provisions of Sections 17 and 22 of the Planning Act, R.S.O. 1990 as amended, hereby enacts as follows:

1. AMENDMENT NO. 78 to the Official Plan of the Town of Cobourg as affixed hereto as Appendix "I" is hereby adopted;
2. THIS By-law will come into force and take effect upon final approval in accordance with the requirements of the Planning Act, R.S.O. 1990, c.P. 13, as amended.

READ and passed in Open Council on this 9th day of September, 2019.



Mayor



Municipal Clerk

Certified that this is a true copy of By-law 061-2019 as enacted and passed by the Council of the Corporation of the Town of Cobourg on this 9th day of September, 2019.

Municipal Clerk

By-law 061-2019

Appendix "I"

AMENDMENT NO. 78 TO THE OFFICIAL PLAN OF THE TOWN OF COBOURG

**Subject: Amendment to the Cobourg Official Plan
East Village Phase 5 – JMCD Holdings Inc.**

**The following text and schedules constitute
Amendment No. 78 to the Official Plan
of the Town of Cobourg**

**August 2019
Revised September 2019**

**AMENDMENT NO. 78
TO THE OFFICIAL PLAN OF
THE CORPORATION OF THE TOWN OF COBOURG**

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THE STATEMENT OF COMPONENTS

PART I – THE PREAMBLE does not constitute part of the Amendment.

PART II – THE AMENDMENT consisting of the attached schedules and text constitutes Amendment No. 78 to the Official Plan of the Town of Cobourg.

PART III – THE APPENDICES do not constitute part of this Amendment. The appendices contain supporting information and background reports which form part of the basis for the Amendment.

PART I – THE PREAMBLE

PART I – THE PREAMBLE

1. PURPOSE

The purpose of this Amendment is to re-designate a 1.417 ha (3.5 ac) block of land located in the south-east corner of the 11.8 ha (29 ac) site known as East Village Phase 5, owned by JMCD Holdings Inc. (the “Site”) from “Residential Area” to “High Density Residential Area – Special Provision” to permit a 102 unit, 5-storey apartment complex on the Site.

2. LOCATION

The Site is located at the north-west corner of King Street East and Willmott Street, and is comprised of 1.417 ha (3.5 ac) of land within a proposed draft plan of subdivision, denoted as Block 61 on the plan.

3. BASIS

The Site is wholly located within the built boundary of the urban settlement area of Cobourg and is subject to the policies of the Cobourg Official Plan.

In support of the development proposal, updated technical studies were prepared, including:

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

Based on an evaluation of the application and supporting background information relative to the applicable policy and regulatory framework, it was concluded that the amendment to the Official Plan for Block 61 of the East Village Phase 5

development is appropriate, desirable and represents good planning for the following reasons:

- i) The proposal will satisfy the key directives of the *Planning Act*, Provincial Policy Statement, A Place To Grow Growth Plan, County of Northumberland Growth Management Strategy, the County Official Plan and the Cobourg Official Plan, most notably 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 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, reduce greenhouse gas emissions and contribute to building a healthy, complete community;
- iii) The amendment contains an appropriate policy framework for the high density residential block to ensure that the development form creates a high quality streetscape and protects the character and image of the town's eastern gateway and the surrounding neighbourhoods in conformity with the community design objectives of the Official Plan;
- iv) The amendment to increase the permitted building height from 4-storeys to 5-storeys is modest and an appropriate policy approach has been formulated to ensure that impacts associated with building height and massing can be mitigated through the use of creative architectural design measures (step-backs, building articulation, building material variation, etc.), landscaping and setback buffers in conjunction with the implementing Zoning By-law and requirements of Site Plan Approval.

This amendment has been prepared in accordance with these conclusions.

PART II – THE AMENDMENT

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1. Introduction

All of this part of the document entitled Part II – The Amendment consisting of the following text and attached schedule designated Schedule “1”, constitutes Amendment No. 78 to the Official Plan of the Town of Cobourg.

2. Details of the Amendment

The Official Plan of the Town of Cobourg is hereby amended as follows:

- 2.1 By amending Schedule “A”, Land Use Plan, as shown on Schedule “1” to this amendment.
- 2.2 By modifying Section 3.5.4 by adding a new subsection 3.5.4.4 at the end of the section as follows:

“3.5.4.4 Lands at the North-West Corner of King Street East and Willmott Street

3.5.4.4.1 Permitted Uses, Buildings and Structures

The uses, buildings and structures permitted in 3.5.2, plus supportive housing including senior’s housing.

3.5.4.4.2 Land Use Policies

The development of these lands shall be carried out in accordance with the policies and provisions of the Official Plan, particularly Section 3.5 High Density Residential Area and Section 5.0 Community Design and Improvement, the Cobourg Urban & Landscape Design Guidelines, and the Site Plan Control provisions of the Planning Act. In addition, the development shall conform to the following urban design guidelines:

i) Streetscape Design

- a) Building mass shall be situated parallel and adjacent to the streetline(s) to frame the street

space, provide a sense of enclosure to the road, screen parking areas and emphasize its visibility and role as a prominent landmark at this 'gateway' intersection.

- b) In order to provide a positive interface between the public and private realm, assist in creating an attractive street 'edge', and soften impacts associated with building height and mass, a generous landscaped buffer shall be provided along the streetline(s), excluding the area of driveway crossings.

Without limiting the generality of the foregoing, the site and building design shall incorporate decorative landscaping and/or architectural elements, including but not limited to:

- low masonry walls, metal fencing and/or other decorative treatments;
 - rockery, elevated rock gardens and/or other edge treatments;
 - private and semi-private outdoor activity areas (ie. patios, forecourts, courtyards, squares, sensory gardens, seating areas);
 - strategic clustering and placement of trees and other forms of planting;
 - extensive plant material; and,
 - other identifiable features deemed appropriate by the Town.
- c) Parking areas shall be designed to reduce their impact on the streets and other public spaces. No parking will be permitted between the building(s) and the streets.
- d) Service and storage areas shall be sited away from prominent views from public streets so as to minimize visual impacts. Innovative methods of design and decorative screening treatment will be used for all service and open storage areas.

ii) Building Design

- a) The subject lands shall exhibit a high quality of urban and architectural design. In particular, emphasis should be given to creating attractive design features and animating the facades of all buildings which face and/or are visible from the public street to generate an appealing visual image and mitigate impacts with respect to building height and mass.

Accordingly, the following critical building design elements shall be considered:

- the use of step-backs and other architectural expression/design features above the third floor to reduce the perceived height and massing of the building from the public realm;
- the use of innovative architecture and facade treatments to provide variable but consistent rhythm in both the horizontal and vertical wall planes (ie. articulation, recesses and projections, bays, ornaments, vestibules, rooflines, parapets, porticos, canopies, awnings, balconies, railings);
- high quality, complementary building materials, textures and colours used in variation to provide a clear distinction between the building base, middle and/or top;
- the use of generous clear glass window areas along the applicable street exposure(s) to create strong visual connections between the private dwellings and the public realm;
- sloped roofs, if utilized, which appropriately reflect the scale, design and character of the site and building and are compatible with the surrounding neighbourhood context;
- the location of doors and walkways in relation to the street; and,

- appropriate screening of rooftop mechanical equipment, elevators, and stacks;
- b) The site and building(s) should be designed to ensure that it is easy for visitors to orient themselves by incorporating features which terminate vistas, frame views and clearly identify entrance and exit areas.

iii) Pedestrian and Vehicular Connections

- a) The site and building design shall maximize opportunities for equal access for all persons to buildings and/or facilities. Development shall conform wherever possible to the Town's Safe Community Design and Barrier Free Access design policies of Section 5.2 of the Official Plan, Accessibility Guidelines and other applicable design standards during the Town's Site Plan Control process.
- b) Direct, clearly defined pedestrian and vehicular connections, which form an extension of the public transportation system, shall be required throughout the site, particularly to the primary building entrance(s) and outdoor amenity areas/facilities.
- c) Pedestrian routes shall be functionally separated from parking and driveway areas and should be comprised of a variety of pavement materials, textures, colour, landscaping and changes in elevation. 'Street furniture' such as benches, bicycle racks, waste receptacles, and pedestrian-scale lighting should be provided along the main pedestrian route(s), where appropriate.

iv) Building Height

The maximum building height shall be 5 storeys, provided that buildings greater than 3-storeys in height shall incorporate a minimum step-back of 3.0 m for any portion of the building above the 3rd storey, measured from a vertical line at the outer wall of the building 'base' to the closest part of any building above the 3rd storey.

v) Density

The maximum density shall be 102 dwelling units.

vi) Implementation

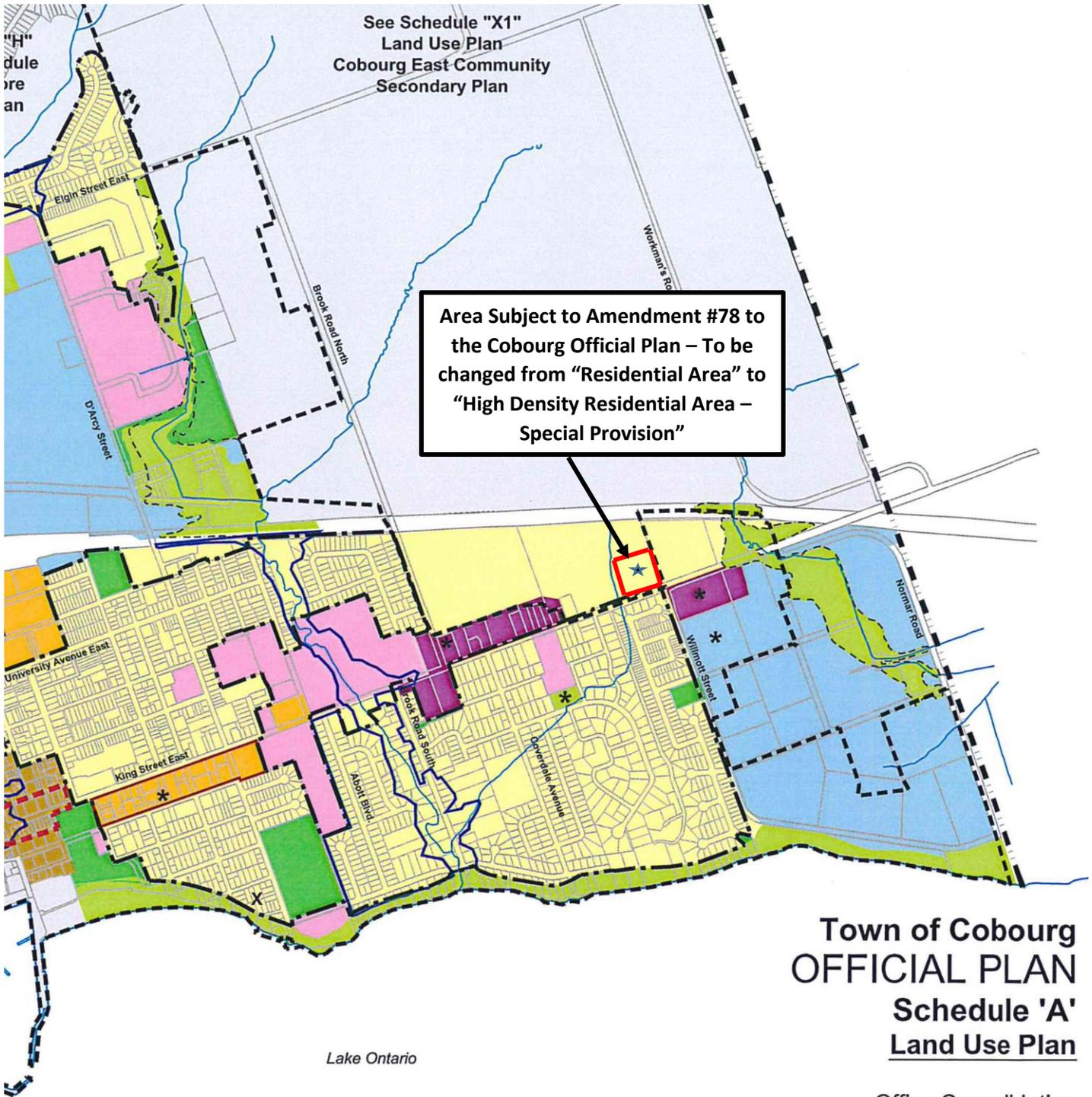
The policies of this Plan shall be implemented by the Municipality through the use of zoning by-law regulations, site plan control conditions, a holding zone, and/or an agreement(s) authorized pursuant to the *Planning Act*.

3. Implementation and Interpretation

The implementation and interpretation of this amendment shall be in accordance with the respective policies of the Official Plan of the Town of Cobourg.

Schedule "1"

See Schedule "X1"
Land Use Plan
Cobourg East Community
Secondary Plan



Town of Cobourg OFFICIAL PLAN Schedule 'A' Land Use Plan

Office Consolidation
May 2018

PART III – THE APPENDICES

The municipal staff Planning Report, dated June 13, 2019, the follow-up municipal staff Report, dated August 1, 2019, and the following reports and other supporting documentation associated with Application File OPA-01-19 and the proposed Amendment are held in the offices of the Planning Department, Victoria Hall, 55 King Street West, Cobourg, Ontario, K9A 2M2 during regular office hours.

- Planning Report, prepared by RFA Planning Consultant Inc., December 2018;
- Functional Servicing Report, prepared by Engage Engineering, November 2018;
- Storm Water Management Report, prepared by Engage Engineering, December 2018;
- Downstream Trunk Storm Sewer Capacity Assessment, prepared by Engage Engineering, November 2018;
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