



Regular Council

Date: Monday July 27, 2020

Time: 4:00 P.M. – Summer Session

Location: Electronic Participation by Council
Zoom Meeting Conference – YouTube Live Stream
<https://www.youtube.com/channel/UCh-rsT-cCjLrMPGdOobYzHQ>.

AGENDA

Cobourg...a vibrant inclusive community where everyone has access to meaningful opportunities and experiences.

The Town of Cobourg is committed to open and accountable governance and the provision of quality, accessible programs and services in a sustainable manner

Inquiries & Accommodations

For inquiries about this agenda, or to make arrangements for accessibility accommodations for persons attending, please contact the Legislative Services Office, at 905-372-4301, or by email at clerk@cobourg.ca.

Alternate Format

The Town of Cobourg is committed to providing services as set out in the Accessibility for Ontarians with Disabilities Act, 2005. If you have accessibility needs and require alternate formats of this document please contact the Legislative Services Department by telephone 905-372-4301 or by e-mail at clerk@cobourg.ca or in person at Victoria Hall, First Floor.

Live Streaming Video

Live streaming video of Municipal Council meetings is available on the town's YouTube channel at which can be accessed on the Town of Cobourg Municipal website www.cobourg.ca.

Public Participation

Members of the public are encouraged to provide Council with their comments and questions. Delegations must be pre-arranged with the Municipal Clerk before the agenda is released on the prescribed [Delegation Request Form](#) no later than 1:00 P.M. on the Friday preceding the Council or Committee Meeting. Additionally, Members of the Public who wish to address Council to make informal inquiries or to comment on matters of municipal business may address Council during the Open Forum at the end of each Committee of the Whole Meeting.

All personal information related to Municipal Council Business is collected under the Municipal Act, 2001. Any personal information you choose to disclose in your correspondence will be used to receive your views on the relevant issue(s) to enable the Town to make its decision on the matter. This information will become part of the public record. Copies of Agendas, Minutes, Reports, By-laws and Resolutions are available at: cobourg.civicweb.net.

NOTE TO THE PUBLIC:

Do to the COVID-19 Pandemic, Council Meetings will be conducted through Zoom Conference Applications. If you wish to register as a Delegation, please notify the Municipal Clerk by completing a Delegation of Request Form and once registered, further instructions will be provided. (By-law No.009-2019).

	THE CORPORATION OF THE TOWN OF COBOURG
	REGULAR COUNCIL AGENDA
	<p>Monday July 27, 2020 at 4:00 PM</p> <p>Electronic Participation – Zoom Video Conference</p>

A Regular Council Meeting of the Cobourg Municipal Council will be held on Monday July 27, 2020 at 4:00 PM through Electronic Participation, Zoom Video Conference Application.

I CALL TO ORDER

The Mayor will provide an opening statement and advise the meeting is being lived streamed and audio/video recorded and shall form part of the record which will be retained according to the Town of Cobourg Retention By-law. For more information about the collection, please contact the Municipal Clerk's Office.

II MOMENT OF REFLECTION

III ADDITIONS TO THE AGENDA

IV DISCLOSURE OF PECUNIARY (FINANCIAL) INTEREST

V ADOPTION OF MINUTES OF THE PREVIOUS MEETING

1. Adoption of the June 29, 2020 Regular Council Meeting Minutes. 9 - 23

Action Recommended: THAT Council adopt the minutes of the Regular Council Meeting held on June 29, 2020.

VI PRESENTATIONS

VII DELEGATIONS

VIII DELEGATION ACTIONS

IX REPORTS

General Government Services

1. Committee of the Whole meeting notes held on Monday July 20, 2020. 24 - 31

Action Recommended: THAT Council receive the notes of the Committee of the Whole meeting held on July 20, 2020 for information purposes.

Planning and Development Services

1. Memo from the Director of Planning and Development, regarding 32 - 45 Rehabilitation/Treatment Centres and Emergency Care Establishments in the Town of Cobourg.

Action Recommended: THAT Council receive the Report from the Director of Planning and Development for information purposes; and,

FURTHER THAT Council approve Option 1 to refer the matter of rehabilitation/treatment centres and emergency care establishments to the Comprehensive Zoning By-law Update process now underway to add this issue as a special study component; and,

FURTHER THAT Meridian Planning Consultants Inc. be approved as a sole-source consultant to undertake the planning review of rehabilitation/treatment centres and emergency care establishments as a special study as part of the Comprehensive Zoning By-law process for an estimated cost of \$30,000.00 which will form a pre-commitment to the 2021 municipal budget.

-OR

FURTHER THAT Council approve Option 2 to direct that a planning review or study be undertaken of rehabilitation/treatment centres and emergency care establishments as specified in the Director's Report; and,

FURTHER THAT the draft Interim Control By-law attached as Schedule "A" to the Director's Report be endorsed and presented to Council for adoption; and,

FURTHER THAT Meridian Planning Consultants Inc. be approved as a sole-source consultant to undertake the planning review of rehabilitation/treatment centres and emergency care establishments as a special study in accordance with Interim Control Bylaw for an estimated cost of \$40,000.00 which will form a pre-commitment to the 2021 municipal budget.

2. Notices of Hearings of the Committee of Adjustment: 46 -
113
 1. File No.: A-02/20 171 Bagot Street, Cobourg
B-03/20 (Jim and Catherine Henderson)
 2. File No.: A-03/20 467 Sandra Crescent, Cobourg
(John and Vicki Vanderwel)
 3. File No.: A-04/20 428-432 King Street East, Cobourg
(Nitin Malhotra of NArchitecture on behalf of
King & Brook Inc. and King & Brook East Inc.)

Including the Planning Staff Reports

Action Recommended: THAT Council receive the Notice of Hearings of the Committee of Adjustment and endorse the comments of the Cobourg Planning Staff.

X MOTIONS

General Government Services

1. Motion from the Committee of the Whole regarding, eSCRIBE Software Ltd. to provide Electronic Meeting Agenda Management Software for the Town of Cobourg. 114

Planning and Development Services

1. Motion from the Committee of the Whole, regarding approval of Heritage Permit HP-2020-014, 200 King Street West, Cobourg, (St. Andrew's Presbyterian Church). 115
2. Motion from the Committee of the Whole, regarding approval of Heritage Permit HP-2020-015, 2 King Street West & 239-243 Division Street, Cobourg. (Reidrev Management Inc.). 116
3. Motion from the Committee of the Whole, regarding adding an additional name to the Municipal Naming Policy Street Naming Inventory. (Jack Waghorn). 117

Public Works Services

1. Motion from the Committee of the Whole, regarding masks and face coverings being strongly recommended on Town of Cobourg Transit. 118

Parks and Recreation Services

1. Motion from the Committee of the Whole regarding, a legal opinion on the Town's ability, to regulate on-water activities in the Cobourg Harbour. 119
2. Motion from the Committee of the Whole regarding, the implementation of select recommendations from the 2019 Aquatic Safety Audit. 120
3. Motion from the Committee of the Whole regarding, striking a joint working group to create a consolidated safety procedure and emergency manual. 121

Arts, Culture and Tourism Services

1. Motion, Proclamation of Monday, August 3, 2020 as James Cockburn Day in the Town of Cobourg. 122

XI BYLAWS

General Government Services

1. By-law No.044-2020, being a by-law to Levy a Special Charge in respect of the Cobourg Downtown Business Improvement Area (DBIA) and to provide for its Collection. 123

Action Recommended: THAT Council adopt By-law 044-2020, being a by-law to Levy a Special Charge in respect of the Cobourg Downtown Business Improvement Area (DBIA) and to provide for its collection.

2. By-law No.045-2020, being a by-law to Levy an amount upon Institutions in the Town of Cobourg. 124 -
125

Action Recommended: THAT Council adopt By-law 045-2020, being a by-law to Levy an amount upon Institutions in the Town of Cobourg.

3. By-law No.046-2020, being a by-law to enter into an Agreement with eSCRIBE Software Ltd. to provide Electronic Meeting Agenda Management Software for the Town of Cobourg. 126

Action Recommended: THAT Council adopt By-law 046-2020, being a by-law to authorize the Mayor and Municipal Clerk to enter into a three (3) year agreement with eSCRIBE Software Ltd. to provide Electronic Meeting Agenda Management Software to the Town of Cobourg.

Planning and Development Services

1. By-law No.047-2020, being an Interim Control By-law affecting all lands within the Town of Cobourg. 127 -
128

Action Recommended: THAT Council adopt By-law 047-2020, being a by-law to pass an Interim Control By-law affecting all lands within the Town of Cobourg pursuant to Section 38 of the Planning Act, R.S.O. 1990.

General Government Services

1. THAT the following bylaw(s) be passed:
 1. Bylaw 044-2020 being a by-law to Levy a Special Charge in respect of the Cobourg Downtown Business Improvement Area (DBIA) and to provide for its Collection;
 2. Bylaw 045-2020 being a by-law to Levy an amount upon Institutions in the Town of Cobourg; and
 3. Bylaw 046-2020 being a by-law to enter into an Agreement with eSCRIBE Software Ltd. to provide Electronic Meeting Agenda Management Software for the Town of Cobourg.

Action Recommended: THAT leave be granted to introduce bylaws 044-2020 to 046-2020 and to dispense with the reading of the bylaws by the Municipal Clerk and that the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

Planning and Development Services

1. THAT the following bylaw(s) be passed:

1. Bylaw 047-2020 being a by-law to pass an Interim Control By-law affecting all lands within the Town of Cobourg.

Action Recommended: THAT leave be granted to introduce bylaw 047-2020 and to dispense with the reading of the bylaw by the Municipal Clerk and that the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

XII PETITIONS

XIII COMMITTEE/BOARD MINUTES (INFORMATION PURPOSES ONLY)

XIV CORRESPONDENCE

XV NOTICE OF MOTION

1. Notice of Motion, Councillor Nicole Beatty, Coordinator of Planning and Development Services, regarding Brookside Youth Centre in the Town of Cobourg. 129 - 130

Action Recommended: THAT Council refer the Notice of Motion to the August 24, 2020 Committee of the Whole meeting for consideration.

XVI COUNCIL/COORDINATOR ANNOUNCEMENTS

1. Members of Council present verbal reports on matters within their respective areas of responsibility:
 - Mayor John Henderson
 - Deputy Mayor Séguin, General Government Services Coordinator
 - Councillor Beatty, Planning and Development Services Coordinator
 - Councillor Darling, Public Works Services Coordinator
 - Councillor Chorley, Parks and Recreation Services Coordinator
 - Councillor Burchat, Protection Services Coordinator
 - Councillor Bureau, Arts, Culture and Tourism Services Coordinator

XVII UNFINISHED BUSINESS

The items listed in the order of the topics set out in the agenda of prior meetings which have not been disposed of by Council and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until disposed of by Council, unless removed from the agenda by leave of Council - Council Procedural By-law No. 009-2019.

1. **Municipal Council Unfinished/Outstanding Business Tracking Table**

Unfinished Business Item	Meeting Date	Department/Division	Deadline Date
Private Transportation Regulating By-law	01-27-20	Legislative Services	Regular Council Meeting
Terms of Reference regarding a social planning and/or Community Development Advisory Committee, regarding affordable housing. (Originally due November 25, 2019)	01-28-19	Legislative Department	September 14, 2020
Information requested regarding Emergency Shelters Downtown Cobourg (County of Northumberland and CPSB).	02-12-19	Multiple Departments/ Organizations	September 14, 2020
Traditional Land Acknowledgment Statement to be read at Council Meeting	05-13-19	Legislative Department	September 14, 2020
Staff Report in response to the Lifesaving Society's Aquatic Safety Audit Report for the Town of Cobourg Harbour, with input from the PRAC and all user groups.	05-11-20	Community Services	N/A
Report and Accessible Transit Service Policy	01-27-20	Legislative Services/ Public Works	September 14, 2020
Staff Report on Innisfil Ridesharing Transit Model	01-27-20	Legislative Services/ Public Works	September 14, 2020
Revisions to the Long Service Recognition Policy from General Government Services.	09-23-19	Human Resources	N/A
Report on Animal Control Enforcement Operational Model. (JACMSB Withdrawal)	01-27-20	Legislative Services	2020-2022
Report regarding parking meters, violations and fines - on the feasibility of the suggestions provided in the delegation.	02-03-20	By-law Enforcement	N/A
Motion – Flood Reduction and Mitigation Strategy	04-27-20	Emergency Management	September 14, 2020
Diversity, Equity and Inclusion Policy	06-29-20	Legislative Services	August 24, 2020 December 7, 2020

XVIII CLOSED SESSION

XIX CLOSED SESSION ACTION ITEM

XX CONFIRMATORY BY-LAW

1. Bylaw 048-2020, being a bylaw to confirm the proceedings of the Council Meeting of July 27, 2020. 131 -
132

Action Recommended: THAT leave be granted to introduce Bylaw 048-2020 and to dispense with the reading of the bylaw by the Municipal Clerk to confirm the proceedings of the Council of the Town of Cobourg at its Regular meeting held on July 27, 2020 and the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

XXI ADJOURNMENT

	THE CORPORATION OF THE TOWN OF COBOURG
	REGULAR COUNCIL MEETING MINUTES
	Monday, June 29, 2020 Electronic Participation – Zoom Video Conferencing

A Regular meeting of the Cobourg Municipal Council was held this evening at 5:00 P.M. through Electronic Participation through Zoom Video Conferencing, Cobourg with the following persons in attendance:

Members present: Mayor John Henderson
Deputy Mayor Suzanne Seguin
Councillor Nicole Beatty
Councillor Aaron Burchat
Councillor Adam Bureau
Councillor Emily Chorley
Councillor Brian Darling

Staff present: Ian Davey, Treasurer/Interim Chief Administrative Officer
Glenn McGlashon, Director of Planning and Development
Dean Hustwick, Director of Community Services
Laurie Wills, Director of Public Works
Brent Larmer, Municipal Clerk/Manager of Legislative Services

CALL TO ORDER

Mayor Henderson called the Meeting to Order at 5:00 P.M.

CLOSED SESSION

Closed Session Item

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Aaron Burchat

THAT Council meet in Closed Session in accordance at 5:00 P.M. prior to the Regular Council Meeting pursuant to Section 239 (2) (f) of the *Municipal Act, 2001*, regarding:

- s. 239(2)(f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose**

1. Legal Opinion, Municipal Property.

258-20

Carried

Municipal Council begin the Open Session at 6:00 P.M.

ADDITIONS TO THE AGENDA

DISCLOSURE OF PECUNIARY (FINANCIAL) INTEREST

ADOPTION OF MINUTES OF THE PREVIOUS MEETING

Adoption of the June 8, 2020 Regular Council Meeting Minutes.

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Aaron Burchat,

THAT Council adopt the minutes of the Regular Council meeting held on Monday June 8, 2020.

259-20

Carried

PRESENTATIONS

Dean Pepper, Cobourg Police Board Chair and Paul VandeGraaf, Cobourg Police Chief, presenting the Cobourg Police Service's 2019 Annual Report.

Cobourg Police Services Board Chair Dean Pepper and Cobourg Police Chief Paul VandeGraaf were in attendance to present the 2019 Cobourg Police Service Annual Report to Council.

After question and answer period, D. Pepper and P. VandeGraaf were excused from the meeting at 7:03 P.M.

DELEGATIONS

Gail Rayment, Cobourg Resident, regarding the Re-opening of Victoria Park Beach.

Gail Rayment, Cobourg Resident, attended the meeting via Zoom Video Conference to discuss the re-opening of Victoria Beach and the proposed motion on the Council Agenda.

After a question and answer period, G. Rayment, was excused from the meeting (7:06 P.M).

Paul Pagnuelo, Cobourg Resident, regarding the Re-Opening of Victoria Beach.

Paul Pagnuelo, Cobourg Resident, attended the meeting via Zoom Video Conference to discuss the re-opening of Victoria Beach and the proposed motion on the Council Agenda.

After a question and answer period, P Pagnuelo, was excused from the meeting (7:16 P.M).

Bryan Lambert, Cobourg Resident, regarding the Waterworks Radio Frequency Water Meter Replacement Program.

Bryan Lambert, Cobourg Resident, attended the meeting via Zoom Video Conference to discuss the Waterworks Radio Frequency Water Meter Replacement Program, but withdrew his delegation request at the meeting.

DELEGATION ACTIONS

REPORTS

General Government Services

Committee of the Whole meeting notes held on Monday June 22, 2020.

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Brian Darling

THAT Council receive the notes of the Committee of the Whole meeting held on Monday June 22, 2020 for information purposes.

260-18

Carried

Memo from the Small Business Facilitator, regarding Lucas Point Business and Industrial Park Sale of Land.

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Aaron Burchat

THAT Council approve acceptance of an offer received for the purchase of three (3) acres in the amount of \$40,000.00 per acre in the Lucas Point Business and Industrial Park by 12051184 Canada Inc. (Coba Steel Inc.); and

FURTHER THAT Council authorize and endorse the preparation of by-law to be presented to Council for adoption at a Regular Council meeting to authorize the Mayor and Municipal Clerk to execute a Commercial Purchase and Sale Agreement with 12051184 Canada Inc. (Coba Steel Inc.) for the purchase of sale of land in Lucas Point Business Industrial Park. (South Side Dodge Street, Cobourg).

261-18

Carried

Memo from the Municipal Clerk/Manager of Legislative Services, regarding an update on Courthouse Road, in relation to the Northumberland County Golden Plough Lodge (GPL) Development Project.

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Aaron Burchat

THAT Council receive the report for information purposes; and

FURTHER THAT Council authorize and endorse the preparation of a by-law to be presented to Council for adoption at a Regular Council meeting to authorize the Mayor and Municipal Clerk to execute a Indemnity Agreement between the Town of Cobourg and the County of Northumberland to indemnify and save harmless Cobourg from any claim, cost or demand from the Property Owners arising after the transfer of Courthouse Road to the County of Northumberland in connection with the Development.

262-18

Carried

Planning and Development Services

Memo from Planner 1 - Heritage, regarding an Application for Approval of a Draft Plan of Subdivision– 377 William Street, Cobourg - R.W. Bruynson Inc. / Joshani Homes.

Moved by Councillor Nicole Beatty, Seconded by Councillor Aaron Burchat

THAT Council receive the Application of a Draft Plan of Subdivision– 377 William Street and refer the application to the Planning Department for a report; and

FURTHER THAT the notice requirements of the *Planning Act, RSO 1990*, as amended, and the Municipality be implemented, including the scheduling of a Statutory Public Meeting.

263-18

Carried

Memo from Planner 1 - Heritage, regarding an Application for Site Plan Approval – DePalma Drive Hotel, Cobourg - Fotenn Planning.

Moved by Councillor Nicole Beatty, Seconded by Councillor Aaron Burchat,

THAT Council receive the Application for Site Plan Approval for the DePalma Drive Hotel, and refer the Application to the Planning Department for a report.

264-18

Carried

Memo from Planner 1 - Heritage, regarding an Application for Approval of Draft Plan of Subdivision 'CTC' Lands (West of Canadian Tire) - Vandyk – West Park Village Limited.

Moved by Councillor Nicole Beatty, Seconded by Councillor Brian Darling,

THAT Council receive the Application of a Draft Plan of Subdivision– 'CTC' Lands (west of Canadian Tire) and refer the application to the Planning Department for a report; and

FURTHER THAT the notice requirements of the *Planning Act, RSO 1990*, as amended, and the Municipality be implemented, including the scheduling of a Statutory Public Meeting.

265-18

Carried

Parks and Recreation Services

Memo from the Director of Community Services, regarding the Operational Plan to Re-Open Cobourg Beach.

Moved by Councillor Emily Chorley, Seconded by Councillor Brian Darling,

THAT Council receive the report from the Director of Community Services; and

FURTHER THAT Council provide direction to Municipal Staff on whether to proceed with the opening of Cobourg Beach as outlined in the report.

266-18

Amendment

Moved by Councillor Brian Darling, Seconded by Councillor Adam Bureau

Motion to Amend:

THAT the Report be received for information purposes.

267-18

Carried

Moved by Councillor Emily Chorley, Seconded by Councillor Adam Bureau

THAT Council receive the report from the Director of Community Services for information purposes.

268-18

Carried

MOTIONS

General Government Services

Motion from the Committee of the Whole regarding, the Radio Frequency Water Meter Replacement Program in the Town of Cobourg.

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Brian Darling

WHEREAS at the Committee of the Whole Meeting on June 22, 2020, Municipal Council considered correspondence from Dereck Paul, President and CEO of Lakefront Utility Services Inc. (LUSI), regarding the Radio Frequency Water Meter Replacement Program;

NOW THEREFORE BE IT RESOLVED THAT Council approve Waterworks to borrow the amount of \$2.3 million dollars for the completion of the Water Radio Frequency Meter Changeout/Renewal Project, for both the 4,000 remaining residential and the 309 commercial customer’s water meters, and to establish an Advanced Metering Infrastructure (AMI) network for effective and efficient meter reading and savings.

Recorded Vote Requested by Deputy Mayor Suzanne Séguin:

Member of Council	For	Against
Councillor Nicole Beatty	X	
Councillor Aaron Burchat	X	
Councillor Adam Bureau	X	
Councillor Emily Chorley		X
Councillor Brian Darling	X	
Mayor John Henderson	X	
Deputy Mayor Suzanne Séguin		X
Total	5	2

269-20

CARRIED.

Public Works Services

Motion from the Committee of the Whole, regarding the increase the Town of Cobourg Route #2 Transit Service and the extension of free Transit in the Town of Cobourg.

Moved by Councillor Brian Darling, Seconded by Councillor Aaron Burchat

WHEREAS at the Committee of the Whole Meeting on June 22, 2020, Municipal Council considered a memo from the Director of Public Works, regarding the approval to Increase the Town of Cobourg Route #2 Transit Service and the extension of Free Transit in the Town of Cobourg;

NOW THEREFORE BE IT RESOLVED THAT Council direct Staff to reinstate Cobourg Transit Bus Route #2 to match the current Route #1 Transit Bus operating hours and extend Free Public Transit in the Town of Cobourg until August 31, 2020.

270-18

Carried

Parks and Recreation Services

Motion from the Committee of the Whole, on the reopening of the Victoria Park Beach, Cobourg.

Moved by Councillor Emily Chorley, Seconded by Councillor Nicole Beatty

WHEREAS at the Committee of the Whole Meeting on June 22, 2020 Council considered a memo from Municipal Staff regarding the update on the Closure of Cobourg Victoria Beach, and review of possible options on the reopening of the Cobourg Beach; and

WHEREAS on June 1, 2020 Council approved the closure of Victoria Park Beach and requested a Staff Report with options for “how the Town could reopen the beach with restricted use;” and

WHEREAS the municipality has since been authorized to move to Stage 2 in the Ontario Government’s reopening plan, which came into effect on June 12, 2020; and

WHEREAS all 19 confirmed cases of Covid-19 in Northumberland County have been deemed ‘resolved’ by the HKPR District Health Unit as of June 22, 2020; and

WHEREAS protecting the health and wellbeing of Cobourg residents is a key objective of the Town’s Strategic Plan and emergency response to the pandemic;

NOW THEREFORE BE IT RESOLVED THAT Council confirms the closure of Victoria Park Beach to normal activity, but instructs Staff to prepare for a trial system of a safe and gradual reopening with restricted access and limited capacity as follows:

1. The fence around Victoria Park Beach will remain in place with gated access points;
2. A limited number of beach passes for use by all members of the public during designated hours will be made available free-of-charge and on a first-come first-served basis via an online booking system;
3. The beach passes will only be valid for a specific date and time, Opening times to be determined by Council after receiving a Staff Report for Council consideration.

4. Access gates will be managed by summer staff or a security company who will be responsible for checking pre-booked beach passes.
5. A changeover period between time slots will allow for a smooth transition and rigorous sanitizing of hard surfaces;
6. The number of beach passes made available will be determined based on physical distancing requirements and in consultation with the Town's Emergency Planner and the HKPR District Health Unit;
7. Outside of Council-approved hours for the use of beach passes, public access to the beach will be strictly prohibited;
8. The appropriate number of lifeguards will be hired for the rest of the summer season to reflect operating hours;
9. Beach pass applicants must also answer health screening questions and agree to abide by physical distancing rules and Provincial Emergency Orders;
10. The accessible beach mat will be installed with one entry gate being an accessible entrance; and
11. Beach passes will be made available on a trial basis seven (7) days a week (Monday to Sunday, beginning on July 6, 2020 (unless Council deems otherwise due to a change of circumstance);

AND FURTHER THAT staff draft a Beach Regulating By-law for council's approval at the June 29th Regular Council; and

FURTHER THAT the Town of Cobourg continues to communicate that Victoria Park Beach is closed except for those with a valid pass; and

FURTHER THAT the implementation of this trial period be reviewed by Council at the Committee of the Whole meeting on August 24, 2020.

271-18

Amended

Moved by Councillor Brian Darling, Seconded by Councillor Adam Bureau

Motion to Amend:

That the wording of the Main Motion be replaced with the following:

THAT Council direct that the Cobourg Beach remain Closed until August 31, 2020.

272-18

Carried

Moved by Councillor Emily Chorley, Seconded by Councillor Nicole Beatty

THAT Council direct the Cobourg Beach to remain Closed until August 31, 2020.

Recorded Vote Requested by Deputy Mayor Suzanne Séguin:

Member of Council	For	Against
Councillor Nicole Beatty	X	
Councillor Aaron Burchat	X	
Councillor Adam Bureau	X	
Councillor Emily Chorley	X	
Councillor Brian Darling	X	
Mayor John Henderson	X	
Deputy Mayor Suzanne Séguin	X	
Total	5	0

273-18

CARRIED.

Motion from the Committee of the Whole regarding the award of the East Pier Design and Engineering Request for Proposal (RFP), (CO-20-06 CSD).

Moved by Councillor Emily Chorley, Seconded by Councillor Nicole Beatty

WHEREAS at the Committee of the Whole Meeting on June 22, 2020 Council considered a memo from Director of Community Services, regarding the awarding of the East Pier Design and Engineering Request for Proposal (RFP), (CO-20-06 CSD);

NOW THEREFORE BE IT RESOLVED THAT Council award the East Pier Design and Engineering Request for Proposal (RFP) contract to MBTW Group in the amount of \$189,895.00 + HST to provide design, engineering and other professional services for the repair and enhancement of the East Pier. (CO-20-06 CSD).

274-18

Carried

Motion from the Committee of the Whole, regarding an Equity and Inclusion Policy for the Town of Cobourg.

Moved by Councillor Emily Chorley, Seconded by Councillor Adam Bureau

WHEREAS at the Committee of the Whole Meeting on June 22, 2020 Council considered a Notice of Motion from Councillor Emily Chorley and Councillor Adam Bureau, regarding an Equity and Inclusion Policy for the Town of Cobourg; and

WHEREAS the Black Lives Matter movement has highlighted the need for a reaffirmed commitment to confronting racism and removing systemic barriers to equality; and

WHEREAS fostering an inclusive and welcoming community is a key tenant of the Town of Cobourg's annual 'Pride Month'; and

WHEREAS municipal government can play a leading role in helping to achieve gender equality;

NOW THEREFORE BE IT RESOLVED THAT Council instruct staff to draft an Equity and Inclusion Policy; and

FURTHER THAT the policy specifically address the inclusion of Black, Indigenous and People of Colour, women, people with disabilities, newcomers to Canada, the Lesbian, Gay, Bisexual, Trans, Queer, Two-Spirit, Intersex, and Asexual peoples, as well as those who identify as pansexual, questioning, non-binary, and other gender and sexual minorities (2SLGBTQIAP+) and other visible minorities; and

FURTHER THAT the policy draws upon resources such as 'Advancing Equity and Inclusion: A Guide for Municipalities' and FCM's 'Diverse Voices Toolkit'; and

FURTHER THAT the policy includes annual commitments to equity and inclusion training for Town of Cobourg staff, volunteers and Members of Council, engagement of citizens and advisory committees, and communications on progress; and

FURTHER THAT Council direct staff to form an Ad Hoc Committee or a suitable alternative with a terms of reference or terms of engagement consisting of citizen members from these diverse minority populations in order to provide input on the development of the Equity and Inclusion Policy, due back to Council on August 24, 2020 Meeting; and

FURTHER THAT the draft policy be presented to Council for consideration by December 7th, 2020.

275-18

Carried

Arts, Culture and Tourism Services

Motion to Recess

Moved by Councillor Adam Bureau, Seconded by Deputy Mayor Suzanne Séguin

THAT Council have a brief Recess prior to the commencing of the remaining business on the Council Agenda. (8:14 P.M.).

276-18

Carried

Municipal Council returned from a brief recess at 8:20 P.M

Motion from the Committee of the Whole regarding, the closure of King Street from Spring Street to McGill Street for a Pedestrian Friendly Zone.

Moved by Councillor Adam Bureau, Seconded by Deputy Mayor Suzanne Séguin

WHEREAS at the Committee of the Whole Meeting on June 22, 2020, Municipal Council considered a memo from the Secretary of the Downtown Business Improvement Area Board of Management (DBIA) regarding a recommendation to Council on the closure of King Street from Spring Street to McGill Street for a Pedestrian Friendly Zone; and

WHEREAS Moved by S. Seguin: THAT the DBIA Board of Management recommend to Council that King Street be closed from Spring Street to McGill Street for four (4) trial weekends with dates of ; July 17th – July 19th; July 31st – August 3rd; August 21st – August 23rd , September 4th- September 7th; and

WHEREAS the Restaurants, Bars and Coffee shops have had terrible hardships since the beginning of COVID 19 due to the provincial shutdown; and

WHEREAS the Downtown Business Improvement Area Board (DBIA) wanted to help all members of the downtown by making King St. a pedestrian only street to expand patios onto King street for four (4) trial Weekends in July, August and September 2020; and

WHEREAS the King Street road closure will commence on each selected Friday at 9:00am with the road reopening on each selected Sunday (or holiday Monday) at 10:00pm; and

WHEREAS the DBIA Board of Management recognizes that this road closer is not an event and rather a pedestrian friendly area to showcase and assist our DBIA membership; and

WHEREAS the road closure will follow Fire, Police, Emergency, and liquor license requirements set out by the Municipality and the Province of Ontario; and

WHEREAS the DBIA will apply for the Patio extensions for each place; and

WHEREAS the DBIA will pay for barriers and tables for the Restaurants, Bars and Coffee shops so they can have extra seating to help make ends meet; and

WHEREAS the DBIA Board of Management will hire a Security Guard from 11:00am – 6:00pm each date of the road closure to promote physical distancing and educate the public where applicable;

NOW THEREFORE BE IT RESOLVED THAT Council approve the recommendations of the DBIA Board of Management Pedestrian Friendly Trial Weekends; and

FURTHER THAT Council approve all Licensed Establishments located within the DBIA parameters to be permitted to apply for a temporary patio extension on King Street as part of the Pedestrian Friendly Zone approved Road Closure.

277-18

Carried

BYLAWS

General Government Services

By-law No.040-2020, being a by-law to authorize execution of a Sale of Land Agreement with 12051184 Canada Inc. (Coba Steel Inc.), and the Town of Cobourg. (South Side Dodge Street, Cobourg).

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Aaron Burchat

THAT Council adopt By-law 040-2020, being a by-law to authorize the Mayor and Municipal Clerk to authorize execution of a Purchase and Sale Agreement with 12051184 Canada Inc. (Coba Steel Inc), and the Town of Cobourg.

278-18

Carried

By-law No.041-2020, being a by-law to enter into an Indemnification Agreement with the County of Northumberland, regarding the transfer of jurisdiction of Courthouse Road.

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Nicole Beatty,

THAT Council adopt By-law 041-2020, being a by-law to authorize the Mayor and Municipal Clerk to execute on behalf of the Corporation an Indemnification Agreement with the County of Northumberland and the Corporation of the Town of Cobourg in accordance with the terms and conditions as set out in the Indemnity Agreement.

279-18

Carried

Planning and Development Services

By-law No.042-2020, being a by-law to authorize the execution of a Cash-in-Lieu of Parking Agreement between the Town of Cobourg and Jenna Lee Fitzgerald, owner of George & Orange Taproom & Kitchen.

Moved by Councillor Nicole Beatty, Seconded by Councillor Aaron Burchat,

THAT Council adopt By-law 042-2020, being a by-law to authorize the Mayor and Municipal Clerk to prepare and execute a cash-in-lieu of parking agreement between the Town of Cobourg and Jenna Lee Fitzgerald, owner of George & Orange Taproom

& Kitchen for the property located at 67 Orange Street, Cobourg, pursuant to Section 40 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended.

280-18

Carried

General Government Services

THAT the following bylaw(s) be passed:

1. Bylaw 040-2020 being a by-law to authorize execution of a Sale of Land Agreement with 12051184 Canada Inc. (Coba Steel Inc.), and the Town of Cobourg. (South Side Dodge Street, Cobourg);
2. Bylaw 041-2020 being a by-law to enter into a Indemnification Agreement with the County of Northumberland, regarding the transfer of jurisdiction of Courthouse Road; and
3. Bylaw 042-2020 being a by-law to authorize the execution of a Cash-in-Lieu of Parking Agreement between the Town of Cobourg and Jenna Lee Fitzgerald, owner of George & Orange Taproom & Kitchen.

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Nicole Beatty

THAT leave be granted to introduce bylaws 040-2020 to 042-2020 and to dispense with the reading of the bylaws by the Municipal Clerk and that the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

281-18

Carried

PETITIONS

COMMITTEE/BOARD MINUTES (INFORMATION PURPOSES ONLY)

CORRESPONDENCE

NOTICE OF MOTION

COUNCIL/COORDINATOR ANNOUNCEMENTS

Members of Council present verbal reports on matters within their respective areas of responsibility:

- Mayor John Henderson
- Deputy Mayor Séguin, General Government Services Coordinator
- Councillor Beatty, Planning and Development Services Coordinator
- Councillor Darling, Public Works Services Coordinator
- Councillor Chorley, Parks and Recreation Services Coordinator
- Councillor Burchat, Protection Services Coordinator

- Councillor Bureau, Arts, Culture and Tourism Services Coordinator

UNFINISHED BUSINESS

The items listed in the order of the topics set out in the agenda of prior meetings which have not been disposed of by Council and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until disposed of by Council, unless removed from the agenda by leave of Council - Council Procedural By-law No. 009-2019.

Municipal Council Unfinished/Outstanding Business Tracking Table

<u>Unfinished Business Item</u>	<u>Meeting Date</u>	<u>Department/Division</u>	<u>Deadline Date</u>
Private Transportation Regulating By-law	01-27-20	Legislative Services	Regular Council Meeting
Terms of Reference regarding a social planning and/or Community Development Advisory Committee, regarding affordable housing. (Originally due November 25, 2019)	01-28-19	Legislative Department	September 14, 2020
Information requested regarding Emergency Shelters Downtown Cobourg (County of Northumberland and CPSB).	02-12-19	Multiple Departments/ Organizations	September 14, 2020
Traditional Land Acknowledgment Statement to be read at Council Meeting	05-13-19	Legislative Department	September 14, 2020
Staff Report in response to the Lifesaving Society's Aquatic Safety Audit Report for the Town of Cobourg Harbour, with input from the PRAC and all user groups.	05-11-20	Community Services	N/A
Report and Accessible Transit Service Policy	01-27-20	Legislative Services/ Public Works	September 14, 2020
Staff Report on Innisfil Ridesharing Transit Model	01-27-20	Legislative Services/ Public Works	September 14, 2020
Revisions to the Long Service Recognition Policy from General Government Services.	09-23-19	Human Resources	N/A
Report on Animal Control Enforcement Operational Model. (JACMSB Withdrawal)	01-27-20	Legislative Services	2020-2022
Report regarding parking meters, violations and fines - on the feasibility of the suggestions provided in the delegation.	02-03-20	By-law Enforcement	N/A
Motion – Flood Reduction and Mitigation Strategy	04-27-20	Emergency Management	September 14, 2020

CONFIRMATORY BY-LAW

Bylaw 043-2020, being a bylaw to confirm the proceedings of the Council Meeting of June 29, 2020.

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Aaron Burchat

THAT leave be granted to introduce Bylaw 043-2020 and to dispense with the reading of the bylaw by the Municipal Clerk to confirm the proceedings of the Council of the Town of Cobourg at its Regular meeting held on June 29, 2020 and the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

282-20

Carried

ADJOURNMENT

Moved by Councillor Emily Chorley,

THAT the meeting adjourn (9:06 P.M.)

283-20

Carried

Municipal Clerk

Mayor

	THE CORPORATION OF THE TOWN OF COBOURG
	COMMITTEE OF THE WHOLE MEETING REPORT
	Monday July 20, 2020 Electronic Participation, Zoom Video-Conferencing

The Cobourg Municipal Council's Committee of the Whole met this evening at 2:30 p.m. through Electronic Participation, via Zoom Application Video Conferencing with the following persons in attendance:

Members present: Mayor John Henderson
Deputy Mayor Suzanne Seguin
Councillor Nicole Beatty
Councillor Aaron Burchat
Councillor Adam Bureau
Councillor Emily Chorley
Councillor Brian Darling

Staff present: Ian Davey, Treasurer/Interim Chief Administrative Officer
Glenn McGlashon, Director of Planning and Development
Laurie Wills, Director of Public Works
Dean Hustwick, Director of Community Services
Brent Larmer, Municipal Clerk/Manager of Legislative Services

CALL TO ORDER

The Mayor provided an opening statement and advise the meeting is being lived streamed and audio/video recorded and shall form part of the record which will be retained according to the Town of Cobourg Retention By-law. For more information about the collection, please contact the Municipal Clerk's Office.

CALL TO ORDER

The Mayor called the meeting to order at 2:30 P.M.

CLOSED SESSION

Closed Session Item

Moved by Deputy Mayor Suzanne Séguin,

THAT Council meet in Closed Session at 2:30 P.M. prior to the Open Session of Council at 2:00 P.M. in accordance with Section 239 (2) of the *Municipal Act, 2001*, regarding:

s. 239(2)(f) advice that is subject to Solicitor-Client Privilege, including communications necessary for that purpose.

1. Municipal Legal Opinion

S.239 (2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.

1. Municipally Owned Land - Municipal Unopened Road Allowance.

Carried

Municipal Council begin the Open Session at 4:21 P.M.

AGENDA ADDITIONS

1. Memo from the Municipal Clerk/Manager of Legislative Services regarding the proposed change in Agenda Meeting Software – eSCRIBE Meeting Management Solution for the Town of Cobourg; and
2. Memo from the Director of Public Works, regarding masks and face coverings being strongly recommended on Town of Cobourg Transit.

Moved by Deputy Mayor Suzanne Séguin,

THAT the matters be added to the Agenda.

Carried

DISCLOSURE OF PECUNIARY INTEREST

PRESENTATIONS

Derek Paul, President and C.E.O, Lakefront Utilities Inc. and Adam Giddings, Director of Regulatory Compliance and Finance, regarding Customer Engagement Overview – Component of Electricity Application.

Derek Paul and Adam Giddings of Lakefront Utilities Inc. (LUSI) were in attendance to present the Customer Engagement Overview – Component of Electricity Application to Municipal Council and the public.

After question and answer period, D. Paul and A.Giddings were excused from the meeting at 4:32 P.M.

DELEGATIONS

Rick Miller, Chair, Marie Dressler Foundation, regarding a request to approve the waiver of all fees in connection with the Renovation of the Marie Dressler House.

Rick Miller, Chair, Marie Dressler Foundation attended the meeting via Zoom Video Conference to request Council approve the waiver of fees of the Renovation of the Marie Dressler House and provided an overview of the project and the funding to date.

After a question and answer period, R. Miller, was excused from the meeting (4:43 P.M).

DELEGATION ACTIONS

Delegation Action, R. Miller, Chair, Marie Dressler Foundation, request to approve the waiver of all fees in connection with the Renovation of the Marie Dressler House.

Moved by Deputy Mayor Suzanne Séguin,

THAT the Marie Dresser Request on the waiver of Building and Occupancy fees requested be referred to the 2021 Community Grants process for consideration.

Carried

GENERAL GOVERNMENT SERVICES

Chair, Deputy Mayor Séguin - General Government Services Coordinator

Memo from the Municipal Clerk/Manager of Legislative Services regarding the proposed change in Agenda Meeting Software – eSCRIBE Meeting Management Solution for the Town of Cobourg.

Moved by Deputy Mayor Suzanne Séguin,

THAT Council receive the report from the Municipal Clerk/Manager of Legislative Services for information purposes; and

FURTHER THAT Council direct and authorize the Mayor and Municipal Clerk to execute an agreement with eSCRIBE Software Limited for the provision of the eSCRIBE Transparency Bundle for the Town of Cobourg Meeting Management Software to be implemented and functional by October 1, 2020 in the amount of \$11,300 including HST as approved in the 2020 Operating Budget for the first year and \$10,300 for the second year and \$10,609 for the third year which includes a 3% adjustment each year; and FURTHER THAT Council authorize an additional amount of \$4,925.00 to be funded from the Provincial Building Efficiencies Funding to be put towards the initialization and

implementation of the eScribe Board Management Module and the eSCRIBE Public Comments and Delegation Request Mgmt Module, in order to better increase Council and Advisory Committee Meeting efficiency and transparency.

Carried

PLANNING AND DEVELOPMENT SERVICES

Chair, Councillor Beatty - Planning and Development Services Coordinator

Memo from the Municipal Clerk/Manager of Legislative Services, regarding Virtual Statutory Public Meetings under the Planning Act.

Moved by Deputy Mayor Suzanne Séguin,

THAT Council receive this report for information purposes; and

THAT Council authorize virtual statutory public meetings under the *Planning Act* to be held in order to satisfy the public consultation requirements of the Act, and Council approved Resolution No.478-19 regarding Public Notification, Engagement and Meeting Procedures for Planning Act Applications, to allow land use planning applications to be processed and decisions made; and

FURTHER THAT Council authorize the preparation of a by-law to be endorsed and be presented to Council for adoption at a Regular Council Meeting to make the necessary amendments to the Town of Cobourg Procedural By-law 009-2020 Section 32.

Carried

Memo from the Secretary of the Heritage Advisory Committee, regarding Heritage Permit Application HP-2020-014 submitted by Bryan Armstrong on behalf of St. Andrew's Presbyterian Church, to permit a roof replacement for the property known municipally as 200 King Street West, Cobourg.

Moved by Councillor Nicole Beatty,

THAT Council endorse the recommendation of the Heritage Advisory Committee and grant a Heritage Permit HP-2020-014 to permit a roof replacement for the property known municipally as 200 King Street West, Cobourg, subject to finalization of details with planning staff.

Carried

Memo from the Secretary of the Heritage Advisory Committee, regarding Heritage Permit Application HP-2020-015 submitted by Fabien Verdier on behalf of Reidrev Management Inc. to permit a roof replacement for the property known municipally as 2 King Street West & 239-243 Division Street, Cobourg.

Moved by Councillor Nicole Beatty,

THAT Council endorse the recommendation of the Heritage Advisory Committee and grant a Heritage Permit HP-2020-015 to permit to replace the existing asphalt roof with a metal roof for the property known municipally as 2 King Street West & 239-243 Division Street, Cobourg, subject to finalization of details with planning staff.

Carried

Motion from the Secretary of Cobourg Heritage Advisory Committee regarding a motion of support from correspondence received by the Cobourg Heritage Advisory Committee to amend as an additional name to the Municipal Naming Policy.

Moved by Councillor Nicole Beatty,

THAT Council support the recommendation from the Cobourg Heritage Advisory Committee to support the request from a Cobourg Resident to have 'Jack Waghorn' added to the Municipal Naming Policy Naming Registry.

Carried

PUBLIC WORKS SERVICES

Chair, Councillor Darling - Public Works Services Coordinator

Memo from the Director of Public Works, regarding masks and face coverings being strongly recommended on Town of Cobourg Transit.

Moved by Councillor Brian Darling,

THAT Council receive the report from the Director of Public Works for information purposes; and

FURTHER THAT the policy be initiated following final approval of Council.

Carried

PARKS AND RECREATION SERVICES

Chair, Councillor Chorley - Parks and Recreation Services Coordinator

Memo from the Secretary of the Parks and Recreation Advisory Committee, regarding a recommendation surrounding the Aquatic Safety Audit referred to the Committee at the May 11, 2020 Council Meeting - Request for Legal Opinion.

Moved by Councillor Emily Chorley,

THAT Council receive the recommendation from the Parks and Recreation Advisory Committee for information purposes;

AND FURTHER THAT a definitive legal opinion from an independent legal counsel with expertise in riparian rights be obtained regarding the municipality's ability, if any, to regulate on-water activities in the harbour;

AND FURTHER THAT the legal opinion be obtained before any further attempt to regulate on-water activities;

AND FURTHER THAT the 2015 legal opinion on this matter be made available to the public.

Carried

Memo from the Secretary of the Parks and Recreation Advisory Committee, regarding a recommendation surrounding the Aquatic Safety Audit referred to the Committee at the May 11, 2020 Council Meeting. - Aquatic Safety Audit Implementation.

Moved by Councillor Emily Chorley,

THAT Council receive the recommendation from the Parks and Recreation Advisory Committee for information purposes;

AND FURTHER THAT Council instruct staff to implement only select recommendations from the 2019 Aquatic Safety Audit as follows:

Recommendation #1: Install an Automatic External Defibrillator (AED) unit adjacent to the marina office.

Recommendation #2: Ensure all marina staff are standard first aid certified and trained in the use of rescue equipment and extraction techniques.

Recommendation #12: Complete a safety equipment audit; establish lifesaving stations on each marina dock and around the harbour.

Recommendation #13: Clearly identify the egress ladders in the harbour.

Recommendation #15: Conduct stray electrical current testing and document the results.

Carried

Memo from the Secretary of the Parks and Recreation Advisory Committee, regarding a recommendation surrounding the Aquatic Safety Audit referred to the Committee at the May 11, 2020 Council Meeting - Aquatic Safety Audit – Working Group.

Moved by Councillor Emily Chorley,

THAT Council receive the recommendation from the Parks and Recreation Advisory Committee for information purposes;

AND FURTHER THAT in order to create a consolidated safety procedure and emergency manual, Council instructs staff to strike a joint working group comprised of two staff members and one representative of each user group, including:

- Survivor Thrivers
- Cobourg Yacht Club/Learn to Sail
- Cobourg Dragon Boat & Canoe Club
- Coast Guard
- Green Canoe
- Northumberland YMCA
- Seasonal marina boaters (Boaters Council)
- Anglers/commercial charters
- Cobourg Surf and Paddleboard Club

AND FURTHER THAT the working group be tasked with drafting a safety procedure/emergency manual for submission to Council and the Parks and Recreation Advisory Committee ahead of the 2021 boating season.

Carried

PROTECTION SERVICES

Chair, Councillor Burchat - Protection Services Coordinator

ARTS, CULTURE AND TOURISM SERVICES

Chair, Councillor Bureau - Arts, Culture and Tourism Services Coordinator

UNFINISHED BUSINESS

The items listed in the order of the topics set out in the agenda of prior meetings which have not been disposed of by Council and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until disposed of by Council, unless removed from the agenda by leave of Council. - Council Procedural By-law No. 009-2019.

Municipal Council Unfinished/Outstanding Business Tracking Table

<u>Unfinished Business Item</u>	<u>Meeting Date</u>	<u>Department/Division</u>	<u>Deadline Date</u>
Private Transportation Regulating By-law	01-27-20	Legislative Services	<u>Regular Council Meeting</u>
Terms of Reference regarding a social planning and/or Community Development Advisory Committee, regarding affordable housing. <u>(Originally due November 25, 2019)</u>	01-28-19	Legislative Department	<u>September 14, 2020</u>
Information requested regarding Emergency Shelters Downtown	02-12-19	Multiple Departments/ Organizations	<u>September 14, 2020</u>

<u>Cobourg (County of Northumberland and CPSP).</u>			
<u>Traditional Land Acknowledgment Statement to be read at Council Meeting</u>	<u>05-13-19</u>	<u>Legislative Department</u>	<u>September 14, 2020</u>
<u>Staff Report in response to the Lifesaving Society's Aquatic Safety Audit Report for the Town of Cobourg Harbour, with input from the PRAC and all user groups.</u>	<u>05-11-20</u>	<u>Community Services</u>	<u>N/A</u>
<u>Report and Accessible Transit Service Policy</u>	<u>01-27-20</u>	<u>Legislative Services/ Public Works</u>	<u>September 14, 2020</u>
<u>Staff Report on Innisfil Ridesharing Transit Model</u>	<u>01-27-20</u>	<u>Legislative Services/ Public Works</u>	<u>September 14, 2020</u>
<u>Revisions to the Long Service Recognition Policy from General Government Services.</u>	<u>09-23-19</u>	<u>Human Resources</u>	<u>N/A</u>
<u>Report on Animal Control Enforcement Operational Model. (JACMSB Withdrawal)</u>	<u>01-27-20</u>	<u>Legislative Services</u>	<u>2020-2022</u>
<u>Report regarding parking meters, violations and fines - on the feasibility of the suggestions provided in the delegation.</u>	<u>02-03-20</u>	<u>By-law Enforcement</u>	<u>N/A</u>
<u>Motion – Flood Reduction and Mitigation Strategy</u>	<u>04-27-20</u>	<u>Emergency Management</u>	<u>September 14, 2020</u>
<u>Diversity, Equity and Inclusion Policy</u>	<u>06-29-20</u>	<u>Legislative Services</u>	<u>August 24, 2020 December 7, 2020</u>

COMMITTEE OF THE WHOLE OPEN FORUM**ADJOURNMENT**

Moved by Councillor Brian Darling,

THAT the Meeting Adjourn (5:49 P.M.).

Carried

Municipal Clerk

	THE CORPORATION OF THE TOWN OF COBOURG	
	COUNCIL STAFF REPORT	
TO:	Mayor and Council Members	
FROM:	Glenn McGlashon, MCIP, RPP Director, Planning and Development	
DATE OF MEETING:	July 27, 2020	
REPORT TITLE/SUBJECT:	Rehabilitation/Treatment Centres	
REPORT DATE:	July 22, 2020	File # N/A

1.0 CORPORATE STRATEGIC PLAN OBJECTIVE

Pillar: People -- the Town supports and cares for the social and physical well-being of its citizens.

2.0 RECOMMENDATION

THAT Council receive the Report from the Director of Planning and Development for information purposes; and,

FURTHER THAT Council approve **Option 1** to refer the matter of rehabilitation/treatment centres and emergency care establishments to the Comprehensive Zoning By-law Update process now underway to add this issue as a special study component; and,

FURTHER THAT Meridian Planning Consultants Inc. be approved as a sole-source consultant to undertake the planning review of rehabilitation/treatment centres and emergency care establishments as a special study as part of the Comprehensive Zoning By-law process for an estimated cost of \$30,000.00 which will form a pre-commitment to the 2021 municipal budget.

-OR-

FURTHER THAT Council approve **Option 2** to direct that a planning review or study be undertaken of rehabilitation/treatment centres and emergency care establishments as specified in the Director's Report; and,

FURTHER THAT the draft Interim Control By-law attached as Schedule "A" to the Director's Report be endorsed and presented to Council for adoption; and,

FURTHER THAT Meridian Planning Consultants Inc. be approved as a sole-source consultant to undertake the planning review of rehabilitation/treatment centres and emergency care establishments as a special study in accordance with Interim Control By-law for an estimated cost of \$40,000.00 which will form a pre-commitment to the 2021 municipal budget.

3.0 PUBLIC ENGAGEMENT

This Report is being provided to Council as part of its regular published Agenda at least 72 hours in advance of the Regular Council meeting and is public information. There is no Statutory requirement to provide notice of this Report or engage the public for the purpose of consultation.

4.0 ORIGIN

On July 20, 2020, Council directed that a report be prepared in response to a legal opinion provided to Council by its solicitor in Closed Session regarding the interpretation of the Zoning By-law pertaining to rehabilitation/treatment centres and similar uses, and the options available to Council for considering the land use implications of such uses in existing neighbourhoods specifically and on the community as a whole. This staff report is written in response to Council's direction.

5.0 BACKGROUND

A number of enquiries and concerns have been received in recent weeks from members of the public, Council and the KPRD School Board regarding the possible use of one or more properties in the Town of Cobourg for residential rehabilitation/treatment centres. Furthermore, the Planning Department has been approached by a number of proponents investigating various sites throughout the municipality for these facilities.

The information available from proponents is that these facilities would offer in-patient and/or out-patient care, treatment and/or rehabilitation services for persons addicted to drugs or alcohol. While many support the need for rehabilitation/treatment centres in the community, concerns have been expressed about land use compatibility, particularly the proximity of such facilities to sensitive uses, such as schools, daycares, playgrounds and other community facilities, and seniors/nursing homes.

Of these sites, one site in particular, 316 King Street East, is the subject of an application for a Building Permit to renovate a portion of the existing building into such a facility. This particular property is occupied by a building which has historically been operated as a medical clinic since the mid-1990's, with secondary uses including a pharmacy, offices, and a laboratory. These uses have recently vacated the premises and the building is currently vacant. The subject property is located directly across the road from (to the north of) Cobourg Collegiate Institute (a secondary school of approx. 1,700 students), within 50 metres south-west of C.R. Gummow Public School (an elementary school comprised of over 700 students), and immediately west of a multi-unit senior citizen's complex.

Following a review of the Zoning By-law and relevant background information, it is the opinion of the Town's solicitor that the use of 316 King Street East for a rehabilitation/treatment centre with overnight accommodation is not a permitted use and would not comply with the Institutional Exception 2 (I-2) Zone provisions. If the proposed rehabilitation/treatment facility did not include overnight accommodation and satisfied the definition of a medical clinic, it is possible that the use could be permitted on the subject property as-of-right.

Finally, concerns have been expressed by members of the public regarding the operation of an emergency care (transition) shelter in the downtown area in close proximity to established residential neighbourhoods. The concerns relate to the negative impacts area residents have experienced with the use, including noise, crime, nuisance and public safety. Some of these concerns were also noted by residents in the last several months when this shelter was temporarily re-located to the Cobourg Collegiate Institute high school due to the COVID-19 pandemic. The Town has not, however, received any enquiries from proponents investigating the establishment of this form of facility elsewhere in the municipality.

6.0 RELEVANT POLICIES

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. In general, the relevant directives of the PPS include such matters as:

- fostering the development of complete communities which are strong, sustainable, liveable, healthy and vibrant;
- accommodating an appropriate range and mix of residential housing (including low, medium & high density residential, second units, affordable housing and seniors housing), employment, institutional, recreation, parks and open space and other uses to meet long term needs;
- promoting opportunities for economic development and community investment;
- planning for necessary infrastructure and public service facilities to meet current and projected needs;
- avoiding development and land use patterns which may cause environmental or public health and safety concerns;

Cobourg Official Plan, 2017

The Official Plan is an important tool for integrating matters of provincial interest into local planning policies and, thus, implementing the PPS. The Official Plan is a broad policy document that establishes an overall planning framework or vision for the community, including policies for maintaining and enhancing the existing community structure and for managing change, and for guiding the municipality in implementing the planning process through a variety of mechanisms and approaches.

The Cobourg Official Plan supports the creation of healthy communities by promoting compact, mixed-use development that is connected, sustainable, transit-supportive, accessible, safe and liveable. One of the community development principles of the Plan specifies that decisions made with respect to the future of Cobourg will reflect the need to maintain and enhance the social and economic health of the community by, among other matters, ensuring that all changes to the community promote safety and security through the use of appropriate design strategies and minimizing conflict between sensitive development and potentially incompatible industrial, commercial and institutional land uses.

Cobourg Zoning By-law 85-2003

The Zoning By-law is also an important regulatory tool for implementing provincial and local planning policies. It implements the policy direction set out in the municipal Official Plan by establishing the rules and regulations that control the use of land, buildings and structures. Municipalities are typically divided into different land use zones, with detailed maps (e.g. commercial, industrial, institutional, residential, etc.), which specify the types of permitted uses and the required standards (e.g. building size, location, setbacks) in each zone. Commonly-used land uses and terms are also defined in the By-law. The current Zoning By-law was passed in 2003 and is under review to conform to current policies and reflect modern trends in community planning.

7.0 RELEVANT LEGISLATION

Ontario Building Code Act, 1992, S.O. 1992, c. 23

The *Ontario Building Code Act* is the legislative framework governing the construction, renovation and change-of-use of buildings in the Province of Ontario. The Ontario Building Code is a regulation under the *Ontario Building Code Act* which establishes detailed technical and administrative requirements associated with building construction. The Ontario Building Code promotes public safety through the application of uniform building standards and adherence to “applicable laws”, including the *Planning Act*, the *Development Charges Act*, the *Environmental Protection Act*, and the *Heritage Act* (and municipal by-laws enacted thereunder). The municipal Chief Building Official administers and enforces the *Ontario Building Code Act* and Building Code. Chief Building Officials and inspectors are independent of municipal council when exercising these powers and duties.

Planning Act, R.S.O. 1990, c.P. 13, as amended

The *Planning Act* sets out the roles and responsibilities that municipalities in Ontario must abide by when making land use planning decisions. The land use planning system is led by provincial policy, whereby local planning decisions shall be consistent with the PPS and conform to provincial plans, such as the Growth Plan. The Act contains numerous provisions and regulations which govern local decision-making affecting land use and development in a municipality, and are implemented by such documents as Official Plans and Zoning By-laws.

The Zoning By-law is a comprehensive regulatory tool enacted under Section 34 of the *Planning Act* which implements the policy direction set out in the municipal Official Plan.

An Interim Control By-law (ICBL) is a special regulatory instrument under Section 38 of the *Planning Act* which provides a local municipality with a reasonable period of time to undertake a review or study of land use policies and regulations within all or part of the municipality.

An ICBL may temporarily prohibit the use or development of land, buildings or structures for a particular use or uses while the municipality undertakes such a study and determines the appropriate policies and controls that it deems to be in the public interest. An ICBL may only be passed if Council directs that a land use planning review or study be undertaken. An ICBL provides some breathing room for a municipality to rethink its land use policies by suspending development that may conflict with any new policy. Thus, an ICBL can adversely affect or negate land use and development rights, and is seen as an extra-ordinary power. The ICBL does not impact land uses which were legally established prior to the passing of the By-law.

An ICBL is effective for one (1) year with a possible extension of one (1) additional year. There are no advanced notice requirements under the *Planning Act* and only the Minister of Municipal Affairs and Housing can appeal the enactment of an ICBL¹. Once an ICBL ceases to be in effect, the municipality cannot enact another ICBL for the same area for a period of three (3) years.

8.0 ANALYSIS

As indicated in Section 5.0 above, concerns have been expressed to the Town regarding the potential establishment of residential rehabilitation/treatment centres within the community, particularly relating to the proximity of such uses to existing schools, playgrounds, seniors facilities, and other sensitive land uses. Specifically, the concerns relate to public safety and, in particular, the appropriateness of this land use and the potential impacts that such facilities could have on the safety of school children and other vulnerable populations and residents in the immediate area. There have also been

¹ Any person may appeal a one (1) year extension of an ICBL to the Local Planning Appeal Tribunal (LPAT).

concerns expressed by residents regarding changes to the use of a property in the downtown core (and its temporary re-location at CCI during the COVID-19 outbreak) for a low-barrier transitional housing shelter and its impacts on their property, safety and quality of life. This Report has included emergency care (transitional shelter) establishments given the recent emergence of similar issues and concerns.

Planning staff confirm that a number of enquiries have been received by the Planning Department from various proponents investigating the use of properties in town for rehabilitation/treatment centres. A Building Permit application has been submitted to the Building Department for a renovation to the medical building at 316 King Street East for such a facility.

Zoning By-law 85-2003

The Town's Comprehensive Zoning By-law No. 85-2003 was passed by Council in 2003. A number of general and site specific zoning amendments have been passed in the years leading up to present day. In 2011, the Town retained Meridian Planning Consultants Inc. to assist planning staff undertake a review of the Zoning By-law in an effort to implement the latest provincial policy framework, conform to the Town's newly-adopted Official Plan and modernize the regulations consistent with current trends in community planning. The Official Plan was appealed in its entirety to the Ontario Municipal Board (now LPAT) and the Plan was not approved until mid-2017. The Zoning By-law review project was placed on hold pending the resolution of the appeals and, due to a combination of factors such as Statutory obligations associated with development files submitted under the *Planning Act*, special municipal projects and staffing levels, the Zoning By-law update has been active only when staff resources permit.

The following is a summary of key land use definitions from the Zoning By-law:

- 3.25 CLINIC** – shall mean a building or part thereof used by the health care professions, their staff and their patients for the purposes of consultation, diagnosis and office treatment.

- 3.26 CLINIC, MEDICAL** -- A building or structure where four (4) or more medical practitioners provide diagnosis and treatment to the general public without overnight accommodation. Practitioners include, but are not limited to; members of the medical profession, dentists, chiropractors, chiropodists, pediatricists, optometrists, osteopaths, and physio and/or occupational therapists. Secondary uses include, but are not limited to; reception areas, child care facilities for the children of the medical professionals and their patients in attendance in the clinic, coffee shop, ultra sound/radiology laboratory, dispensary for medications, a testing laboratory, audiologist, massage therapist, fitness center, and other uses supportive and incidental to the medical profession and providing that all such uses have access only from the interior of the building or structure, with the exception of a

dispensary for medications which may have one direct street front access.

3.75 EMERGENCY CARE ESTABLISHMENT shall mean an institutional use that provides a means of immediate, temporary accommodation and assistance for a short term period, generally less than one week for the majority of the residents. Emergency Care Establishments are distinct from Group Homes in that the former has a shorter length of stay, and that their capacity usually exceeds ten (10) residents (excluding staff or the receiving family).

3.167 SERVICE USE, PERSONAL shall mean the use of a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, such as a barber shop, registered massage therapist facility, dry cleaning distribution station, laundromat, domestic animal- grooming salon, hairdressing establishment, shoe shine shop and other similar services, but not including a body rub or massage parlour.

3.194 WELLNESS CENTRE shall mean an establishment, bed and breakfast, or place of business that caters to the health and overall well being of persons and may include, but not necessarily limited to the following: chiropractic service; massage therapist; hydro therapist; aroma therapist; manicurist and/or pedicurist, and other personal service uses.

3.2 ACCESSORY USE shall mean a use naturally and normally incidental to, subordinate to and exclusively devoted to a main use and located on the same lot therewith.

The Zoning By-law does not currently contain a definition of rehabilitation/treatment centre. It is the opinion of the Town's solicitor that a rehabilitation/treatment centre which provides overnight accommodation is not currently permitted under the definition of a medical clinic. In such cases, a proponent would need to obtain a Zoning By-law Amendment to permit the use as a medical clinic. However, if there is no overnight accommodation associated with the use it could be categorized as a medical clinic and be permitted as-of-right anywhere a medical clinic is permitted.

In addition, a rehabilitation/treatment centre could qualify as a *clinic* (having less than 4 practitioners), a *personal service use* or a *wellness centre* and be permitted as-of-right in many commercial and institutional zones throughout the municipality with no restriction on overnight accommodation. Emergency care establishments are defined in the Zoning By-law and are also permitted in many commercial and institutional zones, although there is only one such facility operating in Cobourg (in the downtown) and there have been no

enquiries received by the Planning Department about establishing new or additional facilities.

Substance addiction and abuse is an emerging problem in communities across Ontario and Canada. The Town of Cobourg is not immune to this issue but has few addiction treatment centres in the community and no residential rehabilitation/treatment operations which involve overnight accommodation. The emergence of rehabilitation/treatment centres aimed at responding to the needs of society is well-recognized, and is recently evidenced locally by the number of enquiries planning staff have received in recent months from proponents of such facilities.

It is apparent that the Town's Zoning By-law is quite dated and does not recognize or define rehabilitation/treatment centres nor does it appear well-equipped to address the nature of the use or the potential land use planning issues unique to these operations, including location, concentration, spatial separation, incompatibility (ie. to sensitive land uses, like schools, daycares and playgrounds), site planning and design, and public health and safety. Similarly, an understanding of the issues surrounding emergency care establishments (shelters) and how land use planning can play a role in their location and operation in the community appears to be lacking.

It is the opinion of planning staff that further review is required to better understand: the link between rehabilitation/treatment centres and emergency care establishments and the needs of the community; how they operate and function; where they should locate in the community; and, whether there are any land use compatibility issues (ie. negative impacts on adjacent land uses, concentrations of similar uses, size of operation) that may impact public safety and quality of life. It is felt that this is a comprehensive, proactive approach to addressing and responding to an emerging issue of great importance to the community and is based on sound planning principles.

The Province of Ontario, for example, enacted cannabis retail regulations which specify that no cannabis retail store may locate within 150 m of a school to act as a measure of ensuring land use compatibility and public safety. Similar separation buffers for residential/treatment centres, emergency care establishments and similar uses may be investigated as part of the planning study.

In light of the above, the following are two (2) options intended to provide Council with a mechanism to further explore residential/treatment centres, emergency care establishments and/or similar uses:

Option 1 – Refer the matter to the Comprehensive Zoning By-law Update process now underway

The matter of reviewing rehabilitation/treatment centres, emergency care establishments and/or similar uses can be accomplished through the Zoning By-law update process. Given the sensitive, complex and unique nature of the subject matter, the process may benefit from being separated from the balance of the broader Zoning By-law review

process to better focus on the issues at hand and provide a fair opportunity for input into this important issue. A robust consultation and facilitation program specific to this task will form a major role in this process.

It does need to be noted that this process does have its limitations in that these uses could, in the interim, establish themselves throughout the community as a medical clinic, a clinic, a personal service use or a wellness centre without restriction so long as they comply with the relevant regulations of the existing Zoning By-law. Similarly, new emergency care establishments could be set up in the community in areas where permitted. In these instances, the Town would be unable to conduct an evaluation of the land use planning implications or compose regulations to govern the use unless a re-zoning was applied for or required by the Town. While some facilities would not comply with the Zoning By-law based on their specific organizational structure or operations and would require a re-zoning, there is the potential that these uses or some variation could be structured to fit within existing land use definitions and therefore only be subject to a Building Permit under the *Ontario Building Code Act*.

Option 2 – Direct that a study be undertaken and enact an Interim Control By-law

If Council feels that the issue is urgent, requires more immediate attention and should not wait until the Comprehensive Zoning By-law process concludes, Council could direct that a study be undertaken as part of an Interim Control By-law (ICBL) passed under Section 38 of the *Planning Act* as outlined in Section 7.0 above. This action would prohibit the establishment of such uses until the review or study is undertaken and new policies and/or regulations are enacted by Council to govern their use, location and operation in the community. A review of special municipal licensing by-law measures could also be undertaken to govern operational matters. In both cases, a substantial consultation and facilitation program is essential to the success of the process.

With respect to potential concerns regarding the possible need to re-establish a temporary emergency care (transition) shelter in the event of a 2nd wave COVID shutdown if an ICBL was enacted by Council, it is the opinion of municipal staff and the Town solicitor that the By-law would need to include a specific exemption for this possibility.

A copy of a draft ICBL is attached as **Schedule “A”**. The by-law would apply to all lands within the municipal boundary of the Town of Cobourg, given that it is an issue of significance to the entire community. The ICBL would place a moratorium on the use of any land, building or structure as a residential or institutional rehabilitation/treatment centre or emergency care establishment with the exception of those already in existence at the time of the passage of the by-law.

A special exception has been included in the ICBL to permit the establishment of new emergency care establishments in the case of a second wave of COVID-19 if the ICBL was enacted prohibiting this use. Council has the discretion to exclude emergency care establishments from the ICBL if it so desires. While important, this may not be as urgent given there is only one such facility in Cobourg and there have been no enquiries received

by the Planning Department about establishing additional facilities in the community. To reiterate, an ICBL does not affect uses existing at the time the By-law is passed.

9.0 FINANCIAL IMPLICATION/STAFFING/BUDGET IMPACT

The implementation of **Option 1** in Section 8.0 above would involve adding the review of rehabilitation/treatment centres, emergency care establishments and any other similar uses as directed by Council to the Comprehensive Zoning By-law Review process currently underway. The Zoning By-law review project encompasses a wide range of issues affecting all properties across the municipality, and includes definitions, general provisions, parking, land use categories and regulations, and zone mapping.

In discussions with Meridian Planning Consultants Inc. (the planning consultant retained by the Town in 2011 to assist in this project), it should be noted that the bulk of the Zoning By-law review has already occurred and the process is in the latter stages of the workplan, therefore the addition of a comprehensive review of this special subject matter will involve additional examination. Given the sensitive, complex and unique nature of the subject matter, a robust consultation and facilitation program specific to this task will also form an important component of this additional review.

Accordingly, it is expected that the addition of this special subject matter to the Comprehensive Zoning By-law review project will impose an additional cost to the project of approx. \$30,000.00, plus hst, recognizing that there would be some efficiencies realized by blending some of the two processes together.

Although not recommended by planning staff, an alternative approach to a comprehensive review would involve adding a definition for rehabilitation/treatment centre in the Zoning By-law and excluding it from the list of permitted uses in all zones, thus requiring a rezoning on a site-by-site basis. This approach would not impose any significant costs onto the Zoning By-law review process, however it is not comprehensive nor does it provide clear direction for the Town to address these facilities moving forward.

If **Option 2** is chosen by Council, it is recommended that a special planning study be undertaken, separate and distinct from the Comprehensive Zoning By-law review project, in order for the Town, stakeholders and the public to focus their attention and efforts specifically to the subject matter and to address the matter fairly and expeditiously, without any interference or distraction associated with blending it into the broader Zoning By-law review project. Similar to Option 1, the success of the process will be highly dependent on establishing a comprehensive public engagement and facilitation program.

It is estimated that the upset cost to complete this special planning project will be \$40,000.00 plus hst. Given that Meridian Planning Consultants Inc. are already retained by the Town to undertake the Comprehensive Zoning By-law project and thus are intimately familiar with the Town's Official Plan and Zoning By-law provisions, the local context and the land use planning issues associated with these uses, it is suggested that

Meridian be retained as a single-source provider for this project. This would save several months and help expedite the process by avoiding the need for an RFP process.

Both Options above will also result in additional staff time required to manage the project and assist in the review process. Additional funds necessary to undertake the work under the above Options will need to be approved as a pre-commitment to the 2021 municipal budget.

10.0 CONCLUSION

The potential introduction of rehabilitation/treatment centres and the operations associated with emergency care establishments in the community has generated concerns from members of the public and the KPRD School Board. While many acknowledge there is a need for these facilities and generally support their integration into the community, there is evidence that the Town's land use planning instruments lack sufficient policy and regulation oversight to properly plan for and guide the Town in effectively managing these emerging land uses in the community.

Council has the ability to direct that a planning review or study of the issue be undertaken, either by way of incorporating this review into the Comprehensive Zoning By-law update process or undertaking a special topic-specific review as part of an Interim Control By-law. Both Options will incur some degree of staff and financial budget impacts. Should a comprehensive review of the subject matter be undertaken, a robust public consultation and facilitation process is recommended to ensure feedback is obtained from all interested stakeholders on this sensitive and unique topic.

11.0 COMMUNICATION RESULTS

The contents of this Report are being communicated to Council for action in open, public session.

12.0 ATTACHMENTS

Draft Interim Control By-law affixed as **Schedule "A"**.

13.0 AUTHORIZATION

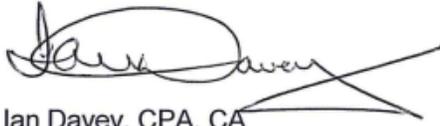
Report Prepared By:



Glenn J. McGlashon, MCIP, RPP
Director of Planning & Development



Report Approved By:

A handwritten signature in black ink, appearing to read "Ian Davey". The signature is written in a cursive style with a large loop at the beginning and a long horizontal stroke extending to the right.

Ian Davey, CPA, CA
Interim CAO/Treasurer

Schedule "A"

	THE CORPORATION OF THE TOWN OF COBOURG
	BY-LAW NUMBER <u> -2020 </u>

AN INTERIM CONTROL BY-LAW AFFECTING ALL LANDS WITHIN THE TOWN OF COBOURG

WHEREAS section 38 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, permits the council of a municipality to pass an Interim Control By-law (the "By-law") that may be in effect for up to one year, which prohibits the use of land, buildings or structures within the municipality or within a defined area thereof for such purposes as set out in the By-law, but only if the council of the municipality has directed that a review or study be undertaken with respect to land use planning policies and/or regulations that apply to the subject area.

AND WHEREAS the Council of the Corporation of the Town of Cobourg passed Resolution No. _____ on the ____ day of July, 2020 directing that a full review of the provisions of Comprehensive Zoning By-law No. 85-2003 provisions be undertaken as they relate to residential or institutional rehabilitation/treatment facilities and emergency care establishments within the Town of Cobourg;

AND WHEREAS the intent of this By-law is to study the use, establishment and development of residential or institutional rehabilitation/treatment facilities and emergency care establishments in the Town of Cobourg for a period of one year.

AND WHEREAS the Council of the Corporation of the Town of Cobourg seeks to control the use of land, buildings and structures for new residential or institutional rehabilitation/treatment facilities and emergency care establishments within the municipal boundaries of the Town of Cobourg while the study is being completed.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF COBOURG DEEMS IT NECESSARY AND EXPEDIENT TO ENACT AS FOLLOWS:

1. For the purpose of this By-law:
 - a. "interim control area" shall mean all lands within the municipal boundaries of the Town of Cobourg;
 - b. "residential or institutional rehabilitation/treatment facility" shall mean the use of land, buildings or structures, or any part thereof, for residential, sheltered, specialized or group care, treatment and/or rehabilitation for addiction to drugs or alcohol, and may contain accessory uses including but not limited to general kitchen and dining areas, lounges, meeting rooms, treatment rooms, offices and laundry facilities;
 - c. "emergency care establishment" shall mean Emergency Care Establishment as defined in Zoning By-law 85-2003;
2. The provisions of this By-law shall apply to the interim control area.
3. Notwithstanding the permitted uses and regulations of Zoning By-law No. 85-2003 and any other by-law to the contrary, no person shall within the interim control area:

- a. use any land, building or structure as a residential or institutional rehabilitation/treatment facility or emergency care establishment, except for a use that lawfully existed on the date of the passage of this By-law as long as the land, building or structure continues to be used for such purpose; or,
 - b. be permitted to construct, alter or expand any building or structure for use as a residential or institutional rehabilitation/treatment facility or emergency care establishment, save and except where such construction, alteration or expansion is a continuation of a lawful use in existence and in operation on the date of passage of this By-law.
4. Notwithstanding the prohibition on emergency care establishments, Council may, at its discretion, permit the establishment of one or more emergency care establishments during the term of this By-law if Council has determined that such a use is necessary in order to respond to a health care emergency such as COVID-19.
 5. If any provision or requirement of this By-law or the application thereof to any person shall to any extent be held to be invalid or unenforceable, the remainder of this By-law or the application of such provision or requirement to all persons other than those to which it is held to be invalid or unenforceable, shall not be affected thereby, and each provision and requirement of this By-law shall be separately valid and enforceable to the fullest extent permitted by law.
 6. This By-law shall come immediately into force and effect upon passing hereof and shall expire one (1) year from the date of adoption by Council unless otherwise repealed or extended by Council in accordance with the provisions of the *Planning Act*.

READ and passed in Open Council on this day of July, 2020.

MAYOR

MUNICIPAL CLERK



The Corporation of the Town of Cobourg

NOTICE OF HEARING OF THE COMMITTEE OF ADJUSTMENT

SUBJECT LANDS: 171 Bagot Street

FILE NO: A-02/20 B-03/20

The Town of Cobourg Committee of Adjustment has received an application from Jim and Catherine Henderson for a Consent for Severance and a Minor Variance from Comprehensive Zoning By-law No. 85-2003 on land known municipally as 171 Bagot Street in accordance with Sections 53 and 45 of the Planning Act, R.S.O. 1990, c.P.13, as amended. Please see the Key Map below.

The proposed Consent will sever the vacant area of land north of the existing dwelling at 171 Bagot Street for a residential building lot having a frontage of 9.88 m on Bagot Street and a lot area of 373 m² (the "Severed Lands"). The "Retained Lands" occupied by the existing dwelling would have a frontage of 17.38 m on Bagot Street and a lot area of 596.5 m².

The Zoning By-law requires a minimum lot frontage of 11.0 m for detached dwelling lots, and therefore the application also proposes a Minor Variance to the lot frontage provision of the Zoning By-law in the amount of 1.12 m.

A Hearing will be held by the Committee of Adjustment on Tuesday, July 28th 2020 via Zoom Video Conference at 4:00 p.m. Please note if a party who is notified does not attend the hearing or make written submissions prior to the Hearing, the Committee can proceed and the party is not entitled to any further notice.

NOTE TO THE PUBLIC:

Due to the COVID-19 Pandemic, Committee of Adjustment Hearings will be conducted through Zoom Video Conference Applications. If you wish to be a Participant at the Video Hearing, we encourage you to notify Brent Larmer, Municipal Clerk, via e-mail at clerk@cobourg.ca or by phone at (905)372-4301 no later than 3:00 pm on July 27th. Please ensure that you have a computer with internet access to enable you to participate in the Hearing electronically. If you do not wish to participate by video, or do not have the necessary technology, you may use a telephone and call in to participate. Alternatively, written submissions to the Municipal Clerk in advance of the Hearing are encouraged and will be made available to any interested person at the Hearing.

The details for participating in the Hearing are as follows:

Web: https://us02web.zoom.us/j/83148676960?pwd=VHh3d01HZUhKOVVDN1pmV1dpU3JKQT09

Phone: +1 778 907 2071 Canada

Meeting ID: 831 4867 6960

Password: 070868

Citizens may tune into the LIVE YouTube feed to watch the Hearing at www.youtube.com/towncobourg.

Additional information which will enable the public to understand the proposed application is available upon request by contacting the Town's Planning Department, c/o Rob Franklin, Manager - Planning, Victoria Hall, 55 King Street West, Cobourg, K9A 2M2, via e-mail at franklin@cobourg.ca or by phone at 905-372-1005 during regular office hours.

DATED at Cobourg this 9th day of July, 2020

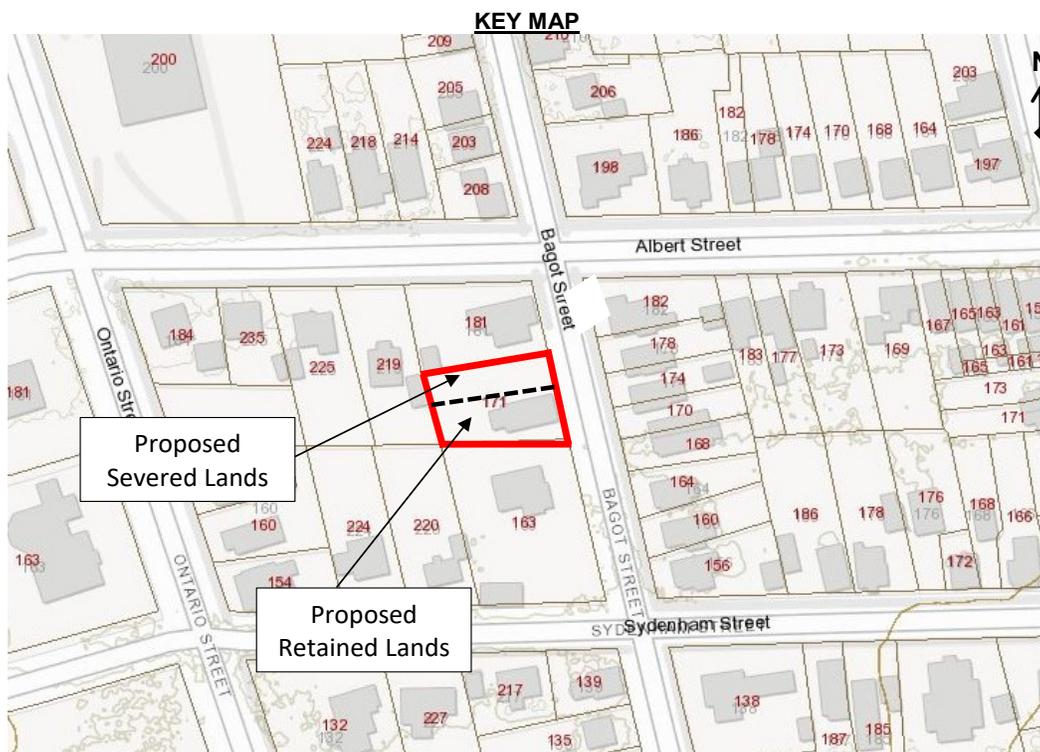
ZONE: Residential Type 3 (R3) Zone

Adriane Miller, Secretary-Treasurer

Committee of Adjustment

amiller@cobourg.ca

(905)372-1005



 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG	
	STAFF REPORT	
TO:	Committee of Adjustment	
FROM: TITLE:	Rob Franklin, MCIP, RPP Manager of Planning	
DATE OF MEETING:	July 28 th , 2020.	
TITLE / SUBJECT:	Application for Minor Variance, and: Application for Severance: 171 Bagot Street (Jim and Catherine Henderson)	
REPORT DATE:	July 23 rd , 2020	File #: A-02/20 B-03/20

1.0 CORPORATE STRATEGIC PLAN OBJECTIVES
N/A

2.0 RECOMMENDATION

The following actions are recommended:

THAT the requested minor variance to permit a 9.88 frontage for a new infill lot on the property known municipally as 171 Bagot Street be granted subject to the following conditions:

1. That the Variance generally relate to the plans submitted in **Schedule "B"**.
2. All conditions are subject to the specifications and approval of the Town of Cobourg, but at no cost to the Municipality.

And:

THAT the requested Consent for an infill lot from 171 Bagot Street with 9.88m frontage and 373m² lot area be granted subject to the following conditions:

1. That prior to the stamping of a Deed, a Severance Agreement be registered on Title of the new lot to address all future development

requirements such as but not limited to servicing, grading, driveway and access, heritage conservation including heritage design following approved guidelines, urban design and landscaping including screening, all to the satisfaction of the Town.

2. That 5% of the value of the land by paid to the Town as cash-in-lieu of parkland.
3. All conditions are subject to the specifications and approval of the Town of Cobourg, but at no cost to the Municipality.

PUBLIC ENGAGEMENT

3.0

Section 45 (5) of the Planning Act, R.S.O. 1990, c.P. 13, as amended, prescribes statutory notice requirements for consent and minor variance applications. The Planning Act requires that at least fourteen (14) days notice for a consent and ten (10) days notice for a minor variance be given before the day of the hearing, notice shall be given by either:

a) personal service or ordinary service mail to every land owner within a 60 m radius of the area to which the application applies; or

b) publication in a newspaper that is of sufficient circulation in the area which the application applies.

The statutory notice requirements of the Planning Act have been fulfilled for this application. The notice of application is also posted on the Town of Cobourg website.

4.0 ORIGIN

The subject property known as 171 Bagot Street is an established residential property, improved with a two-storey single-unit residential dwelling. The subject property is approximately 27.26 m (89.4 ft) in frontage, and approximately 969.5 m² (3,180 ft²) in lot area. See **Schedule "A"** Key Map.

The subject property is located in a Residential Three (R3) Zone, and presently, the R3 Zone requires an 11m frontage therefore, the applicant is seeking the following variance:

- To permit 9.88 m frontage for a new infill lot, a variance of 1.12 m.

The applicant wishes to sever a new infill lot to the north of the existing residential structure. Accordingly, the applicant is proposing the following Consent:

Proposed Consent for Lot: Approximately 373m² in area with 9.88 m frontage on Bagot Street.

5.0 ANALYSIS

In the analysis of this application, a number of points have been reviewed:

1. Provincial Policy Statement (PPS) & A Place to Grow Growth Plan

The Planning Act R.S.O. 1990, c.P.13, requires that decisions of local approval authorities shall be consistent with matters of Provincial Interest in carrying out decisions on applications such as consents and/or minor variances. Items of Provincial Interest are outlined in the Provincial Policy Statement (PPS) and A Place to Grow Growth Plan and include:

- promoting efficient, cost-effective and financially sustainable development and land use patterns;
- ensuring that sufficient land is designated and approved to accommodate projected residential growth;
- ensuring that an appropriate range of housing types and densities are provided to meet the requirements of current and future residents;
- ensuring that necessary infrastructure and public service facilities are or will be available to meet projected needs;
- promoting land use patterns and densities which are transit-supportive;
- avoiding development and land use patterns which may cause environmental and/or public health and safety concerns;
- conserving significant built heritage resources;
- facilitating and promoting intensification.

Beyond the above items, Section 1.4.3 of the PPS directs municipalities to permit all forms of housing to provide an appropriate range and mix of housing types and densities – including affordable housing. Further, municipalities should permit and facilitate residential intensification and redevelopment within existing, built-up serviced areas. However, it is not development at all costs, Section 2.3.1 requires that significant heritage resources shall be conserved. The subject lands are located within the West Heritage Conservation District. As part of the pre-consultation for this application, a Cultural Heritage Impact Analysis (CHIA) was conducted and submitted by Branch Architecture and included as **Appendix 1**. Section 4 of that report identifies the Conservation Strategy for the lot analyzing the West HCD Plan, Guidelines for Infill Development in Cobourg's Heritage Conservation Districts, and the Ontario Heritage Tool Kit. It concludes that the proposed severance allows for the preservation of the heritage house at 1741 Bagot Street. It also finds that the new lot would be in keeping with the neighbouring lot sizes and patterns and does not adversely affect the cultural heritage value or heritage attributes of the District.

The proposal will create a new infill lot, although narrow is of a suitable size and configuration to support a modest new house without disturbing the surrounding land

uses, or negatively impacting the existing use of the residential property. It will also conserve the existing heritage home at 171 Bagot Street.

Overall, it is my opinion that the proposal reflects the provincial directive to create strong, liveable, healthy and efficient communities through efficient land use. The application will maintain the character of the established, heritage neighbourhood. In my opinion, this property is a suitable candidate for a minor residential intensification.

Given the above discussion it is my opinion that the proposal maintains the general intent and purpose PPS and A Place to Grow Growth Plan.

2. Northumberland County Official Plan

The Official Plan for the County of Northumberland was approved by the Ontario Municipal Board on November 23, 2016 and is now in full force and effect. The purpose of this upper-tier Official Plan is to provide a policy basis for managing growth and change that will support and emphasize the County's unique character, diversity, civic identity, urban and rural lifestyles and natural and cultural heritage and to do so in a way that has the greatest positive impact on the quality of life in the County.

The subject lands are located within the Built Boundary of the Urban Area, as designated in the County Official Plan. The County OP aims to focus growth in Urban Areas, and to support the establishment of complete communities. The policies contained within the County Official Plan encourage the provision of a range of housing types to accommodate persons with diverse social and economic needs, and support opportunities for various forms of residential intensification, where appropriate.

It is my opinion that this proposal supports the policies of the Northumberland County Official Plan by providing residential intensification within the urban serviced area of the municipality.

3. Official Plan

The subject property is designated Stable Residential Area in the approved Town of Cobourg Official Plan (2010). Applications for new development in such areas are to be evaluated based on their ability to generally maintain the structure and character of the surrounding area. The land use policies of the Stable Residential Area designation provide a number of elements that new development applications should be evaluated on. The following elements were considered as part of this variance application:

i) scale of development respects the height, massing and density of adjacent buildings and is appropriate for the site;

The proposed infill lot will be situated to the north of the existing heritage building. It would be required to be setback from the street in line with other buildings on the street. Height and massing would be a requirement of any future design via an updated CHIA and/or

architectural plans prepared by a qualified heritage architect/designer, and be reviewed by the Cobourg Heritage Advisory Committee and Council as part of a Heritage Permit process.

ii) respects the nature of the streetscape as defined by such elements as landscaped areas, and the relationship between the public street, front yards and primary entrances to buildings;

Front yard setback and primary entrances would be part of any future design and approval.

iii) respects the relationship between the rear wall of buildings and rear yard open spaces;

The relationship between the rear wall of any new dwelling and the rear yard open space area will be part of any future design and approval. The proposed building will need to comply with the rear yard setback requirements of the R3 Zone.

iv) siting of building in relation to abutting properties ensures that there will be no significant negative impacts with respect to privacy and shadowing and appropriate buffering can be provided.

There is no current design for a new building – this will be subject to further review as part of the Heritage Permit approval process. An updated CHIA and/or detailed architectural plans will be required as part of this process. Although a narrow lot, there are other examples in this neighbourhood of similar-sized or smaller lots that appear to be compatible with the neighbourhood. See **Schedule “C”** Air Photo and discussion below.

v) conforms with density provisions of Section 3.4.3.3;

The proposal for a new infill lot would be 26.8 units per hectare, within the range of medium density permitted in the Residential Area designation.

viii) Town is satisfied with the proposed grading, drainage and storm water management and, in particular that there is no impact on adjacent properties;

The new infill lot would be required to submit a grading and drainage plan for approval by Cobourg Public Works as part of its Building Permit should it be approved.

xiii) does not hamper or prevent the orderly development of adjacent properties;

This application will not hamper or prevent the orderly development of adjacent properties.

xiv) garages are designed so that they are not the dominant feature in the streetscape.

Any proposed garage would be reviewed to ensure it is not dominant on the street. It is anticipated that a driveway will service the new lot with surface parking.

xvi) is in accordance with the Town's Urban and Landscape Design Guidelines

Further discussion on the Urban and Landscape Design Guidelines is included below.

Therefore, it is my opinion that the proposal as shown in the Schedules attached hereto maintains the general intent and purpose of the Official Plan.

The proposal to reduce the required frontage of a new infill lot and sever said lot will also need to conform with the West Heritage Conservation District policies and guidelines as described in Section 5.5 of the Official Plan. See below discussion.

Urban and Landscape Design Guidelines

The Cobourg Urban and Landscape Design Guidelines ("the Design Guidelines") were adopted by Council in September 2010 and are now in effect. The general design policies in the current, approved OP should be read together with the Design Guidelines when evaluating development applications, including minor variance and consent applications.

Section 4.5.2 Residential Buildings provides a general outline of principles for residential design. These principles speak to creating strong public face with attractive and animated building frontages that incorporate large windows and front porches, and also ensuring creative, high quality and diverse design that is context sensitive. Also the mass, scale and architectural elements should be sensitive to adjoining areas.

Based on the above discussion, it is my opinion that the proposal would maintain the intent of the Town's Urban and Landscape Design Guidelines.

West Heritage Conservation District Guidelines

The West Heritage District Guidelines (West HCD) Section 7.1 have specific criteria for new construction requiring that it be compatible with the heritage character and attributes of adjacent heritage properties and the cultural heritage values of the District. This will require the review of the lot pattern, height, massing, setback, building scale, roof pitch and exterior materials. Maintaining the height and rhythm of the existing streetscape are needed to unify the District with no blank facades. Without a design concept, at this point of the process, we can only look at the pattern of lots. The Statement of District Significance and List of Heritage Attributes in Sections 2.2 and 2.3 were reviewed noting that lot sizes vary. More detail is below on lot sizes.

The Cultural Heritage Impact Analysis (CHIA) by Branch Architecture attached as **Appendix 1**, was reviewed in support of this application. As noted above, Section 4 of that report identifies the Conservation Strategy for the lot analyzing the West HCD Plan, Guidelines for Infill Development in Cobourg's Heritage Conservation Districts, and the

Ontario Heritage Tool Kit. It concludes that the proposed severance allows for the preservation of the heritage house at 1741 Bagot Street. It also finds that the new lot would be in keeping with the neighbouring lot sizes and patterns and does not adversely affect the cultural heritage value or heritage attributes of the District. The report also acknowledges that any new future development will require a Heritage Permit and will need to follow the requirements in these same source documents.

With the driveway located on the south side of the existing home at 171 Bagot Street, the north side yard is not being used currently other than by a declining apple tree. There is no garage or coach house there. The home to the north at 181 Bagot Street is a corner lot with its access from Albert Street and a detached garage in its rear yard. The estate house to the south at 163 Bagot Street, occupies a large landholding and does not appear to be adversely impacted by the proposal. It is my opinion that the land to the north of 171 Bagot Street is not required to maintain the character of the house and can accommodate a modest house which is compatible with its surroundings and in conformance with the policies of the West HCD.

4. Zoning By-law

The subject property is located in a Residential Three (R3) Zone. The R3 Zone permits single-unit and two-unit dwellings including semi-detached and duplex or converted dwellings, public and accessory uses. The R3 Zone also requires an 11m frontage for any new lot. I believe the intent of the R3 frontage requirement is to provide sufficient room for a reasonably-sized residence and parking area. The proposed lot would have a frontage of 9.88 m and a full depth of 37.92 m resulting in a lot area of 373m². It also maintains a 1.6m setback from the front corner of the existing historic residence, in compliance with the R3 Zone requirements. The retained lot with the occupied dwelling would have a 17.38m frontage and a lot area of 596.5m². A new dwelling on the severed lot will need to comply with the R3 Zone provisions (front yard, side yards, rear yard, coverage, etc.).

Given the above discussion, it is my opinion that the proposal as discussed in the report, maintains the general intent and purpose of the Zoning By-law.

5. Minor/Desirable

It is important to note that the determination of “minor” in the context of a variance application such as this, is not a numeric exercise. The requested variances are assessed individually with respect to potential impact on surrounding land uses, and evaluated comprehensively with consideration to the overall proposed development.

An analysis of a number of lots in the general vicinity (150 m – 200 m radius, or approx. two block area) of the subject property was undertaken to determine neighbourhood character. Overall, there is a mix of smaller and larger lots and homes, smaller semi-detached homes as well as multi-unit dwellings in this area along with several irregular shaped lots developed over time. There is also a townhouse block on Albert Street, at

Durham Street with smaller building faces. It appears that several of the lots in the neighbourhood were specifically built with a narrow building form such as 171 and 183 Albert Street (just around the corner from the subject property) and 174 and 178 Bagot Street (directly across the road from the subject property). The analysis demonstrates that the lotting pattern of the general neighbourhood is diverse and varied.

Thus, the neighbourhood characteristics in this case are, in my opinion, supportive of the proposed lot frontage and severance of an infill lot from the subject property. In my opinion, when observing the size, context and location of the subject property relative to the surrounding neighbourhood, the property characteristics support the proposed lot.

Based on the above discussion, it is my opinion that the proposed variance, as discussed in this report, is minor. The proposed decrease in lot frontage for a new infill lot, is minimal relative to the overall neighbourhood, and would be desirable given that there remains adequate space for a new house.

6. Section 51(24) of the Planning Act

The subdivision criteria of Section 51 (24) of the Planning Act provides criteria to be considered when evaluating the subdivision of land. Provincial Interest, the potential of whether an application is premature or in the public interest, the suitability of the land for development, affordable housing, adequacy of services including transportation links for the property, the dimensions and shape of a lot, protection of natural resources, etc. are all items to be reviewed when commenting on a severance application. It is my opinion that the application to sever a new infill residential lot at 171 Bagot does not conflict with any of these items.

7. The requested minor variance and consent do not appear to create a traffic hazard or perpetuate an existing traffic problem.

8. The requested minor variance and consent do not appear to be impacted by any natural hazards.

9. The requested minor variance and consent do not appear to pose a negative impact to surrounding land uses.

The Cobourg Heritage Advisory Committee offered a number of comments included as **Appendix 2**. The Cobourg Engineering Department requires that any new lot have its own independent services; that a lot grading plan will be required for the new lot and; that at the completion of construction a Grading Certificate be provided.

The Committee of Adjustment will be informed of any further Department or Agency comments that have been received or any Public comments submitted on or before the meeting date.

6.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

There are no new anticipated negative financial implications imposed on the Municipality as a result of these minor variances. The applicant submitted the required \$1,750.00 application fee and deposit.

7.0 CONCLUSIONS
VARIANCE

1. The proposed minor variance does not conflict with matters of Provincial Interest as outlined in the Provincial Policy Statement and the Place to Grow Growth Plan.
2. The proposed minor variance would maintain the general intent and purpose of the County and Cobourg Official Plans.
3. The proposed minor variance would maintain the general intent and purpose of the Zoning By-law.
4. The proposed minor variance would be generally desirable and allow for the appropriate development of the subject lands.
5. The proposed variance would be considered minor.

CONSENT

1. The proposed consent does not conflict with matters of Provincial Interest as outlined in the Provincial Policy Statement and A Place to Grow Growth Plan.
2. The proposed consent would maintain the general intent and purpose of the County and Cobourg Official Plans.
3. The proposed consent would maintain the general intent and purpose of the Zoning By-law.
4. The proposed consent would be generally desirable and allow for the appropriate development of the subject lands.

Suggested Conditions, if approved (Variance):

1. That the Variance relate to the Concept Plan as shown on **Schedule "B"**.
2. All conditions are subject to the specifications and approval of the Town of Cobourg, but at no cost to the Municipality.

Suggested Conditions, if approved (Consent):

1. That prior to the stamping of the Deed, a Severance Agreement be registered on Title of the new lot to address all future development requirements such as but not limited to servicing, grading, driveway and access, heritage conservation including heritage design following approved guidelines, urban design and landscaping including screening, all to the satisfaction of the Town.
2. That 5% of the value of the severed land by paid to the Town as cash-in-lieu of parkland.
3. All conditions are subject to the specifications and approval of the Town of Cobourg, but at no cost to the Municipality.

8.0 POLICIES AFFECTING THE PROPOSAL

The primary policies affecting this application relate to the policies of the Provincial Policy Statement, County and Cobourg Official Plan, particularly the Residential Area, Consent and Heritage policies.

9.0 COMMUNICATION RESULTS

That the request for minor variance on lands known municipally as 171 Bagot Street and further that the request for consent of a new infill lot, be granted by the Committee of Adjustment.

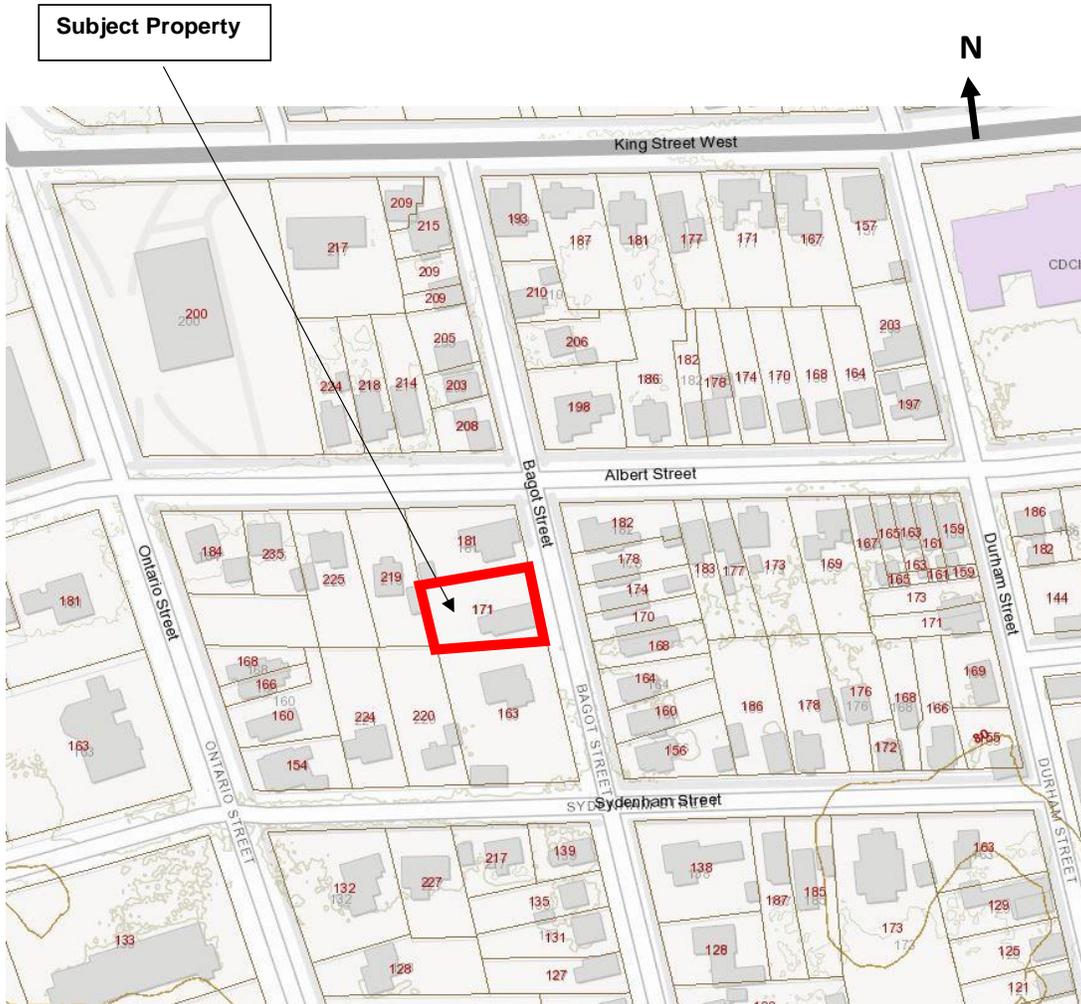
Approved by:



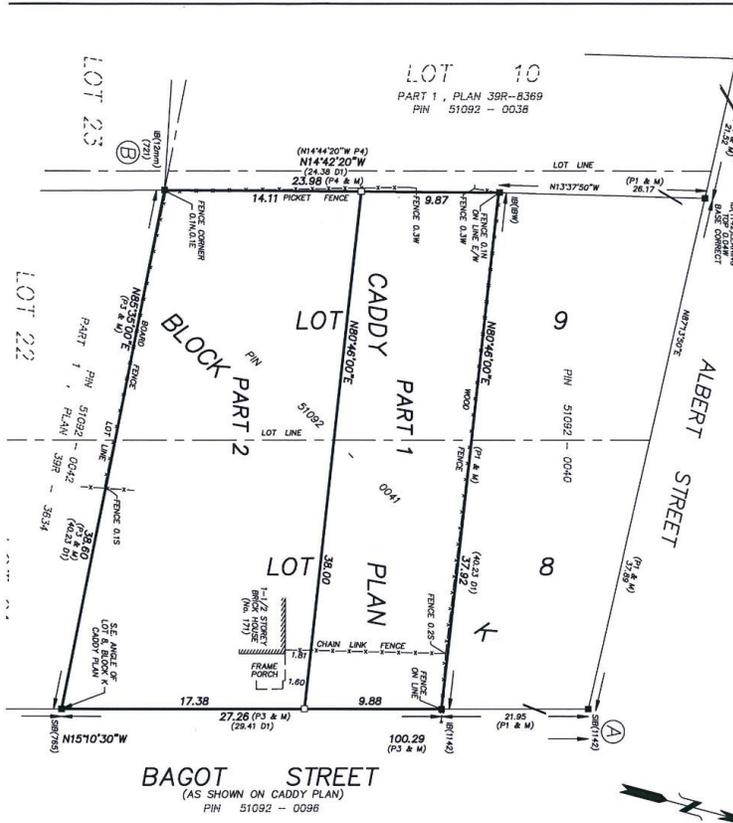
Glenn J. McGlashon, MCIP, RPP
Director of Planning & Development



Schedule "A" Key Map



Schedule "B" Concept Survey Plan (blow-up)



DRAFT		REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF NORTHUMBERLAND (No. 39)		
SCHEDULE				
PART	LOT	PLAN	PIN	AREA(hect.)
1	PART OF 8 & 9 BLOCK K	CADDY PLAN	ALL OF 51092-0041	373.0
2				596.5

**PLAN OF SURVEY OF
PART OF LOTS 8 & 9,
BLOCK K, CADDY PLAN**
 (PARTIAL PART OF LOT 10, CONVESSION A & B,
 TOWNSHIP OF COBOURG)
TOWN OF COBOURG
 COUNTY OF NORTHUMBERLAND

SCALE 1 : 250 METRES

0 1 2 3 4 5 10 20

LEGEND

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- SSB DENOTES SHORT STANDARD IRON SET
- SB DENOTES STANDARD IRON BAR
- SB DENOTES STAKE
- PB DENOTES PLASTER BAR
- CP DENOTES CONCRETE PIN
- DENOTES ROUND
- WIT DENOTES WITNESS
- M DENOTES MEASURED
- P1 DENOTES SURVEY BY KEITH F. LASHLEY LTD., O.L.S.
- P2 DENOTES DATED SEPTEMBER 14, 1973 (73-174)
- P3 DENOTES DATED FEBRUARY 21, 1959 (5916)
- P4 DENOTES PLAN 39R-3634
- 721 DENOTES J.L. STYVESTER, O.L.S.
- 765 DENOTES CULHAM WALLACE & DAVIES LTD., O.L.S.
- 1149 DENOTES VENTURA I. CASARCI LTD., INC.

Schedule "C"
Air Photo



Schedule "D"
Lot Area Plan

Subject Property



Appendix 1
Cultural Heritage Impact Assessment – Branch Architecture
(Attached under separate cover)

Appendix 2

Cobourg Heritage Advisory Committee Motion

	THE CORPORATION OF THE TOWN OF COBOURG
	COBOURG HERITAGE ADVISORY COMMITTEE
TO:	Brent Larmer, Municipal Clerk/Manager of Legislative Services
FROM:	Adriane Miller, Recording Secretary
MEETING DATE:	July 8, 2020
SUBJECT:	171 Bagot Street - Severance and Minor Variance Application

The following Motion was adopted at the July 8, 2020 Cobourg Heritage Advisory Committee Meeting:

Moved by Member C. Richards

WHEREAS the Heritage Advisory Committee has reviewed the Cultural Heritage Impact Assessment Report (CHIA) for 171 Bagot Street

The following recommendations and comments are put forward to be considered in the staff report to the Committee of Adjustment Hearing.

1. The fit of the home in the neighbourhood with consideration of density, streetscape and narrow lot frontage, and neighbouring homes with considerable more breadth on the west side of the street
2. Consideration of the lot size and feasible size of a home on a narrow lot
3. Parking Logistics
4. Any new infill dwelling will be required to come back to Heritage Advisory Committee for permit in the future

CARRIED



CULTURAL HERITAGE IMPACT ASSESSMENT

171 Bagot Street, Cobourg

BRANCH
ARCHITECTURE

PREPARED FOR:
Cindy Taylor and Jim Henderson
171 Bagot Street
Cobourg, ON K9A 3G3
E: photo@eagle.ca
E: jim@island30.com

PREPARED BY:
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T: (613) 827-5806
E: lreid@branch-architecture.com

Issued: 2020.02.25 DRAFT
2020.05.11 FINAL

Cover Image: 171 Bagot Street, 2020. (Branch Architecture, BA)

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Executive Summary

The purpose of this Cultural Heritage Impact Assessment (“CHIA”) is to evaluate the potential impact of the proposed severance of the property at 171 Bagot Street on the cultural heritage value and heritage attributes of the West Heritage Conservation District (“West HCD”).

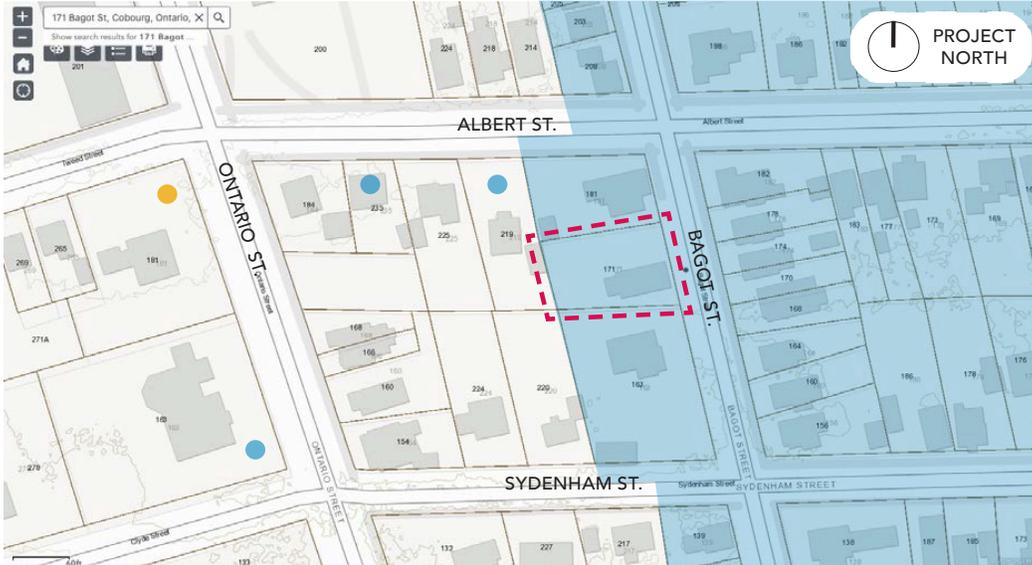
The single family residence at 171 Bagot Street forms part of the West HCD designated under Part V of the *Ontario Heritage Act*. The West HCD Plan conservation objectives include:

- a) To ensure the conservation, maintenance, enhancement and protection of the heritage character and heritage attributes of Cobourg’s West District residential neighbourhood.*
- e) To maintain the residential environment within the District and to discourage the establishment of land uses which would be incompatible with or have adverse effects upon the predominantly residential character of the District.*
- f) To accommodate new development only where it respects or otherwise complements the prevailing low profile (one to two storey) and heritage character of existing buildings and structures within the District and does not adversely affect the cultural heritage character of the District.¹*

This CHIA finds that the proposed severance allows for the preservation of the heritage house at 171 Bagot Street and provides for a new lot that is in keeping with neighbouring lot sizes and patterns. It was not found to have an adverse effect on the cultural heritage value and heritage attributes of the District.

Further, this assessment acknowledges that future new infill on this lot will require a Heritage Permit from the Town.

¹ West HCD Plan, pg. 10-11.



1. Location of 171 Bagot Street shown above. (Town of Cobourg Map, annotated by BA)
 - The subject property delineated with a red dashed line.
 - West HCD area shown in blue overlay.
 - Neighbouring Part IV heritage properties are identified with a yellow dot.
 - Neighbouring non-designated heritage properties identified with a blue dot.

1 Introduction

1.1 Project Framework

With regard to the proposed severance at 171 Bagot Street, Branch Architecture was retained as the Heritage Consultant. The purpose of this Cultural Heritage Impact Assessment is to comment on the potential impact of this proposed change on the cultural heritage value and heritage attributes of the site. This property is designated under Part V of the *Ontario Heritage Act*; it forms part of the West Heritage Conservation District (“HCD” or “District”).

This CHIA forms part of the Heritage Permit application requirement under the HCD Plan.

The scope of this CHIA (as per discussions with Town Staff) includes:

- Historic research on site development in the form of historic maps;
- A description of proposed development / site alteration, impact analysis, and consideration of mitigation measures; and,
- Conservation recommendations.

This CHIA has been prepared with respect to the: *Town of Cobourg’s Cultural Heritage Impact Assessment Terms of Reference*, *Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada*, *Ontario Heritage Act*, *Provincial Policy Statement (2014)*, the Ministry of Culture’s *Ontario Heritage Tool Kit* as well as other charters and guidelines that exemplify best practice.

1.2 Property Description

171 Bagot Street is located on the west side of the street, mid block between Albert and Sydenham streets. The property contains a single family dwelling; a one-and-a-half storey wood frame building clad in brick.

1.3 Present Owner Contact

Cindy Taylor and Jim Henderson

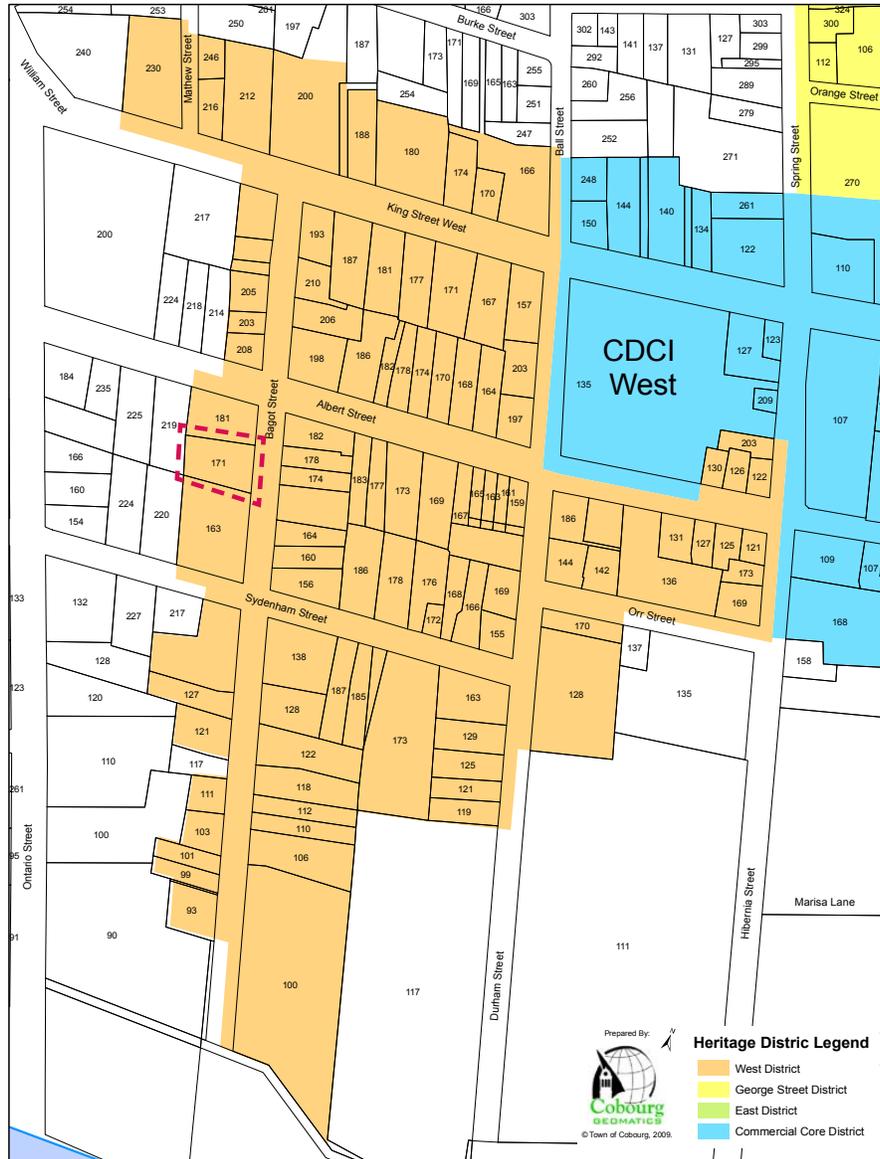
171 Bagot Street

Cobourg, ON K9A 3G3

E: photo@eagle.ca and jim@island30.com

1.4 Existing Heritage Recognition

The property at 171 Bagot Street is designated under Part V of the *Ontario Heritage Act* as it forms part of the West HCD. The HCD by-law (no. 118-92A) was passed in 1992. The HCD Plan was updated as part of the Town's Heritage Master Plan by MHBC, George Robb Architect, Wendy Shearer, and AECOM (May 2016).



2. West HCD boundary indicated in orange. (Town of Cobourg website)

2 171 BAGOT STREET, COBOURG | CHIA

1.5 Heritage Policy and Guidelines

1.5.1 Ontario Heritage Act

Under the *Ontario Heritage Act*, municipalities have the authority to designate individual properties (Part IV) and heritage conservation districts (Part V) that are found to have cultural heritage value. Heritage conservation districts (HCDs) are designated with an aim to achieve a set of objectives particular to the District. Properties within an HCD require a Heritage Permit to undertake alterations to the property and are subject to the policies and design guidelines set out in the HCD Plan.

As per the *Ontario Heritage Act*, applications to alter a property with a District require written consent from Council, however, this application falls within the Town's Heritage Permit delegation by-law (#097-2009). The municipal heritage committee also provides input on heritage permit applications.

1.5.2 Provincial Policy Statement

The *Provincial Policy Statement* (PPS) provides policy direction on matters of Provincial interest related to land use planning and development. The PPS "is intended to be read in its entirety and the relevant policies are to be applied to each situation" (Part III).

Section 2.6 of the PPS titled "Cultural Heritage and Archaeology" provides particular direction concerning heritage sites.

Policy 2.6.1: Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

Policy 2.6.3: Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the

Definition of Select Terms in PPS
Adjacent lands: d) for the purpose of policy 2.6.3, those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.

Conserved: Means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Protected heritage property: means property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the *Ontario Heritage Act*; property identified by the Province and prescribed public bodies as provincial heritage property under the *Standards and Guidelines for Conservation of Provincial Heritage Properties*; property protected under federal legislation, and UNESCO World Heritage Sites.

Source: *Provincial Policy Statement* (2014)

proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

This CHIA has been prepared according to the PPS's definition of 'conserved' as a means of addressing the heritage values, attributes and integrity of the applicable properties. There are two Part V protected heritage properties adjacent to the subject property: 163 and 181 Bagot Street.

This review considered the potential impact of the proposal on the adjacent Part V properties in relation to the guidance in the *Ontario Heritage Tool Kit* and found that it did not affect their heritage attributes.



3. 163 Bagot Street, 2020 (BA).



4. 181 Bagot Street, 2020. (BA)

1.5.3 Town of Cobourg Heritage Master Plan, 2016

The Master Plan ("Plan") provides a vision for heritage conservation in Cobourg:

To conserve and enhance cultural heritage resources and manage change so that the community can continue to grow in keeping with the heritage character of Cobourg while also preserving the vibrant small-town feel.

The vision is supported by several goals to serve the vision related to conservation of buildings, neighbourhoods, streetscapes, waterfront and general character as well as the downtown as an economic and cultural hub.

The Plan also encourages the dedicated management of the Town's Heritage Conservation Districts and recommends tools to support new development that is compatible with the "generally low-mid rise scale and small town character of Cobourg."

1.5.4 *Standards and Guidelines for the Conservation of Historic Places in Canada*

The Parks Canada *Standards and Guidelines* is intended to “achieve good conservation practice” and to establish “a pan-Canadian set of Standards and Guidelines [for] conserving Canada’s historic places” (2nd ed.). The *Standards and Guidelines* are based on a sequence of steps: understanding, planning, and intervening. This approach allows for informed decision making, heritage conservation planned with regard to other planning objectives, and interventions to realize long term, viable uses of heritage sites.

The Standards and Guidelines describe three approaches to conserving a heritage site:

Preservation: The action or process of protecting, maintaining, and /or stabilizing the existing materials, form, and integrity of a historic place or of an individual component, while protecting its heritage value.

Rehabilitation: the action or process of making possible a continuing or compatible contemporary use of a historic place, or an individual component, while protecting its heritage value.

Restoration: The action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, while protecting its heritage value.

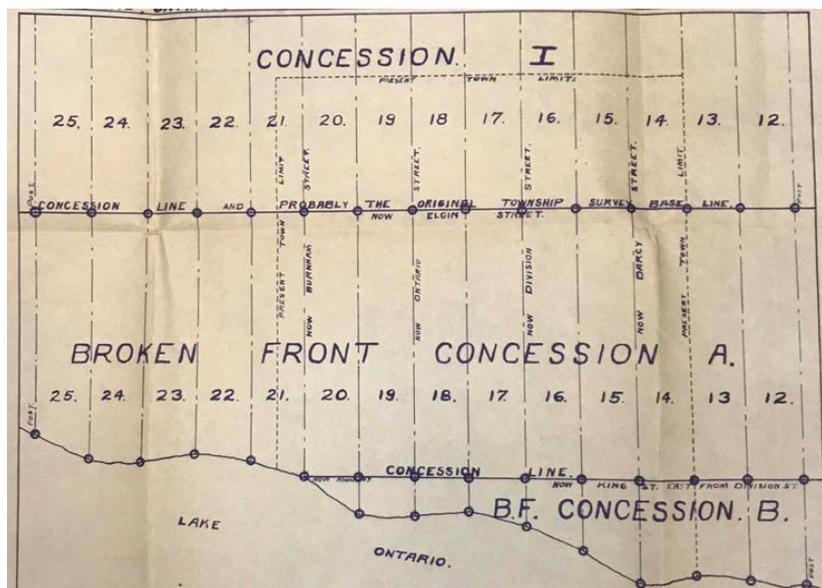
1.5.5 *Eight Guiding Principles in the Conservation of Built Heritage Properties*

Originally developed in relation to the province’s 1980s Heritage Grant Program, these principles are now widely accepted guidance concerning good practice in heritage conservation in Ontario. The base principles call for consideration of the following: respect for documentary evidence; respect for original location; respect for historical material; respect for original fabric; respect for building’s history; reversibility; legibility; and maintenance.

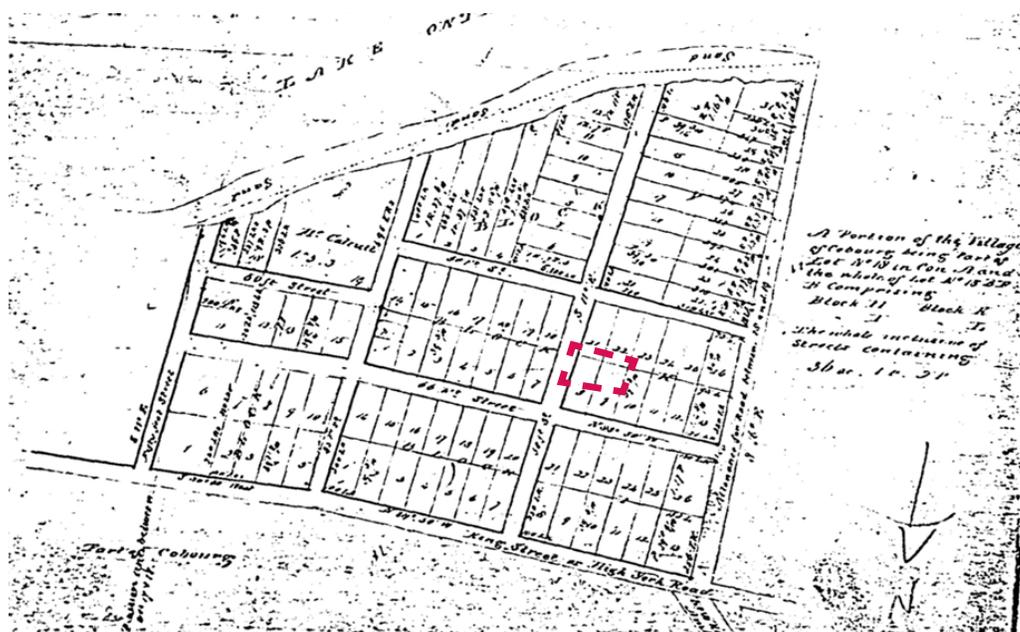
2 Historical Background & Site Evolution

With the settlement of the Town of Cobourg site (first known as Hamilton Township) in 1797, the lands were surveyed by Deputy Surveyor August Jones and divided into concession lots. The following is a summary of the lot subdivision history of the subject property at 171 Bagot Street based on a review of land abstracts and maps:

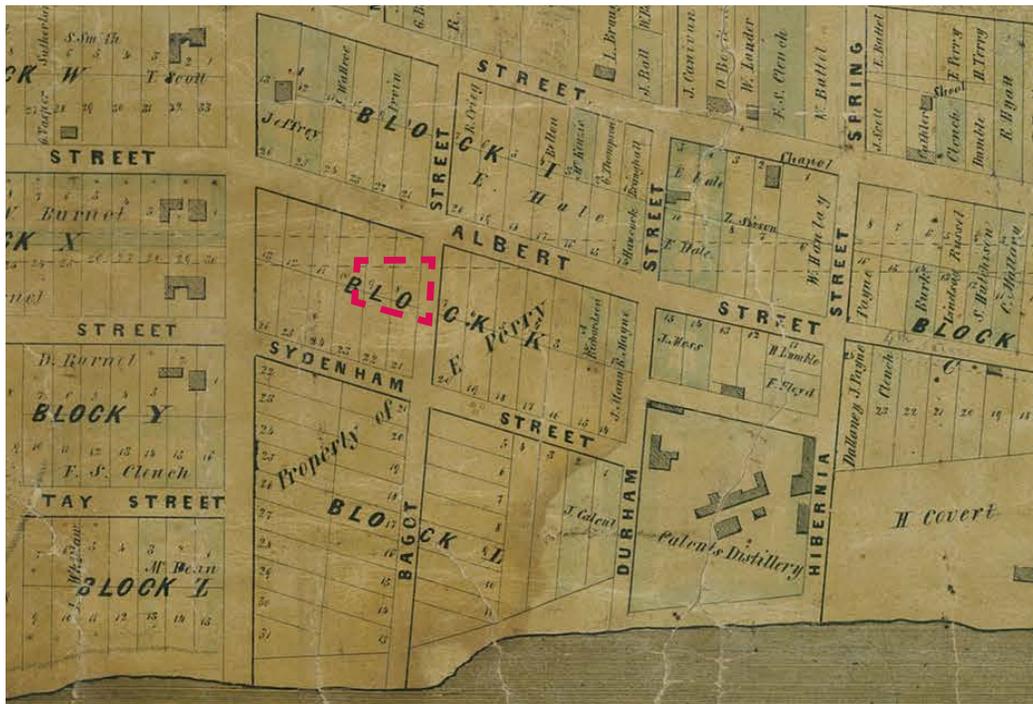
- June 2, 1819: Nathan Williams received patent for Lot 18, Concessions A+B in Hamilton Township.
- 1820-1824: The 35 acres south of King Street was bought and sold several times before Ebenezer Perry obtained the lands in November 17, 1824.
- Between 1824 and 1844: A plan by Frederick P. Rubidge was submitted for the subdivision of the 35 acre parcel and includes Blocks H, I, K and L (see figure 6).
- 1847 - The property is found within Lots 8 and 9 of Block K - "Property of E Perry".
- 1874 - The bird's eye view map shows a house on the west side of Bagot Street. This is likely the house at 163 Bagot Street. Opposite is the former school house.
- 1919 - The existing house is shown on 1919 fire insurance plan. It is a 1 1/2 storey wood frame house clad in a brick veneer with a 1 storey rear addition (same) and a smaller 1 storey wood addition beyond. There is also a 1 1/2 storey wood garage at the north-west corner of the lot.



5. A Sketch Illustrating the Original Survey of Part of Hamilton Township (by Augustus Jones) and Now the Town of Cobourg by Percy L. Climo (Town of Cobourg Archives, TCA)



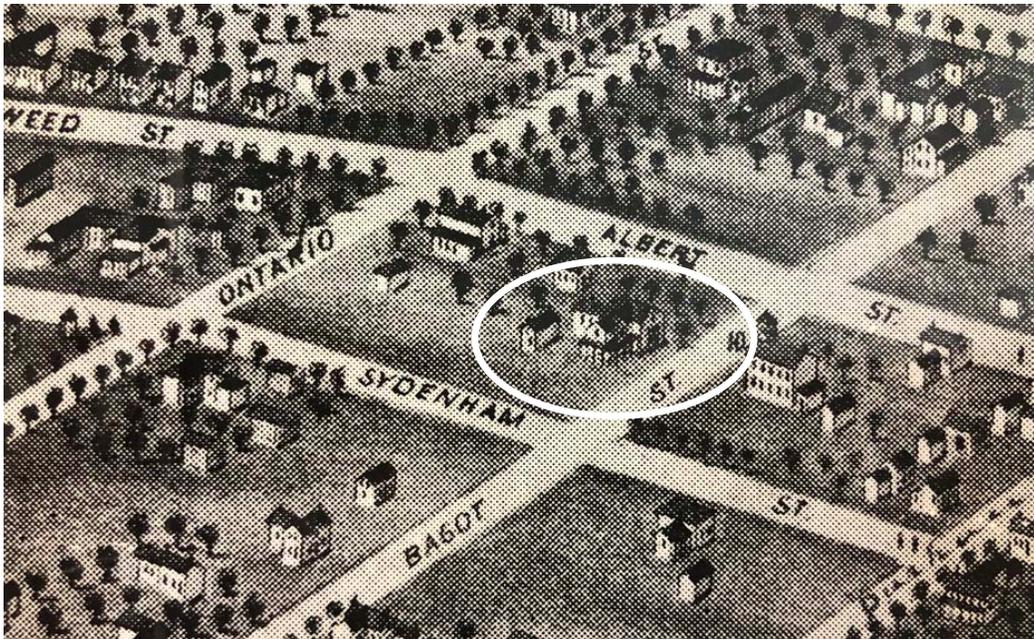
6. Plan of subdivision for the area bounded by the Lake Ontario (top of page), Ontario Street, King Street and Hibernia Streets, undated though found between 1824 and 1844 in the log. (Land Registry book)



7. Detail from the 1847 Plan of the Town of Cobourg by Sanford A. Fleming showing early lot subdivision. (Northumberland Archives, NA)

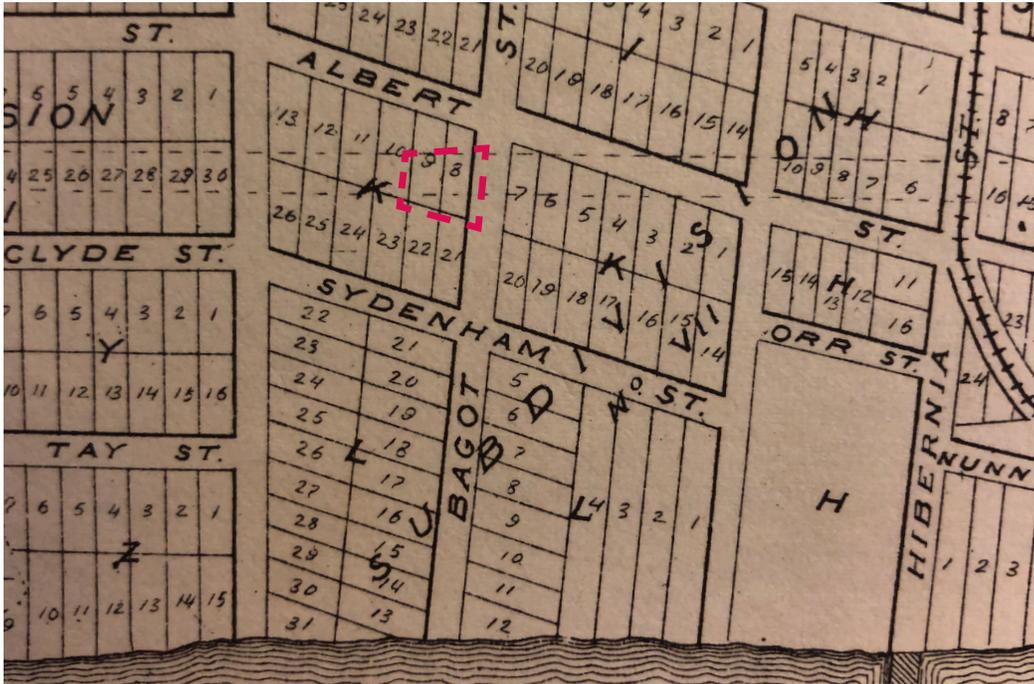


9. Detail from the Plan of the Town of Cobourg by C.E. Caddy (traced from original in 1931) showing lot subdivision. The original dates to 1867, with revisions in June 1892. (TCA)

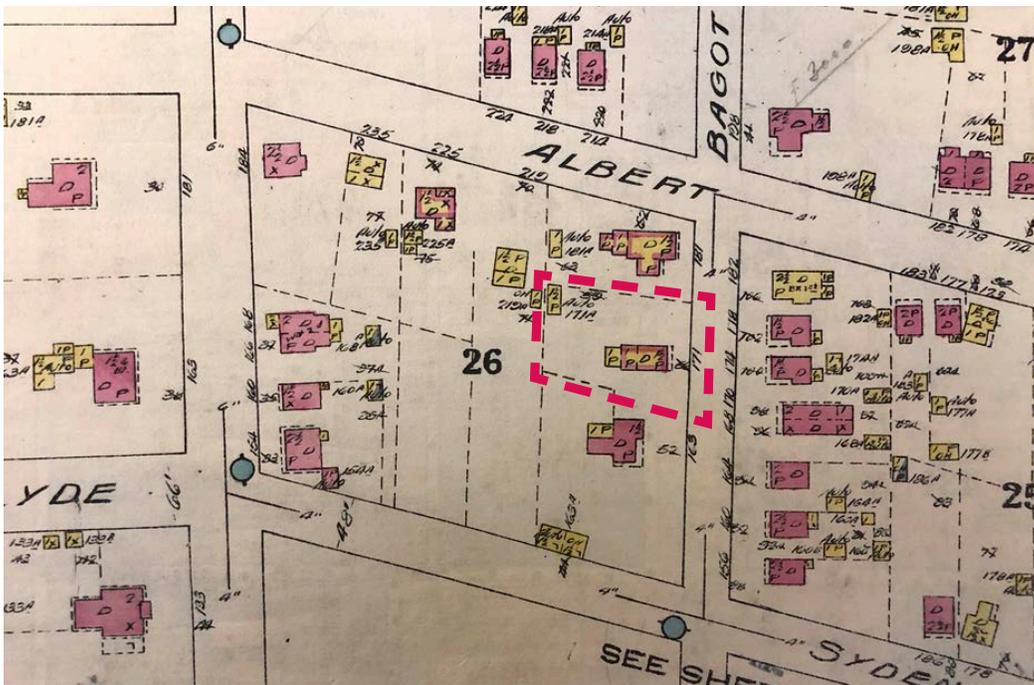


8. Detail from 1874 Bird's Eye View of Cobourg by Mr. Brosius. (TCA)

8 171 BAGOT STREET, COBOURG | CHIA



10. Detail from 1877 County Atlas. (Historical Atlas of Northumberland & Durham Counties)



11. Detail from Fire Insurance Plan by Charles Goad, May 1919 Revised Mar 1946. (NA)



13. 176 Bagot Street. (1985 LACAC Inventory of Cobourg's Century Buildings)



12. 171 Bagot Street, c. 1991. (HCD Study for the Town of Cobourg)

The Inventory of Cobourg's Century Buildings in 8 Volumes provides the following architectural description of the subject property:

171 & 181 Bagot Street

Hugh Harper built these two houses in the late 1870's as rental units. Initially they were identical, but subsequent additions have altered them. 171 Bagot St. retains the original shape of the houses, while 181 has both the bargeboard and the finial still intact in the gable. Both houses have three pane transom side lights.

- *probably initially identical to 181 Bagot St.*
- *two storey red brick stretcher bond*
- *gable roof, gable onto road, finial in gable*
- *front door off centre, three pane transom light, two pane side lights, bottom blind*
- *verandah along front of house supported by squared posts with stepped capitals*
- *verandah has truncated hip roof*
- *later addition*
- *windows, double hung sash, two over two, wooden lugsills*
- *radiated cream voussoir over windows and above door basement*
- *at back of house, shed roof*
- *brown clapboard shed roofed addition beyond that*

built in 1876, Hugh Harper

3 Statement of Cultural Heritage Value

The following is repeated from the West Heritage Conservation District Plan:

Statement of District Significance

Lands in the West District were subdivided by the 1850s, but most construction did not occur until the 1870s, when the town's economic activity increased with new industry. The west side of Cobourg contained the bulk of the town's industrial activity, located around Factory Creek. As a result, many of the houses in the West District are of vernacular design, constructed for workers, with the occasional grander residence of a factory owner. A second building boom occurred in the early 20th century, resulting in new construction on vacant lots or replacing earlier buildings.

Unlike other neighbourhoods in Cobourg, this area did not have influence from proximity to major institutions or the commercial core and was not an area where American summer houses were concentrated. The dominant vernacular character of the West District is characteristic of these circumstances.

The neighbourhood is representative of a late 19th and early 20th century residential neighbourhood that has continued to evolve over time. The District character is primarily defined by vernacular housing types, with repetition of similar plans. There are some examples of other architectural styles and influence, including Gothic Revival and Edwardian Classicism, Italianate and Neo-Classical, but they are limited in number. Red brick is the dominant materials, though there are also buildings that feature yellow brick or stone. Synthetic siding is present on many buildings as well. Front and side gable roof types are most common, as are two and three bay façade arrangements. Generous porches are present on most buildings, and provide a link between private residences and the public streetscape. Streets feature grassed boulevards on one or both sides of the street, open and landscaped lawns with little front yard fencing, and mature trees that provide a canopy to the street and rich vegetated character. Sidewalks are present on one or both sides of the street.

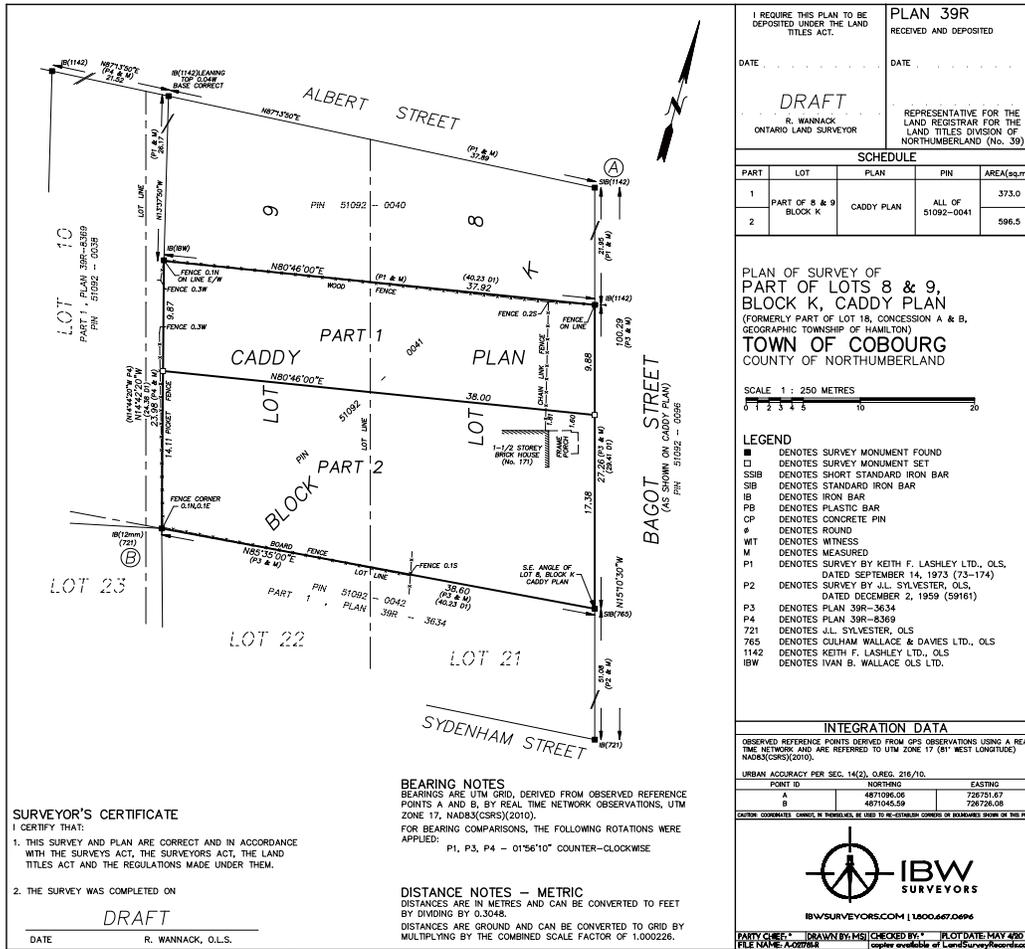
Most properties have driveways beside the house. Where garages exist, they are most often detached and set back from the front façade of the house.

Coherence in the West District is evident in a general low profile residential character between one and two storeys, with relatively consistent setbacks from the street. Lot sizes vary, with some larger lots similar to those found in the West District, and smaller lots common to the George Street District.

List of heritage attributes

The following is a list of heritage attributes associated with the West Heritage Conservation District:

- Residential character of the neighbourhood consisting of one to two storey residential buildings
- Repetitions in patterns of roof types, such as front gable, side gable and hip with low to medium pitches
- Modest architectural design, with understated decorative/architectural detailing
- Primarily vernacular housing style, with some examples of architectural styles including Neo-Classical, Gothic Revival, Italianate and Edwardian Classicism
- Dominant pattern of two and three bay façade organization on front elevations
- Predominance of red brick cladding
- Orientation of houses and porches to the street
- Varying of setbacks of buildings from the street
- Vegetated front yards with lawn and/or landscaping and minimal front yard fencing
- Grass boulevards with street trees
- Views along Bagot Street terminating at St. Andrew's Presbyterian Church to the north and the waterfront to the south



14. Draft reference plan of proposed lot severance by IBW Surveyors.



15. Looking north along west side of Bagot Street. (BA)



16. Looking north along east side of Bagot Street. (BA)

4 Conservation Strategy

The following conservation strategy has been prepared as part of the heritage permit application for the proposed lot severance. It presents a conservation approach that specifically responds to the West HCD guidelines and the heritage character of the Bagot Street. This assessment was informed by a site visit on February 12, 2020.

4.1 Proposed Development

The intent of this application is to sever the property at 171 Bagot Street into two lots fronting on Bagot Street. The existing house is to be maintained on the southern parcel. See figure 14.

4.2 Conservation Strategy Discussion

The intent of the Conservation Strategy is to maintain the cultural heritage value and heritage attributes of the District while allowing for the creation of this new lot. The prime considerations in this project relate to:

- determining that this lot is a good candidate for a severance; and,
- considering the potential impact of a new lot and future infill building on the heritage character of the streetscape.

The West HCD Plan provides general guidance on new free-standing construction within the District, and further direction is found in the *Town's Guidelines for Infill Development in Cobourg's Heritage Conservation Districts ("HCD Infill Guidelines")*.

In accessing the this proposed change, it is important to understand the subject lot as well as its position within the District.

The property forms part of the Bagot Street streetscape; it is located on the west side of the street between Albert and Sydenham Street. Bagot Street is a short two-way street

Understanding: Understanding of a historic place is an essential first step to good conservation practice, which is normally achieved through documentary and oral research and physical investigation[...] The information collected in this phase will be used throughout the conservation decision making process and should remain accessible.

Planning: Planning is the mechanism that links a comprehensive understanding of an historic place with interventions that respect its heritage value. Planning should consider all factors affecting the future of an historic place, including the needs of the owners and users, community interests and the potential environmental impacts, available resources and external constraints. The most effective planning and design approach is an integrated one that combines heritage conservation with other planning and project goals and engages all partners and stakeholders early in the process and throughout.

Intervening: If the use of a historic place is part of its heritage value, then that use should be retained. Otherwise, a use compatible with its heritage value should be found. A viable use — economic, social or symbolic — will better ensure the long-term survival of a historic place and lessen or prevent deterioration caused by environmental and human activities.

Source: *Standards and Guidelines* (2nd Ed, Chapter 1, The Conservation Decision Making Process)

running south from King Street to the waterfront. The streetwall is composed of one to two-storey nineteenth century houses of varying exterior treatment (brick, stone, stucco). The placement of the buildings on the lots vary, though there is the appearance of a generally cohesive street wall. The street is framed on either side with trees (in the right of way) and a sidewalk runs the full length of the street on the east side.

The existing lot is 37.92m (~125'-6") deep with a 27.26m (~89'-6") lot frontage on Bagot Street and a 23.98m (~78'-6") rear lot width. The lot is located along the west edge of the District. The opposite street wall has a fine-grained appearance; there is a line of closely spaced front gable houses. The houses follow a consistent front yard setback and many display front yard parking.

This assessment finds that this lot is a good candidate for a severance as:

- It allows for the retention of the existing heritage building.
- It provides a new lot for a single family dwelling. The proposed lot is in keeping with the varying lot sizes and widths found within the immediate area and including directly across the street. The *HCD Infill Guidelines* state that lot sizes and frontage vary "tremendously" within the Districts.
- The south parcel complies with the R3 zoning requirements. The severance line has been established to provide an interior side yard setback of 1.6m (5.3 ft.) between the existing one-and-a-half storey house and the proposed adjacent lot. This is in keeping with the *HCD Infill Guidelines* that notes a diversity of side yard conditions and the importance of preserving open views / glimpses to rear yard greenery (Section 3.15).
- The proposed north parcel lot generally complies with the R3 zoning. The only variance is the lot frontage. In an R3 zone the required lot frontage is 11m (36 ft.). The new lot frontage is 9.88m (~32'-6"), however, based on a survey provided by Town Staff there are multiple lots within a one block radius that have reduced lot frontages with the smallest at 7.62m (25 ft.). See annotated plan at figure 17. Further, the *HCD Infill Guidelines* advises that "Lot size and frontage should vary, while still accommodating sufficient frontage for side yards" (Section 3.14). For general information, the proposed north lot size allows for a future dwelling; a 7.88m (~25'-9") wide bungalow or 6.68m (~22ft.) wide two-storey house.

In summary, the proposed severance allows for the preservation of the heritage house at 171 Bagot Street and provides for a new lot that is in keeping with neighbouring lot sizes and patterns.

- f) To accommodate new development only where it respects or otherwise complements the prevailing low profile (one to two storey) and heritage character of existing buildings and structures within the District and does not adversely affect the cultural heritage character of the District.

Part II of the HCD Plan includes guidelines and policies for managing change. The direction provided is generally focused on the conservation of the built heritage and landscape. While there is no specific mention of changing property boundaries (lot severances or consolidations), Section 7.0 Infill development does recognize that new infill development or freestanding structures may be introduced over time. New construction on the severed lot will need to demonstrate it is compatible with the heritage character of the HCD and comply with these policies (list below) as well as other applicable Town of Cobourg guidance regarding site design and urban design.

7.1 New freestanding construction

- a) New freestanding construction will be required to be compatible with the heritage character and attributes of adjacent heritage properties and the cultural heritage value of the District. This means adhering to the character of the surrounding neighbourhood of the District with regards to lot patterns, heights, massing, setback, building scale, roof pitches and exterior materials.
- b) New construction shall be a product of its own time and not pretend to be historic by incorporating historic detail that is inappropriate in contemporary construction. New design may be a contemporary interpretation of historic forms and styles, but replicas of historic buildings are discouraged.
- c) Maintaining the height and rhythm of the existing streetscape will unify the District. Blank façades that face the street or are easily visible from the street are not permitted.
- d) The District contains a variety of roof forms, including front gable, side gable, cross gable and hipped. Any of these roof forms in a low to moderate pitch are appropriate for new infill. Where a dominant or consistent pattern exists within the streetscape, this shall be followed.
- e) Windows and entrance doors on the primary elevations of new buildings shall be compatible with the character of the neighbourhood, reflecting typical shapes, orientation and composition found within the District.
- f) The Town of Cobourg Guidelines for Infill Development in Cobourg's Heritage Conservation Districts shall also be consulted for additional guidance.
- g) Views are an important component to the District, and as such the policies and guidelines related to views (10.8) shall also apply to the consideration of infill development proposals.

4.4 Ontario Heritage Tool Kit

The following table assesses the proposed severance of the heritage property in relation to potential negative impacts identified in the *Ontario Heritage Tool Kit*.

Issue	Assessment
Destruction of any, or part of any, significant heritage attributes or features	The proposed severance is does not involve the removal or destruction of any heritage attributes.
Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance	The proposed severance provides a lot pattern that mirrors the fine-grained lot patterns found on the opposite side of Bagot Street.
Shadows created that alter the appearance of a heritage attribute, or change the viability of a natural feature or plantings, such as a garden	The creation of a new lot will not result in any new shadows. Future new development here should balance the prevailing building placement patterns on the street (orientation, setbacks, height, roof lines, etc.) with the R3 zoning requirements.
Isolation of a heritage attribute from its surrounding environment, context or a significant relationship	The proposed severance will not isolate the heritage attributes within the HCD.
Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features	The views north and south along Bagot Street will not be affected.
A change in land use such as a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open space	The residential use will be maintained.
Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect an archaeological resource	There are no known archaeological resources on the site.
Other	n/a.

5 Findings & Recommendations

This CHIA finds that the proposed severance allows for the preservation of the heritage house at 171 Bagot Street and provides for a new lot that is in keeping with neighbouring lot sizes and patterns. Further, this change does not adversely effect the cultural heritage value and heritage attributes of the District.

Further, this assessment acknowledges that future new infill on this lot will require a Heritage Permit. The proposed design will be assessed with respect to the policies set out in the West HCD Section 7.0 Infill development and the Town's *Guidelines for Infill development in Cobourg's Heritage Conservation District*.

Appendix 1: Sources

1. H. Beldon & Co. Illustrated Historical Atlas of the Northumberland & Durham. Toronto, Ont.: H. Beldon & Co., 1878.
2. Local Architectural Conservancy Advisory Committee (LACAC). *The Inventory of Cobourg's Century Buildings in 8 Volumes*. 1985.
3. Northumberland County Archives. *Fire insurance plans*.
4. Mikel, Robert D. *Heritage Conservation District Study for the Town of Cobourg*. Town of Cobourg and the Cobourg Architectural conservation Advisory Committee, February-March 1991.

Websites:

- Cobourg History website. www.cobourghistory.ca
- Ontario Land Registry. www.onland.ca



The Corporation of the Town of Cobourg

NOTICE OF HEARING OF THE COMMITTEE OF ADJUSTMENT

SUBJECT LANDS: 467 Sandra Crescent

FILE NO: A-03/20

The Town of Cobourg Committee of Adjustment has received an application from John and Vicki Vanderwel for a Minor Variance to Comprehensive Zoning By-law 85-2003 for land known municipally as 467 Sandra Crescent (the "Subject Lands") in accordance with Section 45 of the Planning Act, R.S.O. 1990, c.P.13, as amended. Please see the Key Map below.

The Applicant is proposing to construct a new attached garage and mud room to the rear of the existing dwelling with a rear yard setback of 3.35 m. The Zoning By-law requires a rear yard setback of 7.0 m for any primary buildings, including an attached garage (a 1.0 m setback would be required for a detached garage). Thus, a Minor Variance to the rear yard setback regulation in the amount of 3.65 m is required for the proposed attached garage and mud room.

A Hearing will be held by the Committee of Adjustment on Tuesday, July 28th 2020 via Zoom Video Conference at 4:00 p.m. Please note if a party who is notified does not attend the hearing or make written submissions prior to the Hearing, the Committee can proceed and the party is not entitled to any further notice.

NOTE TO THE PUBLIC:

Due to the COVID-19 Pandemic, Committee of Adjustment Hearings will be conducted through Zoom Video Conference Applications. If you wish to be a Participant at the Video Hearing, we encourage you to notify Brent Larmer, Municipal Clerk, via e-mail at clerk@cobourg.ca or by phone at (905)372-4301 no later than 3:00 pm on July 27th. Please ensure that you have a computer with internet access to enable you to participate in the Hearing electronically. If you do not wish to participate by video, or do not have the necessary technology, you may use a telephone and call in to participate. Alternatively, written submissions to the Municipal Clerk in advance of the Hearing are encouraged and will be made available to any interested person at the Hearing.

The details for participating in the Hearing are as follows:

Web: https://us02web.zoom.us/j/83148676960?pwd=VHh3d01HZUhKOVVDN1pmV1dpU3JKQT09

Phone: +1 778 907 2071 Canada

Meeting ID: 831 4867 6960

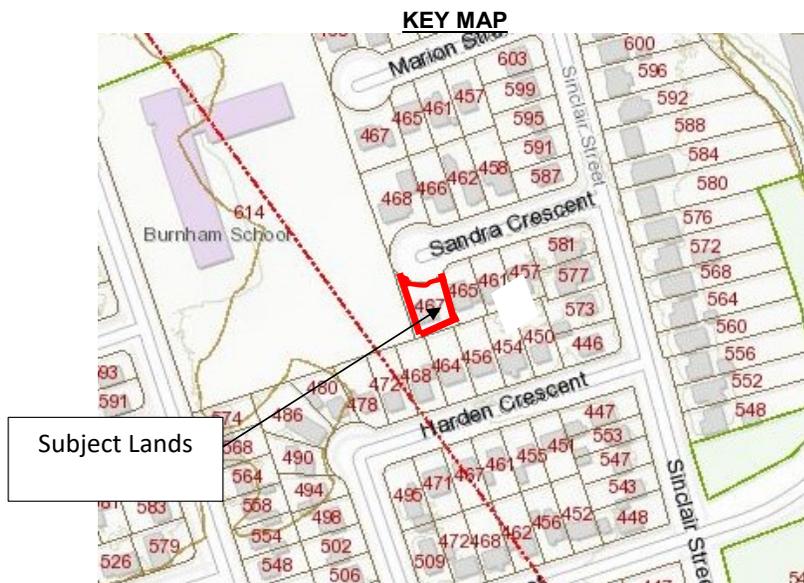
Password: 070868

Citizens may tune into the LIVE YouTube feed to watch the Hearing at www.youtube.com/towncobourg.

Additional information which will enable the public to understand the proposed application is available upon request by contacting the Town's Planning Department, c/o Rob Franklin, Manager - Planning, Victoria Hall, 55 King Street West, Cobourg, K9A 2M2, via e-mail at rfranklin@cobourg.ca or by phone at 905-372-1005 during regular office hours.

DATED at Cobourg this 9th day of July, 2020
ZONE: Residential Type 2 (R2) Zone

Adriane Miller, Secretary-Treasurer
Committee of Adjustment
amiller@cobourg.ca
(905)372-1005



 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG	
	STAFF REPORT	
TO:	Committee of Adjustment	
FROM: TITLE:	Rob Franklin, MCIP, RPP Manager of Planning	
DATE OF MEETING:	July 28 th , 2020.	
TITLE / SUBJECT:	Application for Minor Variance: 467 Sandra Cres (John and Victoria Vanderwel)	
REPORT DATE:	July 23 rd , 2020	File #: A-03/20

1.0 STRATEGIC PLAN
N/A

2.0 RECOMMENDATION

The following actions are recommended:

THAT the requested minor variance to permit a 3.35 m rear yard setback for an attached garage for the property known municipally as 467 Sandra Crescent be granted subject to the following conditions:

1. That the Variance generally relate to the plans submitted in **Schedule "B"**.
2. All conditions are subject to the specifications and approval of the Town of Cobourg, but at no cost to the Municipality.

3.0 PUBLIC ENGAGEMENT

Section 45 (5) of the Planning Act, R.S.O. 1990, c.P. 13, as amended, prescribes statutory notice requirements for minor variance applications. The Planning Act requires that at least ten (10) days before the day of the hearing, notice shall be given by either:

- a) personal service or ordinary service mail to every land owner within a 60 m radius of the area to which the application applies; or
- b) publication in a newspaper that is of sufficient circulation in the area which the application applies.

The statutory notice requirements of the Planning Act have been fulfilled for this application. The notice of application is also posted on the Town of Cobourg website.

4.0 ORIGIN

The subject property known as 467 Sandra Crescent is an established residential property, improved with a one-storey single-unit residential dwelling. The subject property is approximately 22.9 m (75ft) in frontage, and approximately 1,162.5 m² (12,540 ft²) in lot area. See **Schedule "A"** Key Map.

The applicant wishes to construct a garage/workshop but rather than having it detached, they wish to attach it with a mudroom at the rear of the house. See **Schedule "B"** Concept Plan.

The subject property is located in a Residential Town (R2) Zone, and presently, the R2 Zone permits a detached garage at 1m rear yard setback but for an attached garage and main building a 7m rear yard is required. Therefore, the applicant is seeking the following variance:

- To permit 3.35 m rear yard, a variance of 3.65 m.

5.0 ANALYSIS

In the analysis of this application, a number of points have been reviewed:

1. Provincial Policy Statement (PPS) & A Place to Grow Growth Plan

The Planning Act R.S.O. 1990, c.P.13, requires that decisions of local approval authorities shall be consistent with matters of Provincial Interest in carrying out decisions on applications such as consents and/or minor variances. Items of Provincial Interest are outlined in the Provincial Policy Statement (PPS) and A Place to Grow Growth Plan and include:

- promoting efficient, cost-effective and financially sustainable development and land use patterns;
- ensuring that sufficient land is designated and approved to accommodate projected residential growth;
- ensuring that an appropriate range of housing types and densities are provided to meet the requirements of current and future residents;
- ensuring that necessary infrastructure and public service facilities are or will be available to meet projected needs;
- promoting land use patterns and densities which are transit-supportive;
- avoiding development and land use patterns which may cause environmental and/or public health and safety concerns;
- conserving significant built heritage resources;
- facilitating and promoting intensification.

Beyond the above items, Section 1.4.3 of the PPS directs municipalities to permit all forms of housing to provide an appropriate range and mix of housing types and densities – including affordable housing. Further, municipalities should permit and facilitate residential intensification and redevelopment within existing, built-up serviced areas.

The proposal will add an attached garage on the subject property. The subject property is of a suitable size and configuration to support an adequate amenity space to the west of the proposed garage without disturbing the surrounding land uses, or negatively impacting the existing use of the residential property.

Overall, it is my opinion that the proposal reflects the provincial directive to create strong, liveable, healthy and efficient communities through efficient land use. The application will maintain the established, serviced neighbourhood. In my opinion, this property is a suitable candidate for a minor residential intensification.

Given the above discussion it is my opinion that the proposal maintains the general intent and purpose PPS and A Place to Grow Growth Plan.

2. Northumberland County Official Plan

The Official Plan for the County of Northumberland was approved by the Ontario Municipal Board on November 23, 2016 and is now in full force and effect. The purpose of this upper-tier Official Plan is to provide a policy basis for managing growth and change that will support and emphasize the County's unique character, diversity, civic identity, urban and rural lifestyles and natural and cultural heritage and to do so in a way that has the greatest positive impact on the quality of life in the County.

The subject lands are located within the Built Boundary of the Urban Area, as designated in the County Official Plan. The County OP aims to focus growth in Urban Areas, and to support the establishment of complete communities. The policies contained within the County Official Plan encourage the provision of a range of housing types to accommodate persons with diverse social and economic needs, and support opportunities for various forms of residential intensification, where appropriate.

It is my opinion that this proposal supports the policies of the Northumberland County Official Plan by providing residential intensification within the urban serviced area of the municipality.

3. Official Plan

The subject property is designated Stable Residential Area in the approved Town of Cobourg Official Plan (2010). Applications for new development in such areas are to be evaluated based on their ability to generally maintain the structure and character of the surrounding area. The land use policies of the Stable Residential Area designation provide a number of elements that new development applications should be evaluated on. The following elements were considered as part of this variance application:

i) scale of development respects the height, massing and density of adjacent buildings and is appropriate for the site;

The proposed attached garage will be situated in the rear yard of the existing residential lot. It is set back from the street and maintains the height of the primary building.

ii) respects the nature of the streetscape as defined by such elements as landscaped areas, and the relationship between the public street, front yards and primary entrances to buildings;

No changes to the front of the building are expected as part of this application.

iii) respects the relationship between the rear wall of buildings and rear yard open spaces;

The relationship between the rear wall of the existing dwelling and the rear yard open space area will be changed with this application. There is ample rear yard open space to accommodate an appropriate outdoor amenity area to the west of the proposed garage. Had this been a detached garage, it would have been permitted as-of-right up to 1m from the rear and side lot line.

iv) siting of building in relation to abutting properties ensures that there will be no significant negative impacts with respect to privacy and shadowing and appropriate buffering can be provided.

The building is one-storey in height. The ample yards provide an appropriate buffer for between the subject property and low-density residential uses to the east and south. See **Schedule "C"** Air Photo and the numerous and some large rear garages.

v) conforms with density provisions of Section 3.4.3.3;

The proposal adds no new residential unit(s).

viii) Town is satisfied with the proposed grading, drainage and storm water management and, in particular that there is no impact on adjacent properties;

Given that the proposed additional structure to be located at the rear of the existing building, and that generous side yard setbacks will be implemented, there is no need for any additional plans with regard to grading and drainage.

xiii) does not hamper or prevent the orderly development of adjacent properties;

This application will not hamper or prevent the orderly development of adjacent properties.

xiv) garages are designed so that they are not the dominant feature in the streetscape.

The proposed garage is in the rear yard of the existing dwelling and is not dominant as a result of this proposal.

xvi) is in accordance with the Town's Urban and Landscape Design Guidelines

The proposal in this case, is to construct an attached garage at the rear of the lot. The applicant wishes to add a Mud Room which will connect the 2 structures. If it was detached, it would be permitted as-of-right. With the extra lot width of this particular lot, an ample amenity space is being maintained beside the garage. Therefore, it is my opinion that the proposal as shown in the Schedules attached hereto maintains the general intent and purpose of the Official Plan and the Town's Urban and Landscape Design Guidelines. Further discussion on the Urban and Landscape Design Guidelines is included below.

Urban and Landscape Design Guidelines

The Cobourg Urban and Landscape Design Guidelines ("the Design Guidelines") were adopted by Council in September 2010 and are now in effect. The general design policies in the current, approved OP should be read together with the Design Guidelines when evaluating development applications, including minor variance applications.

Section 4.5.2 Residential Buildings provides a general outline of principles for residential design. These principles speak to creating strong public face with attractive and animated building frontages and that automobile storage should be subordinate to the house façade. Also the mass, scale and architectural elements should be sensitive to adjoining areas.

Section 4.5.2.4 Residential Setbacks identifies a minimum 50m² amenity area where there are rear garages. In this instance there is approximately 140m². It also excludes attached rear yard garages from the required setback definition. Unfortunately, this change of direction is not yet incorporated into the Zoning By-law.

Based on the above discussion, it is my opinion that the proposal would maintain the intent of the Town's Urban and Landscape Design Guidelines.

4. Zoning By-law

The subject property is located in a Residential Two (R2) Zone. The R2 Zone permits single-unit dwellings. The R2 Zone requires a 7m rear yard for the main building (including any attached garage) but permits a 1m rear yard for a detached garage. The intent of the R2 rear yard setbacks is to maintain ample amenity space for the residential use. With regular width lots (11-15m), a full width home being located in the rear yard would eliminate the amenity space. In this case, the subject property is of a wider width lot than many others located in the neighbourhood since it lies at the end of the cul-de-sac.

The subject property has an approximate lot frontage of 22.86 m (75 ft) and a depth of 32 m (104.8 ft). Had this been a detached garage, it could have been located up to 1m from the side and rear lot lines. It is the addition of a 2.25m x 3.65m mud room attaching the two structures that causes the conflict with the Zoning By-law provisions. This area and the main dwelling are well setback from the rear lot line.

Given the above discussion, it is my opinion that the proposal as discussed in the report, maintains the general intent and purpose of the Zoning By-law.

5. Minor/Desirable

It is important to note that the determination of "minor" in the context of a variance application such as this, is not a numeric exercise. The requested variances are assessed individually with respect to potential impact on surrounding land uses, and evaluated comprehensively with consideration to the overall proposed development.

It is my opinion that with the subject property located at the end of the cul-de-sac and being of a larger width than most of the neighbourhood, there remains sufficient space for an amenity area at the rear of the lot.

The neighbourhood is characterized as smaller post-war bungalows with many garages in the side and rear yards in the surrounding low-density residential area. See **Schedule "C"** Air Photo and the numerous and some large rear garages. Thus, the neighbourhood this case is, in my opinion, supportive of the proposed attached garage on the subject property.

It is my opinion that the proposed garage is desirable for the ongoing use and development of the subject property, and does not conflict either the Province's or County's policy direction to include more diversity in housing types.

Based on the above discussion, it is my opinion that the proposed variance, as discussed in this report, is minor, as the proposal will not result in a change of the existing character of the property. The proposed decrease in rear lot area on the property, is minimal relative to the overall lot area, and would be desirable given that there remains adequate amenity space.

6. The requested minor variance does not appear to create a traffic hazard or perpetuate an existing traffic problem.

7. The requested minor variance does not appear to be impacted by any natural hazards being the floodplain of Cobourg Creek although it is regulated by GRCA.

8. The requested minor variance does not appear to pose a negative impact to surrounding land uses.

As of the writing of this Report, no further Department or Agency comments have been received. The Committee of Adjustment will be informed of any comments submitted on or before the meeting date.

6.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

There are no new anticipated negative financial implications imposed on the Municipality as a result of these minor variances. The applicant submitted the required \$1,750.00 application fee and deposit.

7.0 CONCLUSION

1. The proposed minor variance does not conflict with matters of Provincial Interest as outlined in the Provincial Policy Statement and the Place to Grow Growth Plan.
2. The proposed minor variance would maintain the general intent and purpose of the County and Cobourg Official Plans.
3. The proposed minor variance would maintain the general intent and purpose of the Zoning By-law.
4. The proposed minor variance would be generally desirable and allow for the appropriate development of the subject lands.
5. The proposed variance would be considered minor.

Suggested Conditions, if approved:

1. That the Variance relate to the Concept Plan as shown on **Schedule “B”**.
2. All conditions are subject to the specifications and approval of the Town of Cobourg, but at no cost to the Municipality.

8.0 POLICIES AFFECTING THE PROPOSAL

The primary policies affecting this application relate to the policies of the Provincial Policy Statement, County and Cobourg Official Plan, particularly the Residential Area policies.

9.0 COMMUNICATION RESULTS

That the request for minor variance on lands known municipally as 467 Sandra Crescent, be granted by the Committee of Adjustment.

Approved by:

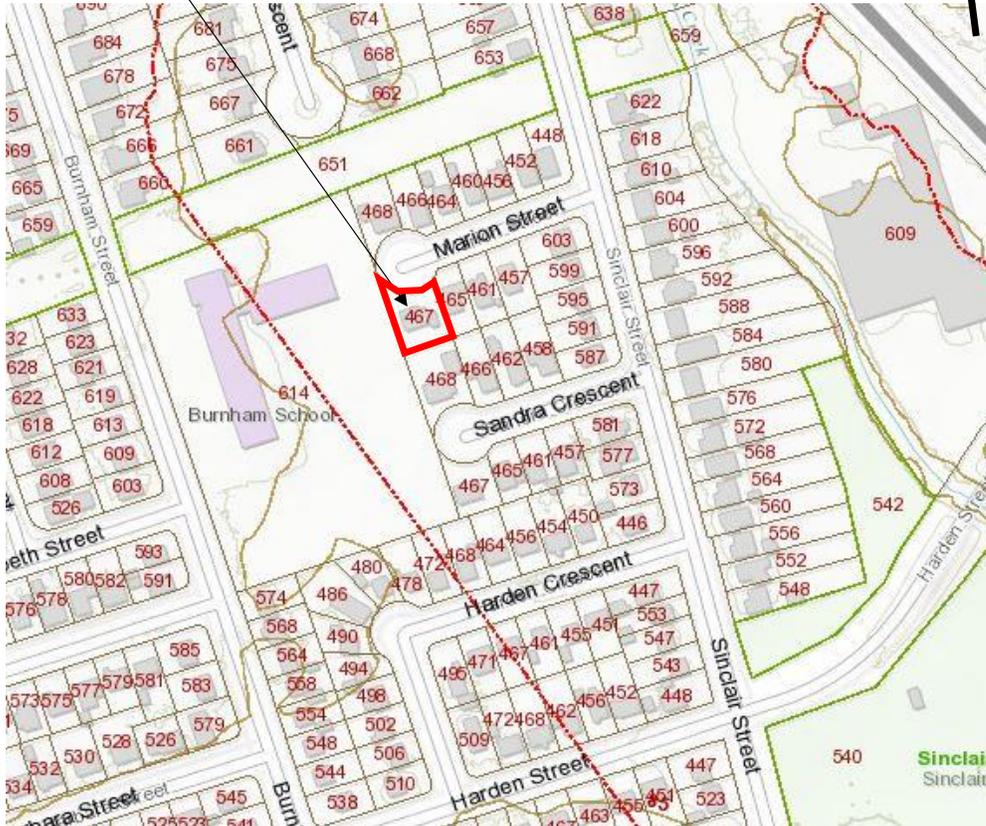


Glenn J. McGlashon, MCIP, RPP
Director of Planning & Development

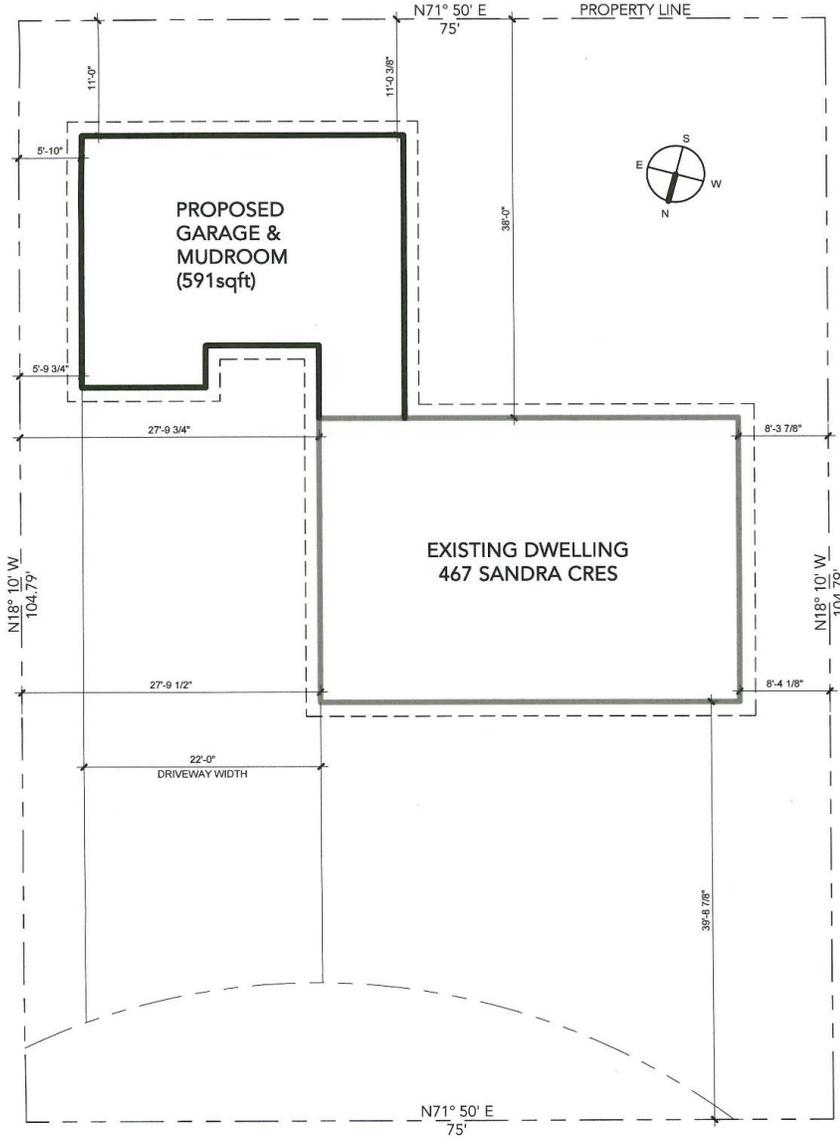


Schedule "A" Key Map

Subject Property



Schedule "B"
Concept Plan



Schedule "C"
Air Photo





The Corporation of the Town of Cobourg

NOTICE OF HEARING OF THE COMMITTEE OF ADJUSTMENT

SUBJECT LANDS: 428-432 King Street East

FILE NO: B-04/20

The Town of Cobourg Committee of Adjustment has received an application from Nitin Malhotra of NArchitecture on behalf of King & Brook Inc. and King & Brook East Inc. for a Consent -- Lot Addition and a Consent – Easement for the lands known municipally as 428 King Street East and 432 King Street East (collectively called the "Subject Lands") in accordance with Section 53 of the Planning Act, R.S.O. 1990, c.P.13, as amended. Please see the Key Map below.

The proposed Consent – Lot Addition will sever the north half of vacant land at 428 King Street East having a frontage of 5.13 m on King Street East and 41.1 m frontage on Brook Road North (the "Severed Lands"), which will be conveyed to and merged with the adjacent vacant landholding at 432 King Street East. The "Retained Lands" at 428 King Street East will have 33.65m frontage on King Street West and 42.57m frontage on Brook Road and are proposed for the development of a Convenience Store/Gas Bar. The larger landholding at 432 King Street East is also proposed for commercial restaurant development. The proposed Consent – Easement is to permit an easement in favour of the Retained Lands over 432 King Street East for driveway access and services for the Convenience Store/Gas Bar.

A Hearing will be held by the Committee of Adjustment on **Tuesday, July 28th 2020** via Zoom Video Conference at **4:00 p.m.** Please note if a party who is notified does not attend the hearing or make written submissions prior to the Hearing, the Committee can proceed and the party is not entitled to any further notice.

NOTE TO THE PUBLIC:

Due to the COVID-19 Pandemic, Committee of Adjustment Hearings will be conducted through Zoom Video Conference Applications. If you wish to be a Participant at the Video Hearing, we encourage you to notify Brent Larmer, Municipal Clerk, via e-mail at clerk@cobourg.ca or by phone at (905)372-4301 no later than 3:00 pm on July 27th. Please ensure that you have a computer with internet access to enable you to participate in the Hearing electronically. If you do not wish to participate by video, or do not have the necessary technology, you may use a telephone and call in to participate. Alternatively, written submissions to the Municipal Clerk in advance of the Hearing are encouraged and will be made available to any interested person at the Hearing.

The details for participating in the Hearing are as follows:

Web: <https://us02web.zoom.us/j/83148676960?pwd=VHh3d01HZUhKOVVDN1pmV1dpU3JKQT09>

Phone: +1 778 907 2071 Canada

Meeting ID: 831 4867 6960

Password: 070868

Citizens may tune into the LIVE YouTube feed to watch the Hearing at www.youtube.com/towncobourg.

Additional information which will enable the public to understand the proposed application is available upon request by contacting the Town's Planning Department, c/o Rob Franklin, Manager - Planning, Victoria Hall, 55 King Street West, Cobourg, K9A 2M2, via e-mail at franklin@cobourg.ca or by phone at 905-372-1005 during regular office hours.

DATED at Cobourg this 9th day of July, 2020

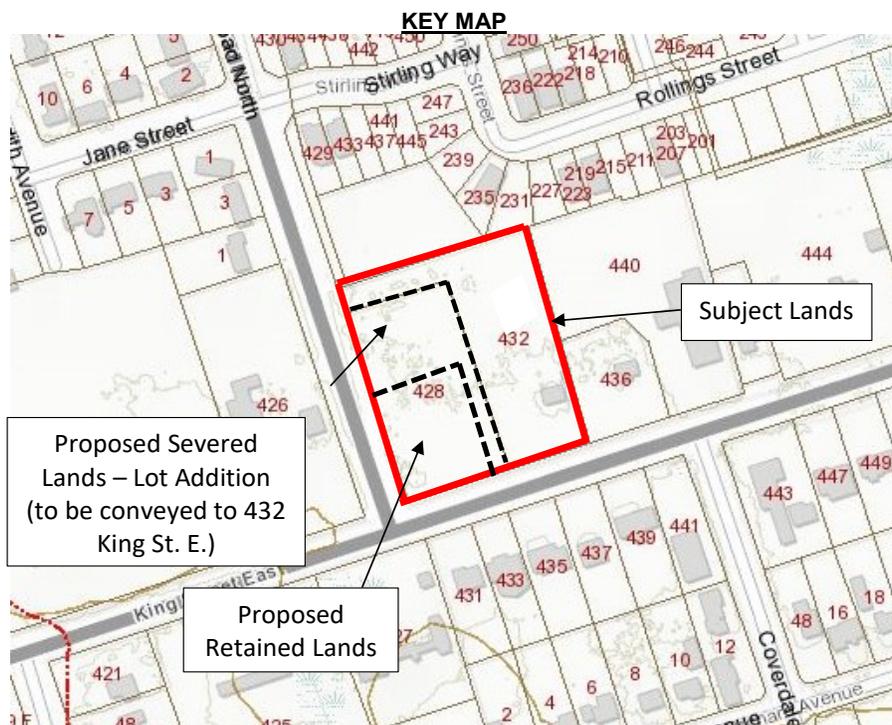
ZONE: District Commercial (DC) Zone

Adriane Miller, Secretary-Treasurer

Committee of Adjustment

amiller@cobourg.ca

(905)372-1005



 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG	
	STAFF REPORT	
TO:	Committee of Adjustment	
FROM: TITLE:	Rob Franklin, MCIP, RPP Manager of Planning	
DATE OF MEETING:	July 28 th , 2020.	
TITLE / SUBJECT:	Application for Consent: 428-432 King Street East King & Brook Inc. and King & Brook East Inc.	
REPORT DATE:	July 23 rd , 2020.	File #: B-04/20

1.0 CORPORATE STRATEGIC PLAN OBJECTIVES
N/A

2.0 RECOMMENDATION

The following actions are recommended:

That the requested Consent for a lot addition from 428 King Street East to be added to 432 King Street East, and for an Easement of lands at 432 King Street East for ingress/egress for 428 King Street East, be granted by the Committee of Adjustment; and;

That the severed lands from 428 King Street East be merged in title with 432 King Street East.

3.0 PUBLIC ENGAGEMENT

Section 53 (5) of the Planning Act, R.S.O. 1990, c.P. 13, as amended, prescribes statutory notice requirements for Consent applications. The Planning Act requires that at least fourteen (14) days before the day of the hearing, notice shall be given by either

a) personal service or ordinary service mail to every land owner within a 60 m radius of the area to which the application applies and by posting a notice on the frontage of the subject lands; or

b) publication in a newspaper that is of sufficient circulation in the area which the application applies.

The statutory notice requirements of the Planning Act have been fulfilled for this application. The notice of application is also posted on the Town of Cobourg website.

4.0 ORIGIN

The applicant is seeking a Consent to permit the severance of approximately the north half of 428 King Street East and add it to the adjacent lands at 432 King Street East. See **Schedule A “Key Map”**. No new lot is being created through this application.

Accordingly, the applicant is proposing the following Consent for lot addition purposes only:

Proposed Consent for Lot Addition: Approximately 2200m² in area with 41.1 m frontage on Brook Road North and 5.13 m frontage on King Street East.

Proposed Easement. Approximately 8.35 m frontage on Brook Road North and 11 m frontage on King Street East.

5.0 ANALYSIS

In the analysis of this application, a number of points have been reviewed:

1. Provincial Policy Statement (PPS) & A Place to Grow Growth Plan

The Planning Act R.S.O. 1990, c.P.13, requires that decisions of local approval authorities shall be consistent with matters of Provincial Interest in carrying out decisions on applications such as consents and/or minor variances. Items of Provincial Interest are outlined in the Provincial Policy Statement (PPS) and Growth Plan and include:

- promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- ensuring that sufficient land is designated and approved to accommodate projected residential growth;
- accommodating an appropriate market-based range and mix of residential types (including second single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

- ensuring that necessary infrastructure and public service facilities are or will be available to meet projected needs;
- promoting land use patterns and densities which are transit-supportive;
- avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- conserving significant built heritage resources;
- directing and accommodating expected growth or development in a manner that optimizes existing municipal sewage and municipal water services;
- facilitating and promoting intensification.

The application is for Consent for lot addition purposes only combined with an easement for ingress/egress to service both lots. The proposal will facilitate the construction of a new restaurant building on Brook Road and a new gas station/convenience store at the corner. The site is within the urban serviced area of the municipality, and on the municipal transit routes along King Street.

Given the above discussion it is my opinion that the proposal is consistent with the intent and purpose of the PPS and conforms to the Growth Plan.

2. Northumberland County Official Plan

The Official Plan for the County of Northumberland was approved by the Ontario Municipal Board on November 23, 2016 and is now in full force and effect. The purpose of this upper-tier Official Plan is to provide a policy basis for managing growth and change that will support and emphasize the County's unique character, diversity, civic identity, urban and rural lifestyles and natural and cultural heritage and to do so in a way that has the greatest positive impact on the quality of life in the County.

The subject lands are located within the Built Boundary of the Urban Area, as designated in the County Official Plan. The County OP aims to focus growth in Urban Areas, and to support the establishment of complete communities. The policies contained within the County Official Plan encourage the provision of a full range of goods and services to meet the needs of County residents, employees and businesses; encourage the protection of existing commercial areas to ensure that their function as community gathering places is retained; and encourage good urban design to improve the aesthetic quality of retail corridors.

The proposal is for consent for a lot addition and easement purposes only. The proposed use is for new commercial buildings within the Urban Area and maintains the policies of the County Official Plan.

3. Cobourg Official Plan

The subject lands are designated 'Mixed Use Corridor Area' in the Official Plan (2017).

The Mixed Use Corridor Area designation recognizes existing commercial areas which are oriented to the service of vehicular traffic and require direct access from arterial roads and the exposure afforded by such a location.

Applications for new development in this designation shall conform to the following policies as new development in this designation is encouraged:

- i) *open storage is limited or screened;*

There is no open storage proposed, and all refuse areas will be fully screened and enclosed.

- ii) *parking areas have a landscaped strip around the perimeter in conformity with regulations established in the Zoning By-law which should include a hedge, low-fence or wall, or other similar screening features and design features as required under Site Plan Control;*

The site will be extensively landscaped, including the site perimeter, under the Site Plan Control process.

- iii) *buildings shall be designed and located to assist in the creation of an attractive streetscape appearance and, there should be no parking between the main building and the street, or parking in that area should be minimized where there is no other alternative.*

The buildings are designed and located in a manner to define the street edge and assist in creating a pleasant streetscape, and no parking is proposed between the buildings and the street.

- iv) *lands adjacent to a rear or side property line which abuts a residential area shall be landscaped and lighting shall be directed away from residential areas;*

The site design includes a wide landscape buffer abutting residential areas to the north-east. Illumination plans demonstrate that lighting will be directed away from residential areas, and proper screening measures will be employed to minimize any off-site impacts.

- v) *minimum height of 6 metres and a maximum height of six storeys; and,*

The proposal conforms to this criterion.

- vi) *a minimum floor space index of generally in the order of 0.3 and maximum floor space index of 2.0 provided 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.*

The proposed development FSI of approx. 0.2 complies with the current DC Zone provisions applicable to the subject site and maintains the intent of the Official Plan.

The Official Plan also has policies governing Consents (Sec. 9.5). The policies consider whether the consent will result in the creation of lots that are regular in shape, and consistent with the neighbourhood lotting pattern. Additionally, there are certain criteria to be considered when reviewing Consent proposals, including such relevant matters as: ensuring proper and orderly development; not adversely affecting the Town's financial status; compatibility; frontage onto an improved public road; traffic impacts; and preference towards infilling versus strip development. This application is for a lot addition with the retained parcel meeting minimum zone standards and is regular in shape. The current lot at 432 King Street East is somewhat irregular in that there is a small strip of land at the north end of the property which connects to Brook Road North – the new, larger parcel is proportionate and reasonable in shape. Both commercial parcels will depend on the joint driveway, linking to the arterial roads and pedestrian connectivity is also being ensured.

Urban and Landscape Design Guidelines

The Cobourg Urban and Landscape Design Guidelines (“the Design Guidelines”) were adopted by Council in September 2010 and are in effect. The general design policies in the current, approved OP should be read together with the Design Guidelines when evaluating development applications.

In general terms, the trend in urban design has been to build compact, pedestrian friendly communities with less emphasis on private vehicles. Commercial Buildings are to designed with a strong street edge, to recognize the urban context for at-grade development, to provide a mix of uses and sizes to provide a variety of public amenities where possible.

This application is for a Consent for a lot addition and easement. No new lots will be created as a result to the proposal, and all relevant land use and site design matters relating to the development will be considered during the current Site Plan review. A formal approval will be required and a Development Agreement will be registered over the subject property defining appropriate conditions.

The proposal outlined in the Concept Site Plan meets the policies of the Urban and Landscape Design Guidelines and the Town of Cobourg Official Plan and the proposed consent for a lot addition and easement meets the intent of these policy documents.

4. Zoning By-law

The subject property is located in a District Commercial (DC) Zone, in the Town of Cobourg's Comprehensive Zoning By-law 85-2003. Neighbourhood plazas

incorporating a number of uses such as restaurant and gas station/convenience store are permitted.

Given that the application is for a Consent for lot addition and easement purposes only for a proposed restaurant building and gas station with convenience store on separate parcels, compliance with the regulations of the Zoning By-law are appropriately addressed through the Site Plan Approval process. The retained lot at 428 King Street East is larger than the required minimums of 740m² lot area and 38m frontage and depth. In my opinion, the application for a consent for a lot addition and easement do not conflict with the regulations of the DC Zone.

5. Section 51 (24) of the Planning Act

The subdivision criteria of Section 51 (24) of the Planning Act provides criteria to be considered when evaluating the subdivision of land. As the application for Consent is for the purposes of a lot addition and easement only, the policies of this section of the Planning Act do not apply.

6. Department/Agency Comments

No Department or Agency comments had been received at this time. Agency, board and commission comments are expected by July 28th, 2020. The Committee will be informed of any comments submitted on or before this date.

Overall, it is my opinion that the proposal is consistent with provincial and municipal policies, and is desirable for the development of the subject property.

6.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

There are no new anticipated negative financial implications imposed on the Municipality as a result of this minor variance. The applicant submitted the required \$2,700.00 application fee and deposit.

7.0 CONCLUSION

1. The proposed consent does not conflict with matters of Provincial Interest as outlined in the Provincial Policy Statement and A Place to Grow Growth Plan.
2. The proposed consent would maintain the general intent and purpose of the County and Cobourg Official Plans.
3. The proposed consent would maintain the general intent and purpose of the Zoning By-law.
4. The proposed consent would be generally desirable and allow for the appropriate development of the subject lands.

8.0 POLICIES AFFECTING THE PROPOSAL

The primary policies affecting this application relate to the policies of the Provincial Policy Statement, County and Cobourg Official Plan, particularly the Consent Policies.

9.0 COMMUNICATION RESULTS

That the requested Consent for a lot addition from lands known municipally as 428 King Street East to 432 King Street East, with an Easement over 432 King Street East for access, ingress/egress and services be granted by the Committee of Adjustment.

Approved by:



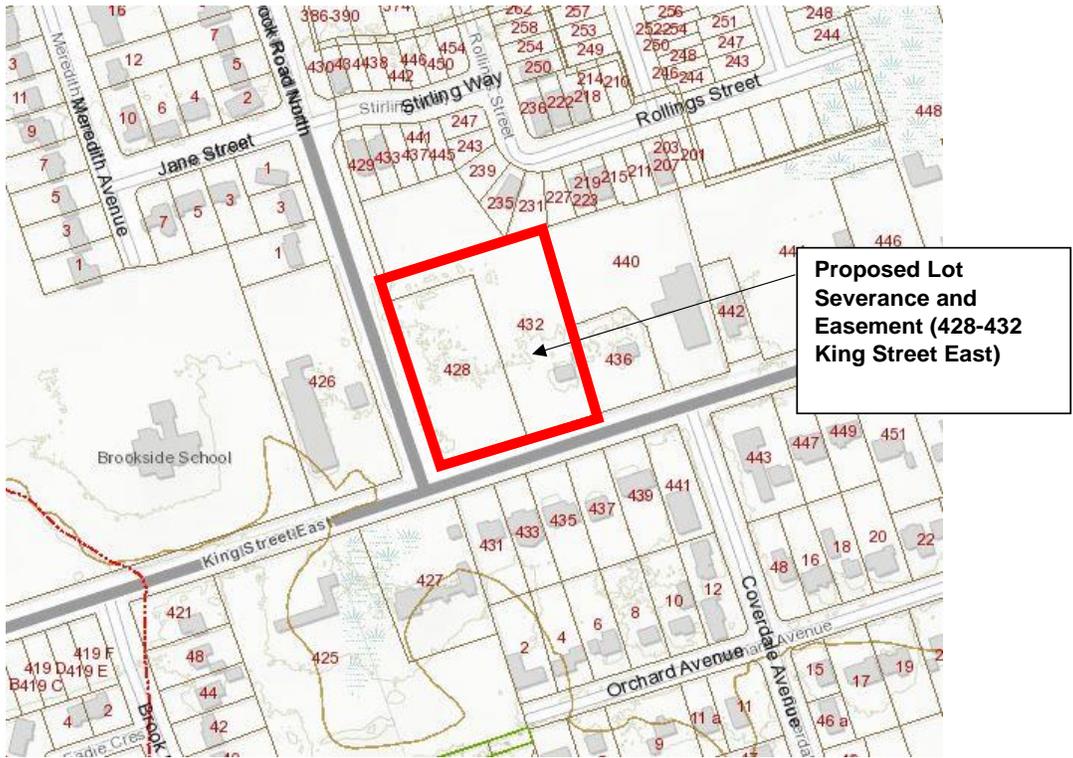
Rob Franklin, MCIP, RPP
Manager of Planning



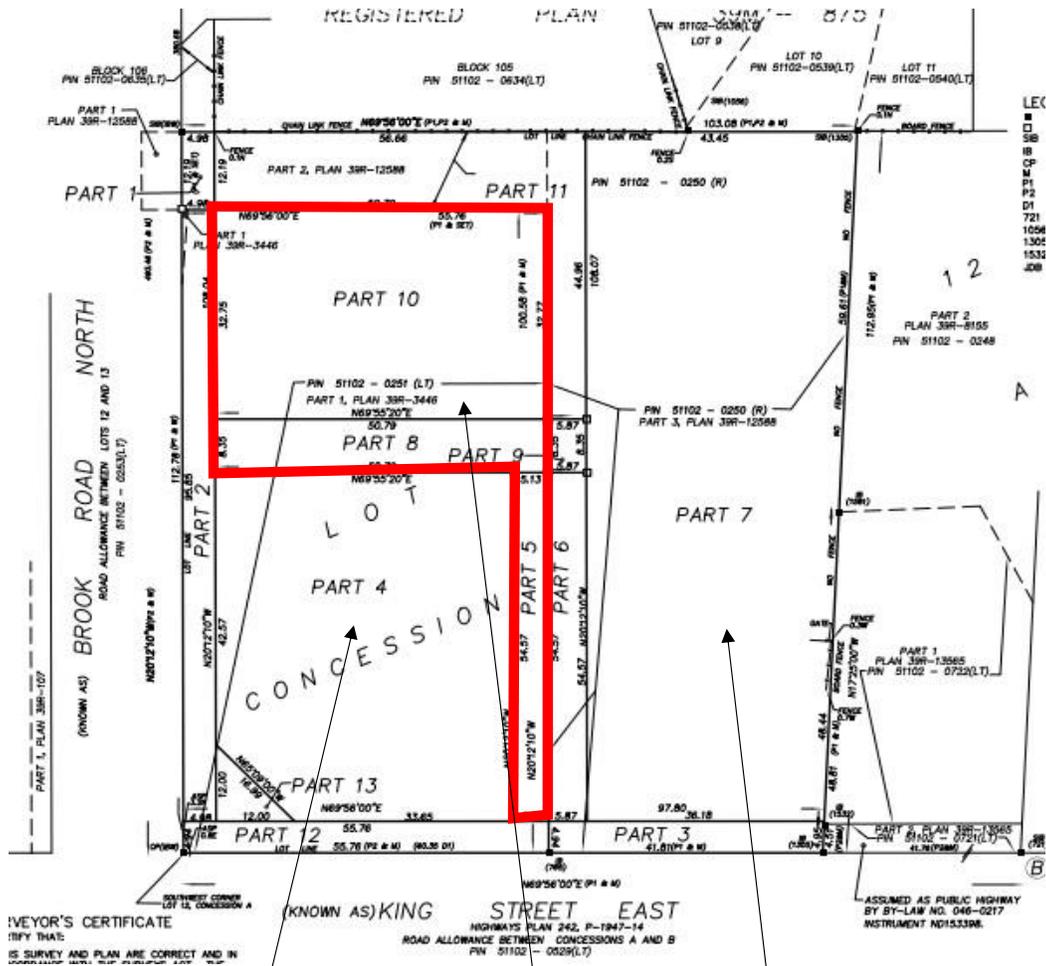
Glenn J. McGlashon, MCIP, RPP
Director of Planning & Development



Schedule "A" Key Map

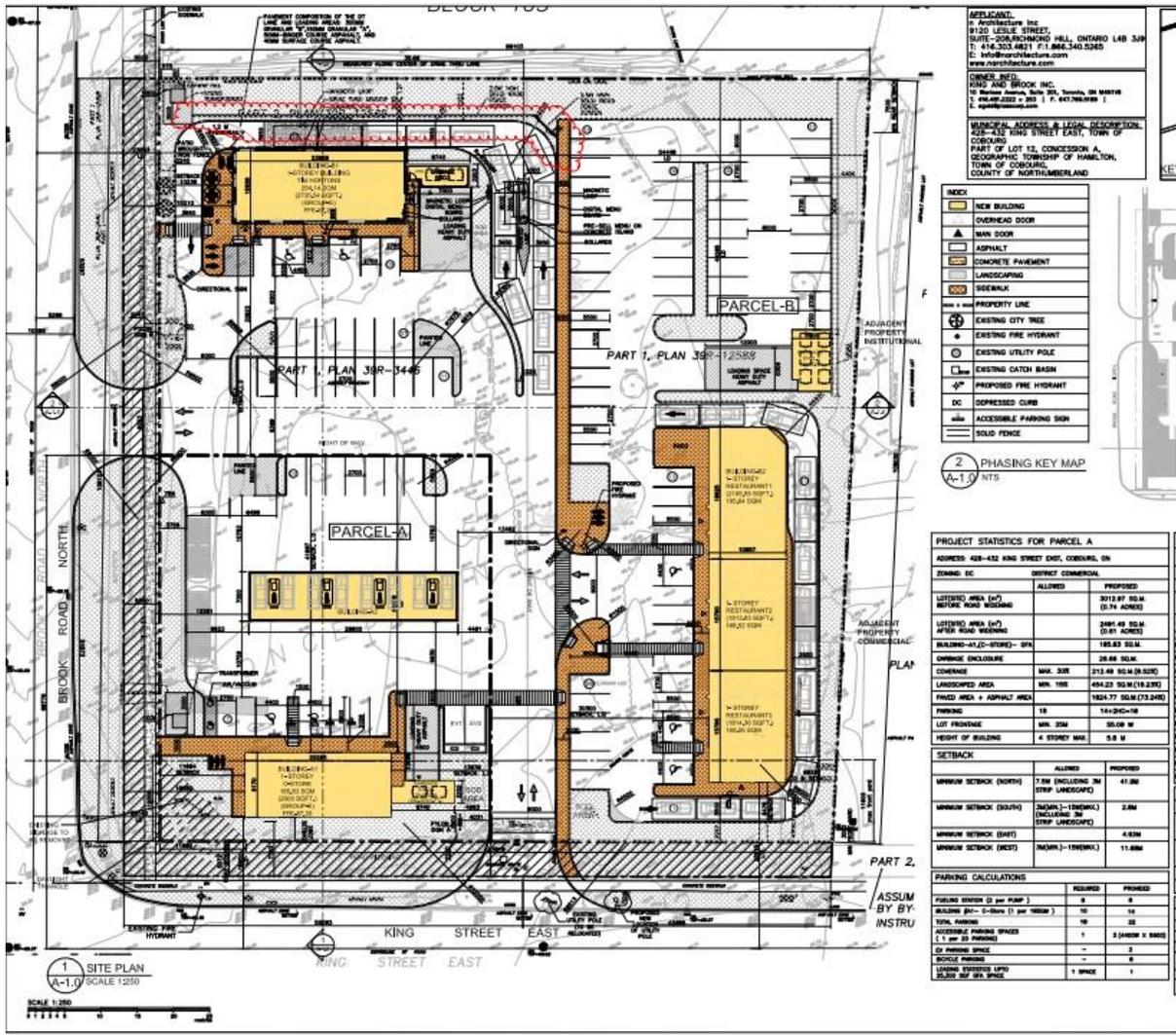


Schedule "B" Draft Survey



- 428 King Street East
To be retained
- 428 King Street East
To be severed (lot addition)
- 432 King Street East

Schedule "C" Concept Site Plan





Moved By _____
Last Name Printed _____

Resolution No.:

Seconded By _____
Last Name Printed _____

Council Date:
July 27, 2020

WHEREAS at the Committee of the Whole Meeting on July 20, 2020 Council considered a memo from the Municipal Clerk/Manager of Legislative Services regarding the proposed change in Agenda Meeting Software – eSCRIBE Meeting Management Solution for the Town of Cobourg.

NOW THEREFORE BE IT RESOLVED THAT Council direct and authorize the Mayor and Municipal Clerk to execute an agreement with eSCRIBE Software Limited for the provision of the eSCRIBE Transparency Bundle for the Town of Cobourg Meeting Management Software to be implemented and functional by October 1, 2020 in the amount of \$11,300 including HST as approved in the 2020 Operating Budget; and

FURTHER THAT Council authorize an additional amount of \$4,925.00 to be funded from the Provincial Building Efficiencies Funding to be put towards the initialization and implementation of the eScribe Board Management Module and the eSCRIBE Public Comments and Delegation Request Mgmt Module, in order to better increase Council and Advisory Committee Meeting efficiency and transparency.



**The Corporation of the
Town of Cobourg**

Resolution

Moved By _____
Last Name Printed _____

Resolution No.:

Seconded By _____
Last Name Printed _____

Council Date:
July 27, 2020

WHEREAS at the Committee of the Whole Meeting on July 20, 2020 Council considered a memo from the Secretary of the Cobourg Heritage Advisory Committee regarding a Heritage Permit Application, 200 King Street West, Cobourg. (submitted by Bryan Armstrong on behalf of St. Andrew’s Presbyterian Church) (HP-2020-014);

NOW THEREFORE BE IT RESOLVED THAT Council endorse the recommendation of the Heritage Advisory Committee and grant a Heritage Permit HP-2020-014 to permit a roof replacement for the property known municipally as 200 King Street West, Cobourg, subject to finalization of details with Planning Staff.



**The Corporation of the
Town of Cobourg**

Resolution

Moved By _____
Last Name Printed _____

Resolution No.:

Seconded By _____
Last Name Printed _____

Council Date:
July 27, 2020

WHEREAS at the Committee of the Whole Meeting on July 20, 2020 Council considered a memo from the Secretary of the Cobourg Heritage Advisory Committee regarding a Heritage Permit Application, 2 King Street West & 239-243 Division Street, Cobourg, . (submitted by Fabien Verdier on behalf of Reidrev Management Inc) (HP-2020-015);

NOW THEREFORE BE IT RESOLVED THAT Council endorse the recommendation of the Heritage Advisory Committee and grant a Heritage Permit HP-2020-015 to permit a roof replacement for the property known municipally as 2 King Street West & 239-243 Division Street, Cobourg, subject to finalization of details by Planning Staff.



**The Corporation of the
Town of Cobourg**

Resolution

Moved By _____
Last Name Printed _____

Resolution No.:

Seconded By _____
Last Name Printed _____

Council Date:
July 27, 2020

WHEREAS at the Committee of the Whole Meeting on July 20, 2020 Council considered a memo from the Secretary of the Cobourg Heritage Advisory Committee regarding a request for 'Jack Waghorn' to added to the Municipal Naming Policy Naming Registry;

NOW THEREFORE BE IT RESOLVED THAT Council endorse the recommendation of the Heritage Advisory Committee and support the request from a Cobourg Resident to have 'Jack Waghorn' added to the Municipal Naming Policy Naming Registry.



**The Corporation of the
Town of Cobourg**

Resolution

Moved By _____
Last Name Printed _____

Resolution No.:

Seconded By _____
Last Name Printed _____

Council Date:
July 27, 2020

WHEREAS at the Committee of the Whole Meeting on July 20, 2020 Council considered a memo from the Director of Public Works, regarding masks and face coverings being strongly recommended on Town of Cobourg Transit.

NOW THEREFORE BE IT RESOLVED THAT Council initiate masks and face coverings being strongly recommended on Town of Cobourg Transit.



**The Corporation of the
Town of Cobourg**

Resolution

Moved By _____
Last Name Printed _____

Resolution No.:

Seconded By _____
Last Name Printed _____

Council Date:
July 27, 2020

WHEREAS at the Committee of the Whole Meeting on July 20, 2020 Council considered a memo from the Secretary of the Parks and Recreation Advisory Committee regarding a recommendation surrounding the Aquatic Safety Audit referred to the Committee at the May 11, 2020 Council Meeting - Request for Legal Opinion.

NOW THEREFORE BE IT RESOLVED THAT a definitive legal opinion from an independent legal counsel with expertise in riparian rights be obtained regarding the municipality's ability, if any, to regulate on-water activities in the harbour; and

FURTHER THAT the legal opinion be obtained before any further attempt to regulate on-water activities; and

FURTHER THAT the 2015 legal opinion on this matter be made available to the public



Moved By _____
Last Name Printed _____

Resolution No.:

Seconded By _____
Last Name Printed _____

Council Date:
July 27, 2020

WHEREAS at the Committee of the Whole Meeting on July 20, 2020 Council considered a memo from the Secretary of the Parks and Recreation Advisory Committee regarding a recommendation surrounding the Aquatic Safety Audit referred to the Committee at the May 11, 2020 Council Meeting - Aquatic Safety Audit Implementation.

NOW THEREFORE BE IT RESOLVED THAT Council instruct staff to implement only select recommendations from the 2019 Aquatic Safety Audit as follows:

Recommendation #1: Install an Automatic External Defibrillator (AED) unit adjacent to the marina office.

Recommendation #2: Ensure all marina staff are standard first aid certified and trained in the use of rescue equipment and extraction techniques.

Recommendation #12: Complete a safety equipment audit; establish lifesaving stations on each marina dock and around the harbour.

Recommendation #13: Clearly identify the egress ladders in the harbour.

Recommendation #15: Conduct stray electrical current testing and document the results.



Moved By _____
Last Name Printed _____

Resolution No.:

Seconded By _____
Last Name Printed _____

Council Date:
July 27, 2020

WHEREAS at the Committee of the Whole Meeting on July 20, 2020 Council considered a memo from the Secretary of the Parks and Recreation Advisory Committee regarding a recommendation surrounding the Aquatic Safety Audit referred to the Committee at the May 11, 2020 Council Meeting - Aquatic Safety Audit – Working Group.

NOW THEREFORE BE IT RESOLVED THAT in order to create a consolidated safety procedure and emergency manual, Council instructs staff to strike a joint working group comprised of two staff members and one representative of each user group, including:

- Survivor Thrivers
- Cobourg Yacht Club/Learn to Sail
- Cobourg Dragon Boat & Canoe Club
- Coast Guard
- Green Canoe
- Northumberland YMCA
- Seasonal marina boaters (Boaters Council)
- Anglers/commercial charters
- Cobourg Surf and Paddleboard Club

AND FURTHER THAT the working group be tasked with drafting a safety procedure/emergency manual for submission to Council and the Parks and Recreation Advisory Committee ahead of the 2021 boating season.



**The Corporation of the
Town of Cobourg**

Resolution

Moved By _____
Last Name Printed _____

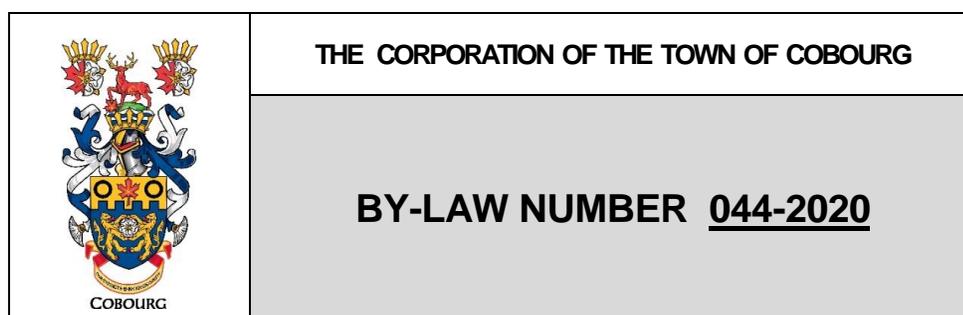
Resolution No.:

Seconded By _____
Last Name Printed _____

Council Date:
July 27, 2020

NOW THEREFORE BE IT RESOLVED THAT Council Proclaim Monday, August 3, 2020 as James Cockburn Day in the Town of Cobourg; and

FURTHER THAT due to the COVID19 pandemic, the James Cockburn Society will be going virtual and posting a video to the James Cockburn website and via social media to mark the day as part of the Societies ongoing local history education campaign, thus Council encourages all residents to take part in the celebrations of James Cockburn Day Virtually in order to celebrate Cobourg’s Father of Confederation.



A BY-LAW TO LEVY A SPECIAL CHARGE IN RESPECT OF THE COBOURG DOWNTOWN BUSINESS IMPROVEMENT AREA AND TO PROVIDE FOR ITS COLLECTION.

WHEREAS pursuant to the Municipal Act, R.S.O. 1970, Chapter 284, Section 361 the Municipal Council of the Corporation of the Town of Cobourg enacted By-law Number 103-74, being a by-law to designate and establish the Cobourg Downtown Business Improvement Area (hereinafter called the "area") on the 23rd day of December, 1974;

AND WHEREAS a budget for the purposes of the duly constituted Board of Management for that area pursuant to the said Act, has been submitted in the amount of \$185,000 for the year 2020;

AND WHEREAS it is necessary to levy for the year 2020 a special charge upon persons in the area assessed as commercial taxable sufficient to provide a sum equal to the sum of \$185,000 so provided, to be borne and paid by such persons in the proportion that the assessed commercial taxable property of each such person bears to the assessed commercial taxable property in the area;

AND WHEREAS the assessed value of all the commercial taxable property in the area is \$47,813,760;

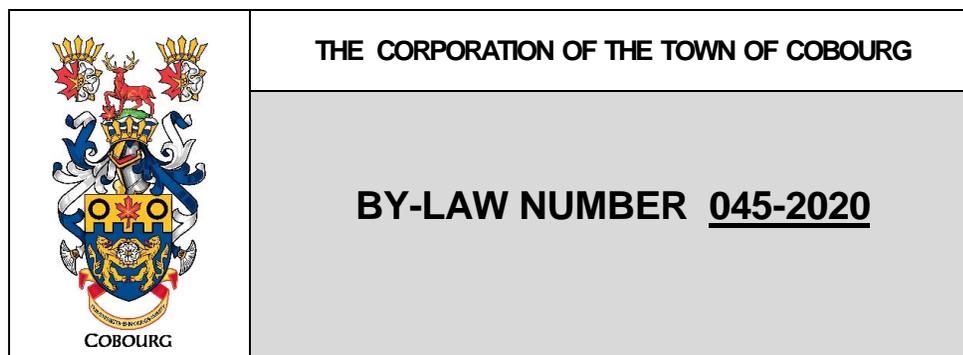
NOW THEREFORE the Council of the Corporation of the Town of Cobourg enacts as follows:

1. **THAT** there shall be levied and collected for the purposes of the Board of Management for the Cobourg Downtown Business Improvement Area the sum of \$185,000 upon persons in the area assessed as commercial taxable to be borne and paid by such persons in the proportion that the assessed commercial taxable property of each such person bears to the total Business Improvement Area commercial taxable assessment of \$47,813,760 thereby producing a tax rate of .0038692.
2. **THAT** the Treasurer may mail, or cause to be mailed, to the person(s) upon whom the special charge is imposed a special notice specifying the amount of the special charge payable by such persons.
3. **THAT** the Special charge hereby imposed shall be payable in two instalments due and payable September 30, 2020 and November 30, 2020.
4. **THAT** subject to Section 3, the special charge hereby imposed shall be collected in the same manner and with the same remedies as provided by By-law Number 20-83 for the collection of taxes, the provisions of which by-law shall mutatis mutandis apply.

Read and passed in Open Council on this 27th day of July, 2020.

MAYOR

MUNICIPAL CLERK



A BY-LAW TO LEVY AN AMOUNT UPON INSTITUTIONS IN THE TOWN OF COBOURG.

WHEREAS pursuant to Section 323(2) and 323 (3) of the Municipal Act S.O. 2001, C.25, which provides as follows:

Pursuant to 323(2) **DESPITE** any Act, a local municipality in which there is situate a correctional institution designated by the Minister of Correctional Services or a training school, or place of secure custody designated under Section 24-1, of the Young Offenders Act (Canada) designated by the Minister of Community and Social Services, may by by-law levy an annual amount payable on or after July 1 upon such institution or school, not exceeding the prescribed amount of each resident place in such institution or school as determined by the Minister of Correctional Services or the Minister of Community and Social Services, as the case may be; and

Pursuant to Section 323(3) **DESPITE** any Act, a local municipality in which there is situate a public hospital or provincial mental health facility designated by the Minister of Health and Long Term Care, may by by-law levy an annual amount payable on or after July 1 upon such institution, not exceeding the prescribed amount for each provincially rated bed in the public hospital or provincial mental health facility as determined by the Minister of Health and Long Term Care;

<u>Institutions</u>	<u>Capacity</u>
Northumberland Hills Hospital	137
Brookside (Young Offence Facility)	64

AND WHEREAS the municipality has been advised that in accordance with Section 323, the municipality may levy an amount up to \$75.00 on the capacity of the institutions listed below:

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

1. **THAT** a levy of \$75.00 on the enrolment, resident places and/or rated beds as set out in Schedule "A" attached hereto, is hereby imposed, due and payable on or before the 1st day of July, 2020 into the office of the Town Treasurer.
2. **THAT** the Treasurer is hereby directed to levy and collect the unpaid taxes in the manner and with the powers provided by law for the levy and collection of the tax herein imposed.

Read and passed in Open Council on this 27th day of July, 2020.

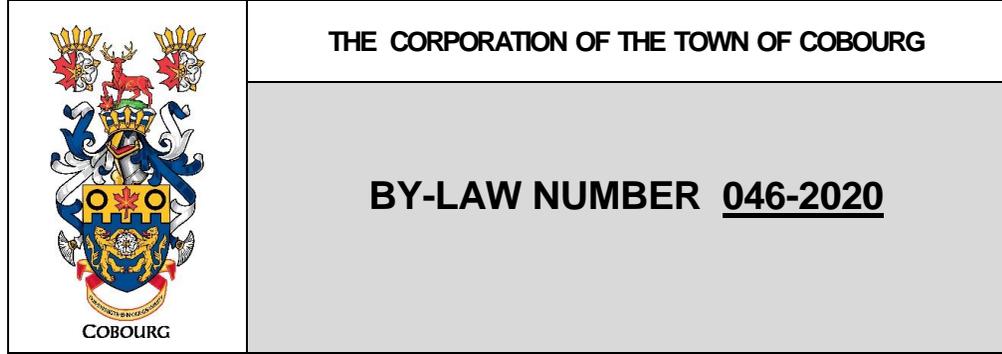
MAYOR

MUNICIPAL CLERK

SCHEDULE "A"

BY-LAW NUMBER

Northumberland Hills Hospital	\$10,275.00
Brookside (Young Offender Facility)	\$ 4,800.00



A BY-LAW TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWN OF COBOURG AND ESCRIBE SOFTWARE LIMITED.

WHEREAS Council considered a memo from the Municipal Clerk/Manager of Legislative Services regarding the proposed Agenda Meeting Software – eSCRIBE Meeting Management Solution for the Town of Cobourg.

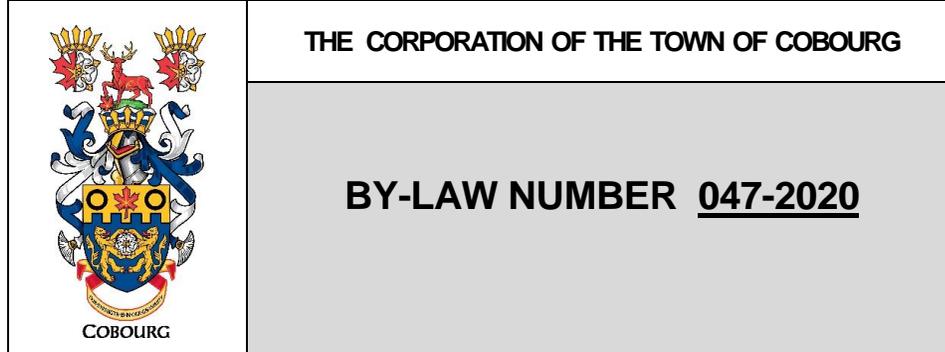
NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. **THAT** the Mayor and Municipal Clerk are hereby authorized and directed to execute an agreement between the Town of Cobourg and eSCRIBE Software Limited for the eSCRIBE Transparency Bundle for the Town of Cobourg Agenda Meeting Management Software to be implemented and functional by October 1, 2020.
2. **THAT** this by-law shall take effect upon the date of passing and shall remain in effect for a term of three (3) years from the date of the agreement being executed.

READ and passed in Open Council this 27th day of July, 2020.

MAYOR

MUNICIPAL CLERK



AN INTERIM CONTROL BY-LAW AFFECTING ALL LANDS WITHIN THE TOWN OF COBOURG

WHEREAS section 38 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, permits the council of a municipality to pass an Interim Control By-law (the “By-law”) that may be in effect for up to one year, which prohibits the use of land, buildings or structures within the municipality or within a defined area thereof for such purposes as set out in the By-law, but only if the council of the municipality has directed that a review or study be undertaken with respect to land use planning policies and/or regulations that apply to the subject area; and

WHEREAS the Council of the Corporation of the Town of Cobourg passed Resolution No. _____ on the 27th day of July, 2020 directing that a full review of the provisions of Comprehensive Zoning By-law No. 85-2003 provisions be undertaken as they relate to residential or institutional rehabilitation/treatment facilities and emergency care establishments within the Town of Cobourg; and

WHEREAS the intent of this By-law is to study the use, establishment and development of residential or institutional rehabilitation/treatment facilities and emergency care establishments in the Town of Cobourg for a period of one year; and

WHEREAS the Council of the Corporation of the Town of Cobourg seeks to control the use of land, buildings and structures for new residential or institutional rehabilitation/treatment facilities and emergency care establishments within the municipal boundaries of the Town of Cobourg while the study is being completed; and

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

1. For the purpose of this By-law:
 - a) "**interim control area**" shall mean all lands within the municipal boundaries of the Town of Cobourg;
 - b) "**residential or institutional rehabilitation/treatment facility**" shall mean the use of land, buildings or structures, or any part thereof, for residential, sheltered, specialized or group care, treatment and/or rehabilitation for addiction to drugs or alcohol, and may contain accessory uses including but not limited to general

kitchen and dining areas, lounges, meeting rooms, treatment rooms, offices and laundry facilities;

- c) **“emergency care establishment”** shall mean Emergency Care Establishment as defined in Zoning By-law 85-2003;
2. The provisions of this By-law shall apply to the interim control area.
 3. Notwithstanding the permitted uses and regulations of Zoning By-law No. 85-2003 and any other by-law to the contrary, no person shall within the interim control area:
 - a) use any land, building or structure as a residential or institutional rehabilitation/treatment facility or emergency care establishment, except for a use that lawfully existed on the date of the passage of this By-law as long as the land, building or structure continues to be used for such purpose; or,
 - b) be permitted to construct, alter or expand any building or structure for use as a residential or institutional rehabilitation/treatment facility or emergency care establishment, save and except where such construction, alteration or expansion is a continuation of a lawful use in existence and in operation on the date of passage of this By-law.
 4. Notwithstanding the prohibition on emergency care establishments, Council may, at its discretion, permit the establishment of one or more emergency care establishments during the term of this By-law if Council has determined that such a use is necessary in order to respond to a health care emergency such as COVID-19.
 5. If any provision or requirement of this By-law or the application thereof to any person shall to any extent be held to be invalid or unenforceable, the remainder of this By-law or the application of such provision or requirement to all persons other than those to which it is held to be invalid or unenforceable, shall not be affected thereby, and each provision and requirement of this By-law shall be separately valid and enforceable to the fullest extent permitted by law.
 6. This By-law shall come immediately into force and effect upon passing hereof and shall expire one (1) year from the date of adoption by Council unless otherwise repealed or extended by Council in accordance with the provisions of the *Planning Act*.

READ and passed in Open Council on this day of July, 2020.

MAYOR

MUNICIPAL CLERK



Municipal Council
Town of Cobourg
55 King Street West
Cobourg, ON K9A 2M2

Notice of Motion Form

Printed Name: Nicole Beatty

Hereby files a Notice of Motion to be included in the next available Agenda for the meeting of Council.

Notice of Motion for July 27th, 2020 Regular Council

Subject: Brookside Youth Centre

Which Notice of Motion reads as follows:

Whereas the Town of Cobourg has identified PEOPLE AND PLACES as two of its strategic pillars to help build a vibrant, accessible and inclusive community

And whereas the Town of Cobourg is committed to identifying lands to support priorities as set out in the Town of Cobourg Official Plan

And whereas the Town of Cobourg is interested in pursuing partnerships with all levels of government to achieve its goals

And whereas Brookside Youth Centre has been operating at a reduced occupancy rate for several years

And whereas Town of Cobourg taxpayers have been enquiring about the future of Brookside Youth Centre

Therefore it be resolved that the Town of Cobourg send a letter to the Ministry of Community Safety and Correctional Services and the Ministry of Children, Community and Social Services to request the Province of Ontario to provide an update to members of Cobourg Council on the status of Brookside Youth Centre, including options for initiating the disposition of the buildings and/or lands in which the Centre occupies

And further that this resolution is forwarded to Hon. Todd Smith, Minister of Children, Community and Social Services, MPP David Piccini and Northumberland County Council



July 23, 2020

Council Member Signature

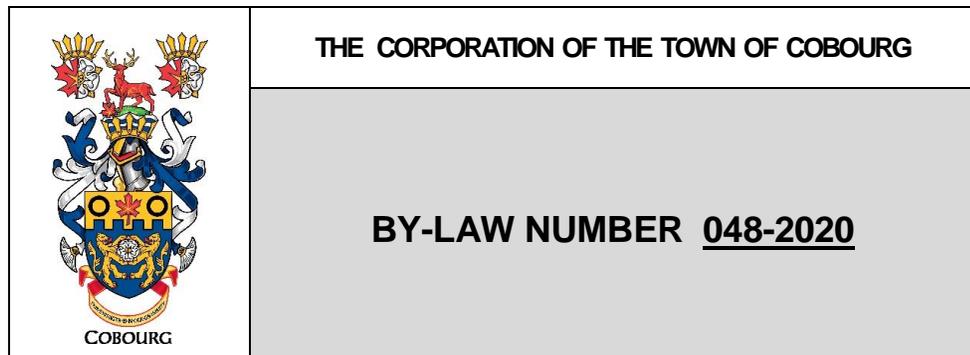
Date

CLERK'S USE ONLY

Date and Time Received on: July 23, 2020

For the Regular Council Meeting **Meeting on** Monday July 27, 2020

20.0 NOTICES OF MOTION – Any Member of Council may give a Notice of Motion indicating intent that the Member will introduce a Motion at the next or subsequent meeting of Council. The giving of a Notice of Motion requires no seconder and is not at that time debatable.



A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE TOWN OF COBOURG AT ITS REGULAR COUNCIL MEETING HELD ON July 27, 2020.

WHEREAS Section 5(1) of the *Municipal Act, 2001*, as amended, provides that the powers of a Municipality shall be exercised by its Council;

AND WHEREAS Section 5(3) of the *Municipal Act, 2001*, as amended, provides Municipal power, including the Municipality's capacity, rights, powers and privileges under Section 8, shall be exercised by by-law, unless the Municipality is specifically authorized to do otherwise;

AND WHEREAS the Council of the Corporation of the Town of Cobourg adopted By-law No. 009-2019, establishing the rules of order and procedure, which provided for the enactment of a Confirmatory By-law at the end of each Regular Council Meeting to confirm the recommendations and actions approved at that meeting;

AND WHEREAS in many cases, action which is taken or authorized to be taken by Council does not lend itself to the passage of an individual by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Corporation of the Town of Cobourg at this meeting be confirmed and adopted by by-law;

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

1. **THAT** the actions of the Council of the Town of Cobourg at its Regular meeting held on July 27, 2020, in respect to each report, motion, resolution or other action passed and taken by Council at its meeting, is hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this by-law;
2. **THAT** where no individual by-law has been or is passed with respect to the taking of any action authorized in or by the above mentioned proceedings, then this by-law shall be deemed for all purposes to be the by-law required for approving and authorizing and the taking of any action authorized therein or thereby the proceedings of Council at its Regular meeting on July 27, 2020;
3. **THAT** this by-law, to the extent to which it provides authority for or constitutes the exercise of power for an undertaking, work, project, scheme, act, matter or thing which requires additional approval to that of Council, shall not take effect until the additional approval has been obtained;
4. **THAT** any member of Council who dissented from any action or proceeding or has abstained from discussion and voting thereon shall be deemed to have dissented or abstained, as the case may be, in respect to this by-law as it applies to such action or proceeding;

5. **THAT** the Interim Chief Administrative Officer and the appropriate Division Head of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said actions of Council referred to in its July 27, 2020 Regular Council proceedings;
6. **THAT** the Mayor and Municipal Clerk, or the Treasurer/Interim Chief Administrator Officer, or their respective designates, are authorized and directed to execute all documents necessary on behalf of Council and to affix the corporate seal of the Corporation of the Town of Cobourg to all such documents;
7. **THAT** this by-law shall come into full force on the day it is passed.

Read and finally passed in Open Council on this 27th day of July, 2020.

MAYOR

MUNICIPAL CLERK