

STAFF REPORT

THE CORPORATION OF THE TOWN OF COBOURG



Report to:	Mayor and Council Members	Priority:	<input checked="" type="checkbox"/> High <input type="checkbox"/> Low
Submitted by:	Kaveen Fernando Planner I – Development Planning Department kfernando@cobourg.ca	Meeting Type:	Open Session <input checked="" type="checkbox"/> Closed Session <input type="checkbox"/>
Meeting Date:	August 23, 2021		
Report No.:	SPA-09-21		
Submit comments to Council			

Subject/Title: Site Plan Approval Application – 1043 Division Street – Zoltan Engineering/2804830 Ontario Inc.

RECOMMENDATION:

THAT the Staff Report be received by Council for information purposes; and

THAT the By-law attached **Schedule E** to the staff report be endorsed and be presented to Council for adoption which authorizes the Mayor and Municipal Clerk to execute a Development Agreement with 2804830 Ontario Inc. and Lakefront Utility Services Inc. for the proposed development of a 210 sq m gas bar/convenience store and take-out restaurant at 1043 Division Street, Cobourg, subject to the finalization of details by municipal staff and partner review agencies; and

THAT the By-law attached as **Schedule F** to the Staff Report be endorsed and be presented to Council for adoption which removes the Holding (H) Symbol from the Subject Lands.

1. STRATEGIC PLAN

N/A

2. PUBLIC ENGAGEMENT

The Planning Act R.S.O 1990, c.P. 13, as amended does not prescribe any statutory public notice or engagement requirements for Site Plan Approval (SPA) applications and amendments, as these particular applications are recognized as being a detailed, technical review of matters relating to site development,

including building layout, access, parking, landscaping, servicing and grading to name a few.

However, the Municipality requires that the applicant provide notice by posting a 1.2 m x 1.8 m sign on the Subject Lands, in an area visible from the public realm, notifying the public that an application for SPA has been submitted to the Municipality. The sign includes a contact number for the Town of Cobourg Planning Department, where plans can be made available for the public to view. One SPA Public Notice sign was erected on Division Street frontage.

Additionally, the Planning Department provided a written notice of complete SPA application to Council on June 21, 2021, and all SPA applications are considered by Council in open session prior to final approval. Finally, information relating to the SPA application is posted on the municipal website under the Planning Applications page (Planning & Development).

3. PURPOSE

The purpose of this report is to advise Council of the details of the SPA application and provide a recommendation for Council's consideration.

4. ORIGIN AND LEGISLATION

In June 2021, the Planning Department received an application for Site Plan Approval (SPA) from Zoltan Engineering on behalf of 2804830 Ontario Inc. for a new commercial development at 1043 Division Street. Following a review of the application, planning staff concluded that it constituted a complete application in accordance with the provisions of the Ontario *Planning Act* and the Cobourg Official Plan, and was formally received by Council on June 21, 2021. If Council does not approve the application within 30 days of its receipt, the application may appeal to Ontario Land Tribunal (OLT).

5. BACKGROUND

The property known as 1043 Division Street, located on the west side of Division Street (a major Arterial Road), is a 0.33 Hectare (0.82 acre) lot with a frontage of 26.09 m and average depth of 75.3 metres. As illustrated in **Schedule "A"** Context Map, the subject property is an irregular shaped lot.

The subject lands are designated as "Mixed-Use Corridor" in the Town of Cobourg's Official Plan (2017), and zoned "District Commercial (DC)" in the Comprehensive Zoning By-law No. 85-2003. Additionally, the subject property is located within the Ganaraska Region Conservation Authority (GRCA) Regulated area and subject to further approvals and permits from the GRCA.

The Subject Lands are currently occupied by two structures; a bungalow type structure towards the front of the property while the south west corner is occupied by an accessory structure. There is no known use of the property at this time but the existing structures are to be demolished and cleared prior to introducing the

proposed service commercial development. The development will add a 210 sq m (2,260 sq ft) Esso gas station/convenience store and a take-out restaurant to the existing cluster of services provided along the arterial road.

6. ANALYSIS

The following plans and reports were submitted in support of the application and for technical review:

- Civil Servicing Report by S. Llewellyn & Associated Limited, dated May 2021
- Functional Servicing Report S. Llewellyn & Associated Limited, dated July 2021
- OBC Matrix by Zoltan Engineering, dated July 2021
- Urban Design Brief by Zoltan Engineering, dated July 2021
- Geo-Technical Report by Frontop Engineering Limited, dated May 2021
- Traffic Impact Assessment by Frontop Engineering Limited, dated May 2021
- Site Plan by Zoltan Engineering, dated May 2021
- Site Plan Elevations by Zoltan Engineering, dated May 2021
- Landscape Design Plan by N.J. Sinclair, Landscapae Architect, dated May 2021
- Tree Protection Plan by N.J. Sinclair, Landscapae Architect, dated May 2021
- Arborist Report by Welwyn Consulting, dated July 2021
- Photometric Plan by Zoltan Engineering, dated May 2021
- Survey by I.B.W. Surveyors, dated March, 2021

The following attachment are included for reference purposes:

Schedule A – Context Map

Schedule B – Site Plan

Schedule C – Landscape Plan

Schedule D – Building Elevations

Schedule E – Agreement Authorization By-law

Schedule F – Holding (H) Symbol Removal By-law

The following are summary key points associated with the proposal:

- I. The subject property is located within one of the Town's major arterial commercial road corridors, Division Street, with a mix of service commercial land uses. The proposed commercial development abuts Rona Building Supplies to the north, a vacant municipally-owned open space tributary along with Ultramar/Circle K gas station to the south, Studio 1 Motel and Heritage Place Mall to the east, and Canada Building Materials light industrial use to the west. The proposed development will be an addition to the existing cluster of service commercial uses available along the Division Street.
- II. The proposed development has been designed to accommodate persons with mobility challenges and disabilities by providing appropriate depressed

curbs, wider barrier-free parking stall close to the building, barrier-free curb ramps complete with tactile strips, mechanical doors, universal washrooms, rooms and spaces designed to accommodate turning radius requirements of wheelchairs, and dedicated pedestrian sidewalks for convenient and safe access to all buildings by customers in accordance with the recommendations of the Accessibility Co-ordinator.

- III. The development provides a 2.0 m wide concrete sidewalk along the northern property line and continues around the building to the primary entrances to safely accommodate pedestrian traffic from the proposed parking spaces, thus providing a safe, well-connected pedestrian path of travel throughout the site and to and from the Division Street public sidewalk. Refer to attached **Schedule “B”** Site Plan.
- IV. The development provides 18 regular parking spaces and 1 barrier free parking space to accommodate customers for the proposed gas station/convenience store and takeout restaurant.
- V. The gas bar development consists of a 4-post gas canopy with the capacity to service 8 vehicles simultaneously, and will be designed as per the ESSO design guidelines.
- VI. A 7.2 m high multi-tenant freestanding sign will be erected along the Division Street frontage at the main entrance. Refer to attached **Schedule “D”** Building Elevations.
- VII. The entire property will be curbed to retain stormwater run-off within the site to prevent any negative impact to surrounding lands, including the sensitive tributary adjacent to the south.
- VIII. The development will be extensively landscaped with approximately 7 Deciduous and 25 Coniferous trees, approximately 218 deciduous and coniferous shrubs, perennials, grass and sedges to “green up” the site, complement the Division Street streetscape, and offer a vegetated buffer to the sensitive open space lands to the south. Coniferous shrubs and perennials are introduced along the Division Street frontage to provide clear visibility at the ingress and egress to the property, while maintaining a strong, green visual appeal. Refer to **Schedule “C”** Landscape Plan attached.
- IX. The facades of the building will incorporate a combination of architectural block (masonry), face brick and stone cladding, stucco (E.I.F.S.) of varying colours, decorative metal panels, and active and spandrel window along the Division Street frontage, along with landscape treatments, and will create a modern commercial façade appropriate for this commercial corridor.
- X. The proposed development will incorporate various sustainable design features, including motion sensor detection and LED lighting, exterior LED

lighting, 'cool' roofing material, a modified high-efficiency HVAC system design with heat recovery systems, and thermal wall assemblies. On-site run-off will be managed via a combination of conventional piped and 'green' infrastructure, including the use of underground stormwater management chambers.

- XI. The proposal conforms to the Cobourg Official Plan, Urban & Landscape Design Guidelines, and Comprehensive Zoning By-law No. 85-2003, and meets all applicable policies, guidelines and standards of Municipal and partner review agencies. All outstanding technical requirements and documentation from municipal departments and partner agencies are being finalized and will be addressed prior to executing the Development Agreement.

7. FINANCIAL IMPLICATIONS/BUDGET IMPACTS

There are no anticipated negative financial implications imposed on the Municipality as a result of the application. The owner submitted the requisite \$5,500 in SPA application fees and deposits. As a condition of development, the developer will be providing the Municipality with a cash-in-lieu of parkland payment of ~\$10,400.00 (to be placed in the parkland reserve) and a municipal tree levy of \$1,000.00 (for boulevard tree planting).

8. CONCLUSION

It is the opinion of Planning Department staff that the application submitted by Zoltan Engineering on behalf of 2804830 Ontario Inc. for a new service commercial building, including a 210 sq m (2,260 sq ft) gas bar/convenience store and take-out restaurant, located at 1043 Division Street meets all applicable policies and standards, subject to finalization of details by municipal staff and partner review agencies and the execution of a Development Agreement.

Report Approval Details

Document Title:	Site Plan Approval Application – 1043 Division Street – Zoltan Engineering/2804830 Ontario Inc.
Attachments:	
Final Approval Date:	Aug 13, 2021

This report and all of its attachments were approved and signed as outlined below:

Glenn McGlashon, Director of Planning and Development - Aug 12, 2021 - 11:08 AM

Tracey Vaughan, Chief Administrative Officer - Aug 13, 2021 - 1:31 PM