

# STAFF REPORT

THE CORPORATION OF THE TOWN OF COBOURG



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| <b>Report to:</b>                          | Mayor and Council Members   | <b>Priority:</b>     | <input type="checkbox"/> High <input checked="" type="checkbox"/> Low                       |
| <b>Submitted by:</b>                       | Kaveen Fernando<br>Planner I – Development<br>Planning Department<br><a href="mailto:kfernando@cobourg.ca">kfernando@cobourg.ca</a> | <b>Meeting Type:</b> | Open Session <input checked="" type="checkbox"/><br>Closed Session <input type="checkbox"/> |
| <b>Meeting Date:</b>                       | <b>October 25, 2021</b>   |                      |   |
| <b>Report No.:</b>                         | SPA-16-21/Z-10-21SUB  |                      |   |
| <a href="#">Submit comments to Council</a> |   |                      |   |

**Subject/Title:** **Draft Plan of Subdivision/Condominium and Site Plan Approval Application –Northeast Corner of Densmore Road and Corner of Birchwood Trail – Multi-Residential Development**

## RECOMMENDATION:

THAT the staff report and application be received by Council and referred to the Planning Department for a report; and,

FURTHER THAT the notice requirements of the Planning Act, R.S.O. 1990, c.P.13, as amended, be implemented, including the scheduling of a Public Meeting.

## 1. STRATEGIC PLAN

N/A

## 2. PUBLIC ENGAGEMENT

Section 51 (20) of the Planning Act, R.S.O. 1990, c.P.13, as amended prescribes statutory notice requirements for a complete Draft Plan of Subdivision application, and for the scheduling of a public meeting.

Notice of a complete plan of subdivision application and notice of a public meeting can be provided together. The Municipality is required to give notice by either:

- a) Publication in a newspaper that is of sufficient circulation in the area which the application applies; or

- b) Personal or ordinary service mail to every landowner within 120 metres of the subject land, and by posting a notice, clearly from a public highway or other place the public has access on the subject land, or a location chosen by the municipality.

The Municipality's notification procedures for complete applications and public meetings include both a) and b) above, including the posting of a sign on the frontage of the property, which meet and exceed the notice requirements prescribed by the *Planning Act*. In addition, the Town provides this Report to Council for information purposes in open session and posts relevant information regarding the development on its Planning Applications page of the municipal website (Planning & Development). Finally, the applicant will be required to convene an open house to provide additional means of public engagement per municipal procedures.

### 3. PURPOSE

The purpose of this Report is to advise Council and the public of the receipt of an application for Draft Plan of Subdivision/Condominium and Site Plan Approval, and to recommend that Council refer the application to the Planning Department for a Report and direct that the notification requirements to be implemented in accordance with the Planning Act and municipal procedures.

### 4. ORIGIN AND LEGISLATION

In September of 2021, a complete application was received by the Planning Department for approval of a Draft Plan of Subdivision/Condominium and Site Plan Application from Marshall Homes (Cobourg) Ltd. for Common Element Condominium plan for Blocks 1, 2, 3, 5, & 7 for 39 POTL townhouse lots on north side of Densmore Road. Following a review of the application, Planning staff has concluded that it constitutes a complete application in accordance with the provisions of the Ontario Planning Act and the Town of Cobourg's Official Plan, and is suitable to be formally received by Council. Pursuant to the provisions of the Planning Act, if the Municipality fails to approve the complete application within 120 days after its receipt by council, the Owner may appeal the application to the Ontario Land Tribunal (OLT).

### 5. BACKGROUND

The subject property is a vacant parcel located at the north-east corner of Densmore Road and Birchwood Trail abutting Highway 401 interchange along the north property line, known as 160 Densmore Road. Refer to **Schedule "A" Context Map** attached.

Zoning By-law No. 077-2021, specifically amending By-law #120-2005 that applies to the Subject Lands, was approved by Council recently to modify the permitted buildings on the apartment block by adding "stacked townhouses" to the list of permitted building types and to increase the density of the subject lands from the current maximum permission of 114 dwelling units to 123 dwelling units. Five (5) of the additional units are for conventional townhouse units intended to replace the commercial block at the south-west corner of the Subject Lands, and four (4) of the additional units will be accommodated within the new stacked townhouse design towards the north limits of the property.

In 2005, Cobourg Municipal Council conditionally approved a Draft Plan of Subdivision for 34 townhouses, a commercial block and up to 80 apartment units for a total density of 114

units. The site was approved for pre-servicing in 2015 and underground infrastructure was installed a number of years ago, however the developer abandoned the site and the property has been sold under Power of Sale to Marshall Homes (Cobourg) Ltd., who plans to complete the development with some modifications to reflect current market conditions.

The application for Draft Plan of Subdivision and Condominium (Common-Element) proposes to modify the previously conditionally approved Draft Plan of Subdivision to allow five (5) townhouse units on the commercial block, creating a total of 39 Parcels Of Tied Land (POTL) units. This Draft Plan of Subdivision and Condominium will only address the 39 POTL units and the remainder of the stacked townhouses will be addressed through a future Draft Plan of Standard Condominium.

The subject property is designated as “Commercial/Residential” Area according to the Schedule “H” Elgin-Densmore Secondary Plan, and zoned “Multiple Residential Four Exception 18 Holding (R4-18(H))” in the Town of Cobourg Comprehensive Zoning By-law #085-2003, as amended by By-law #077-2021.

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

- Draft Plan of Subdivision
- Development Site Plan
- Environmental Noise Analysis
- Traffic Impact Study

## 6. ANALYSIS

This memo is for application receipt notification purposes only and there is subsequently no staff analysis at this stage. The application package is being circulated to the Development Review Team and applicable Agencies/Committees for review and commentary before being brought back to Council for consideration. Formal public notifications of the application and future public meeting will be provided in accordance with *Planning Act* regulations and municipal notification procedures.

## 7. FINANCIAL IMPLICATIONS/BUDGET IMPACTS

There are no anticipated negative financial implication imposed on the Municipality as a result of the application. The owner has submitted applicable fees and deposits of \$1925.00 for the Draft Plan of Subdivision and \$14,880.00 for Site Plan Approval to a total of 16,805.00 for the proposed development approval.

## 8. CONCLUSION

The application package and supporting information are currently being circulated to the Development Review Team for Review and Comments before being presented to Council for consideration, including the convening of a Public Meeting.