



Kevin M. Duguay  
Community  
Planning and  
Consulting Inc.



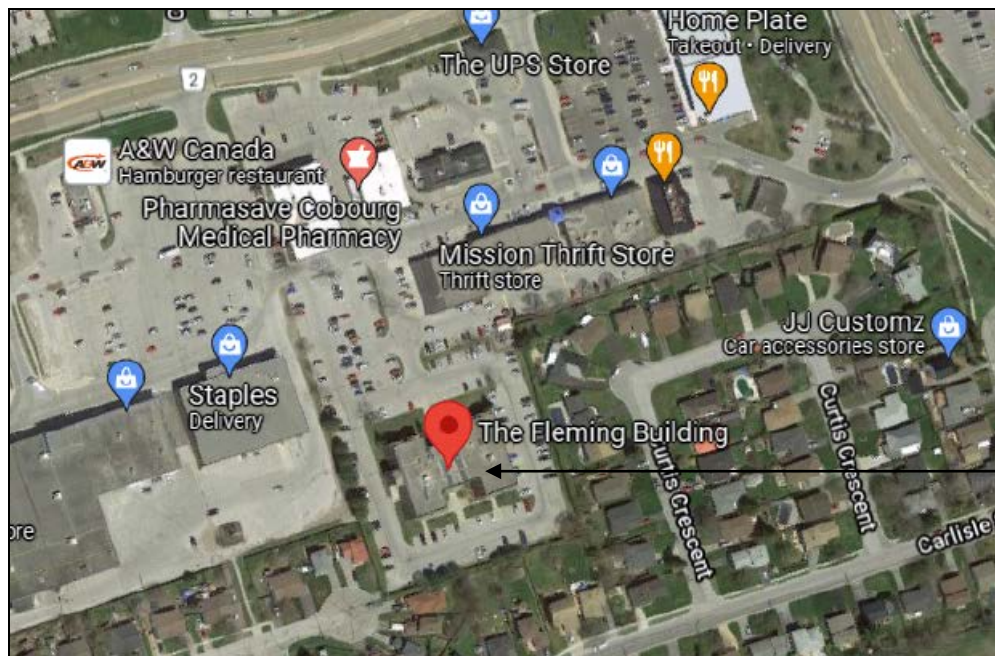
## Planning Justification Report (October 29, 2021) - Zoning By-law Amendment Application 1005 Elgin Street West, Cobourg

### Introduction

This Planning Justification Report has been prepared in support of a Zoning By-law Amendment Application filed with the Town of Cobourg Planning Department regarding the commercial property known municipally as 1005 Elgin Street West.

The property is located west of the signalized intersection of Burnham Street and Elgin Street West, with vehicular access, provided from Elgin Street West (by way of the adjacent (north) commercial/retail property).

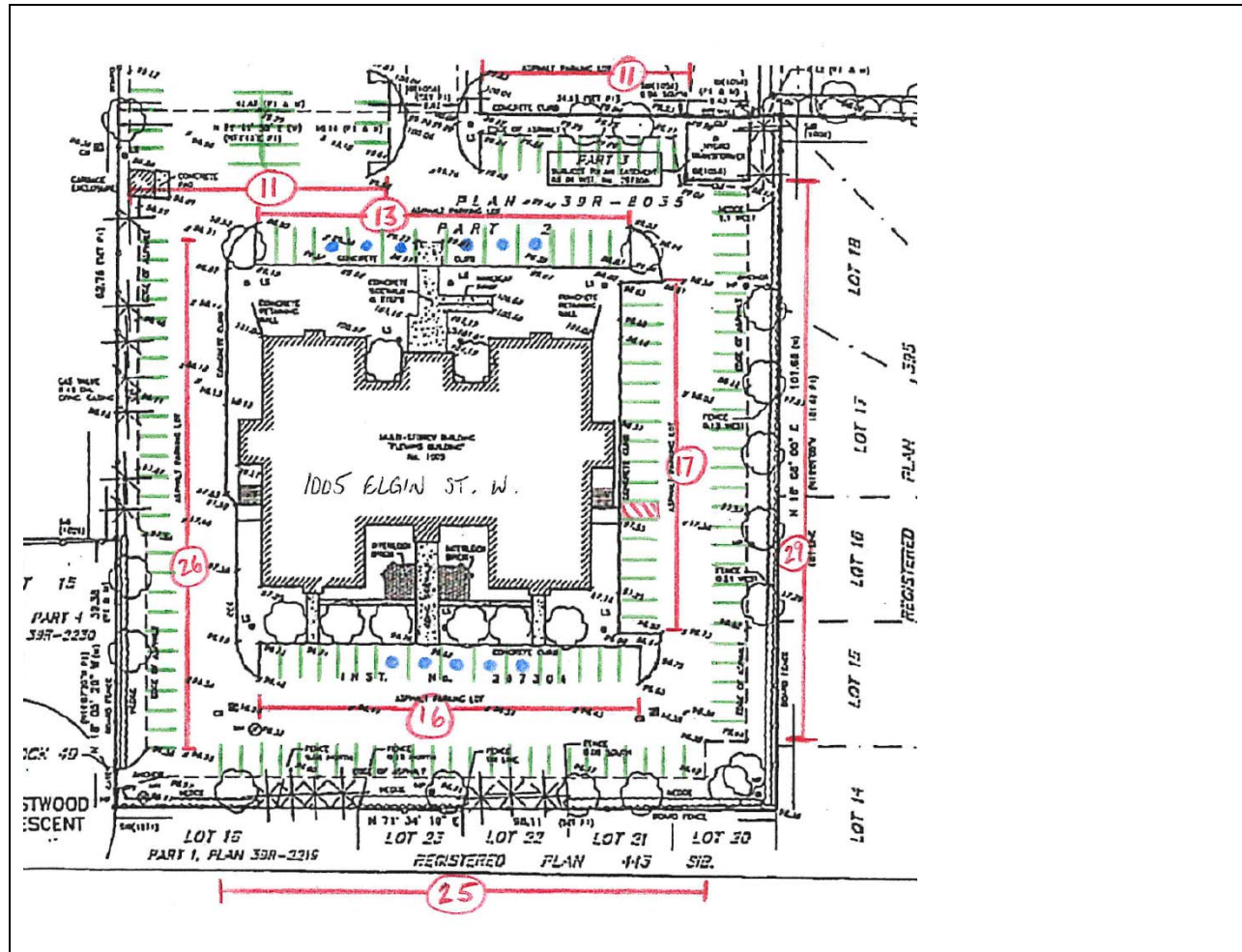
### The Property



The Property

(Source: Town of Cobourg Website, October 2021)

## The Concept Plan (Existing Property)



The property is surrounded by the following land uses:

Direction	Land Use/s
North	Commercial/Retail Plaza, Elgin Street West
South	Residential
East	Residential and Commercial/Retail
West	Residential and Commercial/Retail

## The Application - Summary

The Zoning By-law Amendment Application seeks to permit additional clinic floor space within the existing commercial building. No expansions or external modifications of the existing building and its associated site Parking areas/facilities is proposed, no will be required.

The ZBLA Application request is summarized as follows:

"Notwithstanding the provisions of Section 3.26, and the provisions of By-law Exception SC-4, a medical clinic having a maximum floor area of 1530 square metres."

As noted, the additional clinic space will be accommodated within the existing commercial building (The Fleming Building).

## Analysis

### 2020 Provincial Policy Statement (2020 PPS)

The 2020 PPS came into effect on May 1, 2020 and sets forth a general policy framework applied on a provincial-wide basis addressing such matters as land-use, development, environment, culture/heritage, patterns of development and related concerns.

Relative to the ZBLA Application, the following policies are considered to have direct relevancy:

Policy/Section	Title - Details
Table of Contents	
1.1	Healthy, liveable and safe communities are sustained by:  a) promoting <b>efficient development</b> and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;  b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), <b>employment</b> (including industrial and <b>commercial</b> ), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

	<p>c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;</p> <p>d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;</p> <p><b>Opinion: It is my professional opinion that the proposed re-use of the existing commercial building to accommodate additional clinic space is representative of a cost-effective and appropriate development within the established built boundary part of an urban settlement area (Cobourg).</b></p>
1.1.3	<p>Settlement Areas</p> <p><b>1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.</b></p> <p>1.1.3.2 Land use patterns within settlement areas shall be based on:</p> <p>a. efficiently use land and resources;</p> <p>b. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;</p> <p><b>Opinion: The property forms part of an urban settlement area (Cobourg), within the limits of the designated Built Boundary. The proposed development can be serviced by existing municipal services and infrastructure (serving the existing building/property).</b></p>
1.6.6	Sewage, Water and Stormwater
1.6.6.1	<p>Planning for sewage and water services shall:</p> <p>a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:</p> <p>1. municipal sewage services and municipal water services;</p>
1.6.6.2	<p>Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be</p>

	<p>promoted, wherever feasible.</p> <p><b>Opinion: The property is served by existing municipal infrastructure (water and waste-water).</b></p>
--	---

**It is my professional opinion that the ZBLA Application is consistent with the policy directives of the 2020 PPS.**

### **2020 A Place to Grow- Growth Plan for the Greater Golden Horseshoe (2020 Growth Plan)**

The 2020 A Place to Grow Plan came into effect in August 2020 replacing the May 16, 2019, Growth Plan (which replaced the 2017 Growth Plan). The new 2020 Plan sets forth a series of detailed policies addressing population and employment growth and other related development, planning, and land use matters for the Greater Golden Horseshoe Area. The City of Kawartha Lakes is located within the eastern portion of the outer-ring part of the 2020 Plan.

Relative to the ZBLA Application, the following policies of the 2020 Growth Plan are considered to have direct relevancy:

<b>Policy</b>	<b>Title - Details</b>
1.2.1	<p>Guiding Principles</p> <p>The successful realization of this vision for the GGH centres on effective collaboration amongst the Province, other levels of government, First Nations and Métis communities, residents, private and non-profit sectors across all industries, and other stakeholders. The policies of this Plan regarding how land is developed, resources are managed and protected, and public dollars are invested are based on the following principles:</p> <ul style="list-style-type: none"> <li>• Support the achievement of <b>complete communities</b> that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.</li> <li>• Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability.</li> <li>• Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional</li> </ul>

	<p>industries, including resource-based sectors.</p> <ul style="list-style-type: none"> <li>• Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.</li> <li>• Improve the integration of land use planning with planning and investment in infrastructure and public service facilities, including integrated service delivery through community hubs, by all levels of government.</li> <li>• Provide for different approaches to manage growth that recognize the diversity of communities in the GGH.</li> <li>• Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions.</li> <li>• Support and enhance the long-term viability and productivity of agriculture by protecting prime agricultural areas and the agri-food network.</li> <li>• Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.</li> <li>• Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.</li> </ul> <p><b>Opinion: The ZBLA Application serves to permit the existing additional clinic space within an existing (designated and zoned) commercial plaza. The development makes efficient use of available municipal infrastructure and services. The proposed development can also be considered as transit supportive.</b></p>
1.2.2	<p>Legislative Authority</p> <p>This Plan is issued under the authority of section 7 of the Places to Grow Act, 2005. It was approved through an Order in Council under that Act to come into effect on May 16, 2019. This Plan replaces the Growth Plan for the Greater Golden Horseshoe, 2017 that took effect</p>

	on July 1, 2017.
	<p>Read the Entire Plan</p> <p>This Plan is to be read in its entirety and the relevant policies are to be applied to each situation. The language of each policy, including the policies in Section 5, will assist decision-makers in understanding how the policies are to be implemented.</p> <p>While some policies refer to other policies for ease of use, these cross-references do not take away from the need to read the Plan as a whole. There is no implied priority in the order in which the policies appear.</p> <p><b>Opinion: I have reviewed/read the entire document for the purpose of preparing this Planning Justification Report.</b></p>
2.2	<p>Policies for Where and How to Grow</p> <p>2.2.1 Managing Growth</p> <p>1. Population and employment forecasts contained in Schedule 3 will be used for planning and managing growth in the GGH to the horizon of this Plan in accordance with the policies in subsection 5.2.4.</p> <p>2. Forecasted growth to the horizon of this Plan will be allocated based on the following:</p> <p>b) growth will be limited in settlement areas that:</p> <p>i. are rural settlements;</p> <p><b>Opinion: The property forms part of a designated Built Boundary (Cobourg). The property is within a part of the community that is supported by full municipal infrastructure and related municipal services.</b></p>
	<p>c) within settlement areas, growth will be focused in:</p> <p>i. delineated <b>built-up areas</b>;</p> <p>ii. strategic growth areas;</p> <p>iii. locations with existing or planned transit, with a priority on higher</p>

	<p>order transit where it exists or is planned; and</p> <p>iv. areas with existing or planned public service facilities;</p> <p>d) development will be directed to settlement areas, except where the policies of this Plan permit otherwise;</p> <p><b>Opinion: The property forms part of the designated Built Boundary (Cobourg). This part of the community is supported by full municipal infrastructure and related municipal services. The property is also within convenient distance to a range of commercial and retail/facilities and related land uses, forming part of the designated Shopping Area Node (Schedule 'A' – Land Use of the Official Plan).</b></p>
	<p>4. Applying the policies of this Plan will support the achievement of <b>complete communities</b> that:</p> <p>a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to <b>local stores, services,</b> and public service facilities;</p> <p>b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;</p> <p>c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;</p> <p><b>Opinion: The ZBLA Application serves to permit additional clinic space within a designated and zoned commercial property/building, forming part of a Shopping Node. The property location is within convenient proximity to a full-range of private - public services facilities and land uses (part of the designated Shopping Node Area). The existing building has demonstrated compatibility with area land uses, both residential and commercial/retail.</b></p>

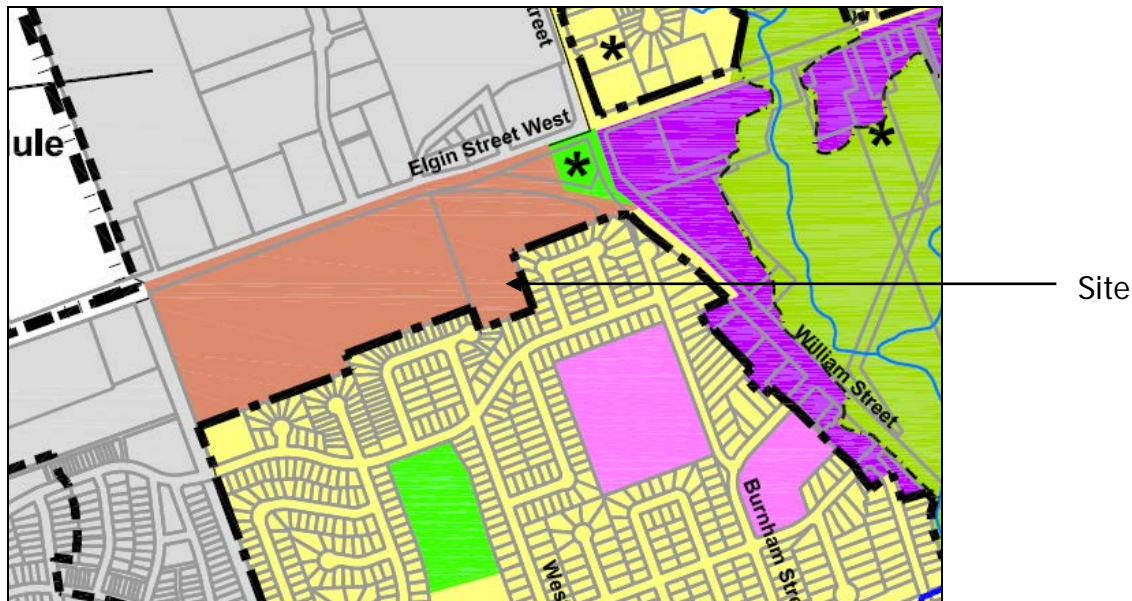
**It is my professional planning opinion that the ZBLA Application is in Conformity with the policies of the 2020 Growth Plan.**



## Town of Cobourg Official Plan (Official Plan)

The property is designated as "Shopping Node Area" – Schedule 'A' – Land Use Plan

### Official Plan Map



(Source: Town of Cobourg Website, October 2021)

The following table provides a summary of relevant policies of the Official Plan as it would pertain to the ZBLA Application:

Policy	Title - Detail
2.1	<p>Purpose</p> <p>The community vision, principles and objectives upon which the Official Plan is based are outlined in the following sections. The principles include specific urban design principles in recognition of the priority the Town places on good design. The vision, principles and objectives provide general guidelines for the planning of the Town of Cobourg, which are elaborated upon in the policies of the Plan. The vision, principles and objectives represent expressions of general intent which are not to be interpreted as direct statements of planning policy. It is not proposed that they be applied directly to any development or redevelopment proposal. They form a basis for the formulation of</p>

	the policies contained in this Plan.
2.2	<p>Town of Cobourg - Vision Statement</p> <p>COBOURG IS A REGIONAL CENTRE FOR NORTHUMBERLAND COUNTY AND ITS POSITION AS A STRONG, LIVEABLE AND HEALTHY COMMUNITY PROVIDING A FULL RANGE OF OPPORTUNITIES TO LIVE, WORK, PLAY AND SHOP WITHIN THE TOWN WILL BE REINFORCED THROUGH:</p> <p>ii) an emphasis on sustainable, accessible and compact development, particularly transit supportive, mixed-use built form along its main streets, which will enable Cobourg to enhance its function as a vibrant, environmentally aware urban centre;</p> <p>iv) a mix of employment uses, including innovative employment opportunities, which will promote Cobourg's role as a major employment centre in Northumberland County; and,</p> <p><b>Opinion: The proposed expanded clinic use is to be located within the existing commercial building, which is supportive of compact development and emphasizing Cobourg's role as the major employment centre - Northumberland County.</b></p>
3	Land Use Strategy
3.1	<p>Purpose</p> <p>The land use designations on Schedule "A" establish the general pattern of development for the existing and future use of the planning area during the planning period. The policies for these designations are set out in this section. Development shall also conform with all the other policies of this Plan. In particular, all development shall be evaluated with respect to conformity with the Community Design and Improvement policies in Section 5, which include the policies of Section 5.5, Cultural Heritage Conservation, and the Town's Urban and Landscape Design Guidelines.</p>

3.2.1	<p>Existing Community Structure</p> <p>The land use designations generally reflect the basic existing structure of the Town which is comprised of the following key elements:</p> <p>iv) Commercial Facilities and Mixed Use Corridors</p> <p>The commercial structure is comprised of two major nodes, the pedestrian oriented traditional shopping area in the Main Central Area, and the large-scale commercial uses in the Northumberland Mall/ Strathy Road area. An additional, smaller commercial node is found in the Midtown Mall area, as well as a range of highway commercial uses along major arterial roads such as Division Street. Finally, there are some limited neighbourhood commercial centres or individual free-standing uses in residential areas. These areas also permit a range of other uses including institutional and residential development.</p> <p><b>Opinion: The property forms part of a designated Shopping Centre Node (Schedule A – Land Use of the Official Plan).</b></p>
3.2.2	<p>Growth Management Related Structure Elements</p> <p>The Town's Urban Settlement Area Boundary (Schedule "A") is fixed, and no changes to the boundary are anticipated during the planning period. Any such change in the future would only be considered in the context of a comprehensive municipal review.</p> <p>The following structural elements form the basis for the Town's growth management strategy.</p> <p>i) Built Boundary</p> <p>Schedule "A" identifies the "Built Boundary" as determined by the Province. Lands within the boundary are considered to be those parts of the Town that are already developed as of June 2006. Any development within the Built Boundary is considered intensification and contributes to the intensification target in</p>

	<p>Section 3.2.3 of the Official Plan.</p> <p><b>Opinion: The property is located within the designated Built Boundary portion of the community (Schedule A – Land Use of the Official Plan).</b></p>
3.8	Shopping Node Area
3.8.1	<p>Purpose</p> <p>The Shopping Node Area designation is intended to apply to existing shopping areas which are anchored by one or more centres with a minimum gross floor area of 4,645 square metres (50,000 sq. ft.) and are comprised of shopping centres or other facilities which have been planned, developed and managed as a unit.</p> <p><b>Opinion: The existing building/property forms part of an existing Shopping Centre.</b></p>
3.8.2	<p>Permitted Uses, Buildings and Structures</p> <p>Permitted Uses, Buildings and Structures The permitted uses, buildings and structures are:</p> <ul style="list-style-type: none"> <li>i) commercial including department stores and supermarkets;</li> <li>ii) office;</li> <li>iii) institutional;</li> </ul> <p><b>Opinion: Clinic uses are permitted by the current zoning of the property, and the proposed expanded clinic use can be considered as an institutional use, pursuant to Policy 3.8.2 (ii).</b></p>
3.8.3	Land Use Policies
3.8.3.1	<p>New Shopping Facilities</p> <p><b>Opinion: The shopping node exists, including the building</b></p>

	<b>located on the property.</b>
3.8.3.2	Market Impact Study  <b>Opinion: No market impact study is required in this instance, as no new floor is being created.</b>
3.8.3.3	New Development in Existing Shopping Nodes  <b>Opinion: No “new” development is proposed. The additional clinic space would be accommodated within the existing commercial building.</b>

**It is my professional planning opinion that the Zoning By-law Amendment Application is in keeping with general purpose and intent of the Shopping Centre Node policies and designations of the Official Plan.**

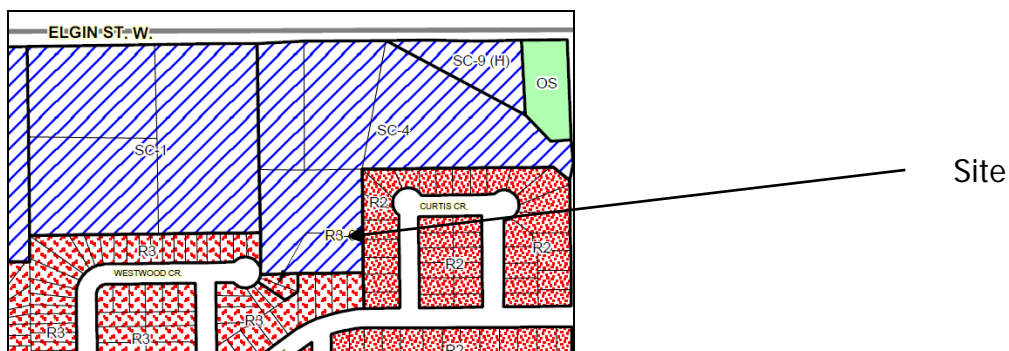
#### **Town of Cobourg Zoning By-law (Zoning By-law)**

The subject property is currently zoned “SC-4 Shopping Centre” Zone with By-law Exception 4.

The zoning of the property permits a clinic use. The ZBLA Application seeks to permit additional clinic space within the existing building.

“Notwithstanding the provisions of Section 3.26, and the provisions of By-law Exception SC-4, a medical clinic having a maximum floor area of 1530 square metres shall be permitted”.

#### **Zoning By-law Zoning Map ‘8’ Detail (Land Use)**



(Source: Town of Cobourg Website, October 2021)

The following table provides a summary site parking (current):

**Parking Supply**

Use	Floor Area	Parking Requirement
Clinic (Expanded)	1530	102 (17 physicians)
Office	1432	43
<b>Total</b>	<b>2963</b>	<b>145</b>

The ZBLA Application seeks to add 659 square metres of clinic floor area. The building contains an existing 871 square metres of clinic floor area. The proposed expanded clinic floor area will be 1530 square metres. Office uses have a floor area of 1432 square metres would occupy the remaining portion of the exiting building.

The property provides **148 parking spaces**, and thus the parking requirements for the proposed expanded clinic space combined with office space, can be satisfied.

**It is my professional planning opinion that the ZBLA Application is in keeping with the general purpose and intent of the regulatory provisions of the Zoning By-law.**

## Summary

It is my professional planning opinion that the Zoning By-law Amendment Application , serving to permit additional clinic floor area within the subject designated and zoned commercial property is:

- Consistent with the policy directives of the 2020 PPS;
- In Conformity with the policy directives of the 2020 Growth Plan;
- In Keeping with the general purpose and intent of the policies of the Official plan;
- In Keeping with the general purpose and intent of the regulatory provisions of the Zoning By-law;
- Supportive of an appropriate infilling of an existing commercial building; and
- Is Representative of Good Planning.

Respectfully Submitted,



Kevin M. Duguay, MCIP, RPP