

STAFF REPORT

THE CORPORATION OF THE TOWN OF COBOURG



Report to:	Mayor and Council Members	Priority:	<input type="checkbox"/> High <input checked="" type="checkbox"/> Low
Submitted by:	Elizabeth King Planner I – Development Planning & Development Services eking@cobourg.ca	Meeting Type:	Open Session <input checked="" type="checkbox"/> Closed Session <input type="checkbox"/>
Meeting Date:	September 5, 2023		
Report No.:	Planning and Development-158-23		
Submit comments to Council			

Subject/Title: East Village Blocks 55 to 57 – Application to Removal the Holding (H) Symbol

RECOMMENDATION:

THAT Council receives this Report for information purposes;

FURTHER THAT the By-law included as **Attachment 3** authorizing the Removal of the Holding (H) Symbol for East Village Block 55 to 57 be presented to Council for passing.

1. STRATEGIC PLAN

N/A

2. PUBLIC ENGAGEMENT

Although the *Planning Act* does not prescribe public engagement for an application to Remove the Holding (H) Symbol, the subject lands have previously been subject to a Site Plan Control Application whereby the public is able to access the submission material, if requested. Notice of Intention to Remove the Holding (H) Symbol was circulated to the property owner in accordance with the *Planning Act*.

3. PURPOSE

The purpose of this report is to provide Council with sufficient background information regarding the application for Removal of the Holding (H) Symbol on the lands known as East Village - Blocks 55 to 57 (the subject lands) and to demonstrate conditions have been fulfilled.

4. ORIGIN AND LEGISLATION

Section 36 of the *Planning Act*, R.S.O. 1990, c. P.13 as amended authorizes the Council of the Municipality to apply the Holding (H) Symbol to restrict the use of the lands until such time certain conditions are met and an amendment to the by-law is approved which removes the Holding Symbol.

5. BACKGROUND

The subject lands are known municipally as Blocks 55 to 57 (refer to **Attachment 1 – Key Map**), located within Phase 5 of the developing East Village community on the municipality's east end (refer to **Attachment 2 – Registered Plan of Subdivision – East Village Phase 5**). The subject lands are approximately 11,606.4 m² (1.16 ha) in total. The adjacent land uses consist of residential and open space to the south, residential to the west and east, and the Canadian National Railway / Canadian Pacific Railway to the north.

The proposal on the subject lands consists of three (3) 20-plex dwellings and two (2) 10-plex dwellings for a total of 80 units across the entire subject lands with a total of 100 parking spaces. The proposal intends to facilitate more market ownership of affordable and attainable units due to the increasingly unattainable housing prices and are able to provide additional units at a smaller scale. The breakdown for each Block is as follows:

- Block 55: one (1) 20-plex dwelling
- Block 56: one (1) 10-plex dwelling and one (1) 20-plex dwelling
- Block 57: one (1) 20-plex dwelling and one (1) 10-plex dwelling

The property is designated “Residential Area” in the Town of Cobourg Official Plan and zoned “Multiple Residential Four Exception 31 Holding (R4-31[H]) Zone” in Comprehensive Zoning By-law No. 85-2003.

6. ANALYSIS

Section 25.1 of Zoning By-law No. 85-2003 (Holding (H) Zone) limits development on lots until Council adopts a by-law in accordance with Section 36 of the *Planning Act* to remove the holding symbol.

The Holding (H) Symbol was placed on the subject lands during the Zoning By-law Amendment for East Village Phase 5 Subdivision in 2019. To remove the holding symbol, By-law #060-2019 states that:

“The Holding (H) Symbol shall not be removed by Cobourg Municipal Council until the Owner(s) has received approval of all applicable plans, drawings, and other related documentation by the Municipality and following the execution of a Subdivision Agreement and/or a Development Agreement with the Municipality and/or other authority having jurisdiction. The Agreement(s) shall address technical matters both internal and external to the Subject Lands, including but not

limited to: plans and/or other documentation pertaining to the architectural, landscape and urban design; vehicular access, parking, site circulation, pedestrian connections and access; infrastructure and servicing; fencing and buffering; and, performance measures (re: financial securities and regulations for construction and use), all to the satisfaction of the Municipality.”

The applicant applied for Site Plan Control in April 2023 and has been actively working to fulfill the Development Review Team’s (DRT) requirements. The DRT is currently reviewing the 3rd submission drawings and draft site plan agreement. Minor variances were granted by the Committee of Adjustment on July 18, 2023.

It is important to note there are a series of approvals the applicant must obtain before building permits are issued including fulfilling minor variance conditions, finalizing CN Railway conditions and approvals, finalizing site plan approval and executing the site plan agreement, and removing the holding symbol. The Site Plan Agreement will include provisions related to the above-listed technical matters. By removing the Holding Symbol at this time, it may assist the applicant in meeting their intended construction timelines for these units. Staff have no concerns with removing the holding symbol at this time since the applicant is actively working with Staff and the Development Review Team to address the above noted items to ultimately receive site plan approval.

The applicant has received a high amount of interest in the proposed units. As such, they have already submitted their building permit application for Building A on Block 55. Staff anticipate building permit applications for the remaining buildings will be submitted shortly after granting site plan approval.

In consideration of the above, Staff are recommending the By-law (**Attachment 3 – Draft By-law**) be presented for passing at the next available Council meeting. Staff will continue to work with the applicant to finalize the site plan agreement accordingly.

7. FINANCIAL IMPLICATIONS/BUDGET IMPACTS

There are no anticipated negative financial implications imposed on the Municipality as a result of the application. The applicant will be responsible for all legal, survey and registration costs. The owner has submitted the applicable planning application fee of \$825.00.

8. CONCLUSION

Staff recommend that a By-law authorizing the Removal of the Holding (H) Symbol be brought forward to the next available Council meeting date for East Village – Blocks 55 to 57.

Report Approval Details

Document Title:	East Village Blocks 55 to 57 - Removal of Hold - Planning and Development-158-23.docx
Attachments:	- Attachment 1 - Key Map (East Village - Blocks 55 to 57).pdf - Attachment 2 - Registered Plan of Subdivision East Village Phase 5 (Blocks 55 to 57).pdf - Attachment 3 - Removal of Hold By-law XXX-2023 - East Village Blocks 55 to 57.pdf
Final Approval Date:	Aug 25, 2023

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

Vanessa Reusser - Aug 23, 2023 - 8:36 AM

Anne Taylor Scott - Aug 24, 2023 - 10:18 AM

Tracey Vaughan, Chief Administrative Officer - Aug 25, 2023 - 12:42 PM