

STAFF REPORT

THE CORPORATION OF THE TOWN OF COBOURG



Report to:	Planning and Development Advisory Committee	Priority:	<input type="checkbox"/> High <input checked="" type="checkbox"/> Low
Submitted by:	Kaveen Fernando, Planner I Planning & Development Division Planning Department kfernando@cobourg.ca	Meeting Type:	Open Session <input checked="" type="checkbox"/> Closed Session <input type="checkbox"/>
Meeting Date:	April 27, 2021		
Report No.:	Planning and Development-017-21		
Submit comments to Council			

Subject/Title: Application for Zoning By-law Amendment - Northumberland Hill Hospital - Planning and Development-017-21.docx

RECOMMENDATION:

THAT Council be advised that the Planning and Development Advisory Committee (PDAC) has duly considered the application by EcoVue Consulting Services Inc. on behalf of Northumberland Hills Hospital to permit "Medical Clinic Use" as a permitted land use under Business Park Exception 4 (BP-4) Zone and to permit the future development of medical arts and ancillary health uses on the vacant 1.87 ha parcel at the south-west corner of Burnham Street and DePalma Drive.

FURTHER THAT the Planning and Development Advisory Committee endorses the conclusions of the Planning Report.

N/A

2. PUBLIC ENGAGEMENT

The Application for Zoning By-law Amendment was submitted by EcoVue Consulting Services Inc. to add "Medical Clinic Use" to the list of permitted uses for the vacant parcel at the south-west corner of Burnham Street and DePalma Drive in January, 2021.

Council formally received the application for approval of Zoning By-law Amendment on February 22, 2021. The application was referred to the Planning Department for a report, and a Public Meeting was held on April 12, 2021 in

accordance with the provision of the *Planning Act, R.S.O. 1990, c.P.13*, as amended. There were no public submissions received regarding this application.

Section 34(10) & (13) of the *Planning Act, R.S.O. 1990, c.P. 13, as amended* prescribe statutory public notice requirements for a complete application for Zoning By-law Amendment and for the scheduling of a public meeting.

The notice of a statutory Public Meeting can be provided together with the notice of complete application, or separately. 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 made to every land owner within 120 metres of the subject land, and by posting a notice, clearly visible from public highway or other place of public has access to the subject land, or a location chosen by the municipality.

The Municipality's notification procedures for complete application and public meetings included both a) and b) above, including the posting of signs on the frontages of the site in question. In addition, the Town provided an information and application receipt memo to Council for information purposes in open session and posted relevant information regarding the development on its Planning Applications page of the municipal website (Planning and Development). Members of the public on record as making submissions to the Town, if any, will be notified, when the application and this report are being considered by Council for consideration.

3. PURPOSE

The purpose of this report is to provide a planning analysis and justification regarding an application for Zoning By-law Amendment to add "Medical Clinic Use" as a list of permitted uses under Business Park 4 (BP-4) Zone on the 1.87 ha parcel at the south-west corner of Burnham Street and DePalma Drive.

4. ORIGIN AND LEGISLATION

An application for approval of the Zoning By-law Amendment was submitted by EcoVue Consulting Services Inc. on behalf of the Northumberland Hills Hospital in January, 2021. Council moved that the application be received and referred to the Planning Department for a report at its meeting of February 22, 2021 and further directed that a Public Meeting be held. The Public Meeting was convened on April 12, 2021 regarding this application.

In accordance with the provisions of the *Planning Act*, if the Municipality fails to approve the complete application within 90 days of its receipt, the applicant may appeal the application to the Local Planning Tribunal (LPAT).

5. BACKGROUND

5.1 Owner

Northumberland Hills Hospital

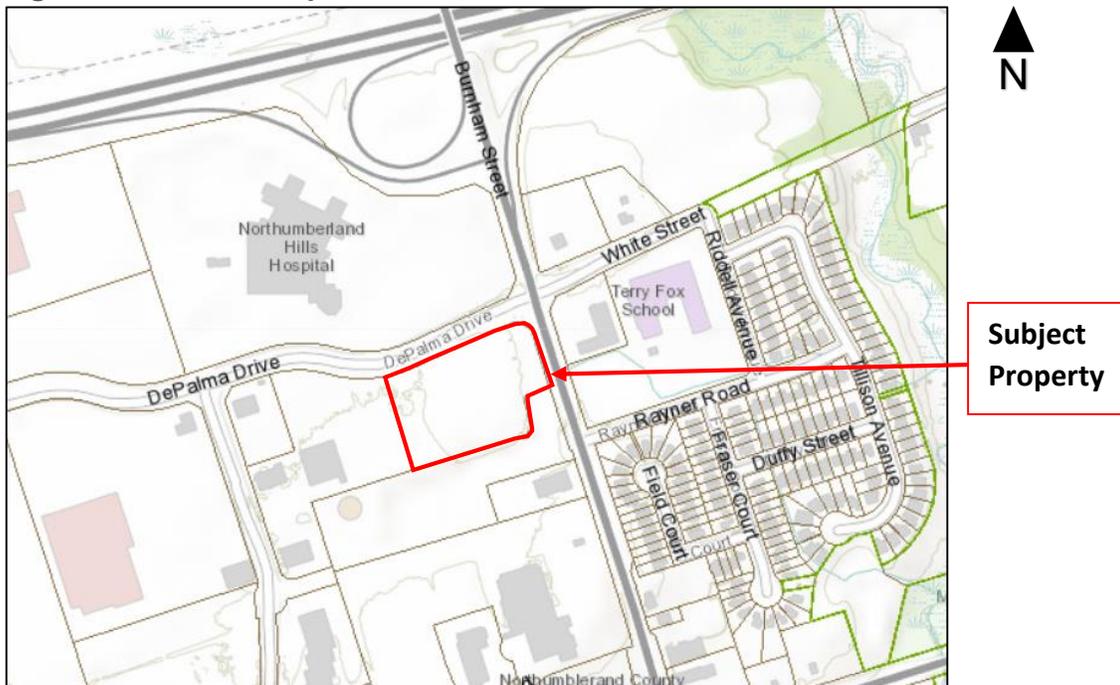
5.2 Applicant/Agent

EcoVue Consulting Services Inc. - Agent: Ashlyn Kennedy

5.3 Property Address

The subject lands at the south-west corner of Burnham Street (to the east) and DePalma Drive (to the north) as illustrated in the attached Figure 1 – Context Map below.

Figure 1 – Context Map



5.4 Existing Land Uses

The subject land is current vacant.

5.5 Surrounding Land Uses

The land uses in the vicinity of the subject property generally consist of a mix of commercial and institutional land uses, with some residential to the south-east.

North: Institutional (Northumberland Hills Hospital)

East: Commercial and Institutional (Retail Mall, Terry Fox School and residential)

South: Institutional (Highland Shores Children’s Aid), stormwater management facility and Golden Plough Lodge

West: Commercial (SmartCentre: Shopping Retail)

5.6 Proposal

Section 1.1 of the EcoVue Consulting Planning Justification Report (affixed hereto as **Appendix I**) provides an overview of the proposal and reasons for the amendment. The applicant, Northumberland Hills Hospital (NHH), is proposing to expand the health care services offered in the community and, as part of the expansion, medical offices and ancillary uses are expected for the future development. The vacant parcel currently allows a wide range of business and quasi-commercial/industrial uses under the existing Business Park Exception (BP-4) zone, except medical clinics and related health uses. The Applicant is expecting to partner with a developer/health provider to introduce a number of quasi-service commercial/institutional uses along with medical and ancillary services in the future. No specific development or design proposal has been submitted, but will be subject to further examination during the Site Plan Approval stage of the process.

6. ANALYSIS

In considering the subject application, an understanding of the applicable provincial legislation and local policies is beneficial when reviewing the applications for approval of a Zoning By-law Amendment. The following provide an overview of the relevant background and commentary where required.

The Planning Justification Report submitted with the subject application by EcoVue Consulting Services Inc. (refer to **Appendix I**) provides an overview of policy supporting this application. It is not the intent of this Planning Report to duplicate the review and analysis provided in these reports but rather provide an in-depth summary of the relevant background from a municipal planning staff perspective. The commentary submitted by the applicant and the municipal staff are intended to complement and be read in conjunction with the each other.

6.1 Planning Act

In accordance with the approval process of the *Planning Act*, the requirements for considering an application for approval of a Zoning By-law amendment include public notification, convening a Public Meeting, and awaiting an appeal period.

As referenced above, the Municipality shall have regard to matters of Provincial interest under Section 2 of the Act, including such applicable matters as: the adequate provision and efficient use of infrastructure; orderly development of safe and healthy communities; accessibility for persons with disabilities; adequate provision of educational, health, social, cultural and recreational facilities; protection of public health and safety; appropriate location for growth and development; and, promotion of sustainable and pedestrian-friendly design, and be transit supportive.

Comment/Opinion

Municipal planning staff has reviewed the application in light of the aforementioned items of Provincial Interest. The proposed technical amendment creates a base for a complete development that is consistent with the existing built form and land uses, existing public transportation, surrounding commercial shops and as well as the opportunity for more employment opportunities. In my planning opinion, the

proposed zoning amendment has appropriate regard to matters of Provincial Interest under Section 2 of the *Planning Act*. Section 6.2 below provides further commentary of the proposal relative to matters of Provincial Interest.

6.2 Provincial Policy Statement (PPS), 2020 & Growth Plan, 2019

The Provincial Policy Statement (PPS) provides a broader policy direction on land use planning and development matter of Provincial Interest as per the *Planning Act, R.S.O. 1990, c.P.13, as amended*. The PPS provides polices for appropriate development based on efficient use of land infrastructure, protection of natural resources, and supports a mix of employment that caters to municipal needs. As highlighted in the EcoVue Planning Report, the proposed development is consistent with Sections 1.1.3.1, 1.1.3.2 and 1.3.1 polices of the Provincial Policy Statement;

- Settlement Areas shall be the focus of growth and development;
- Land use patterns within settlement areas shall be based on densities and mix of land uses which; a) sufficiently use land and resources and 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;
- providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
- providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;

The Growth Plan directs that the vast majority of growth will be directed to settlement areas that have a delineated built boundary, have existing or planned municipal water and wastewater systems, and support appropriate major institutional and office development in urban growth centres, supported by transit areas. In addition, the plan provides direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to encourage active transportation.

Comment/Opinion

The subject property is located within an urban, serviced settlement area and is considered part of the “Built Boundary” of the Town of Cobourg as established by the Growth Plan and Municipal Official Plan. Accordingly, the proposed amendment will introduce a mixed range of office (medical), limited commercial and ancillary health-related uses along the arterial roads. It is my opinion that the proposed use is consistent with PPS and the Growth Plan as it provides an appropriate mix of range of employment and broader mixed uses to meet long-term needs of Town of Cobourg.

6.2 County of Northumberland Official Plan, 2016

The County of Northumberland Official Plan (the “County OP”) was approved by the Ministry of Municipal Affairs and Housing on July 29, 2015 and finally approved by the Ontario Municipal Board on November 23, 2016. In general, the purpose of the County OP is to:

- Establish a broad, upper tier policy framework intended to guide local municipalities in the preparation of their Official Plans, Official Plan Amendments and zoning by-laws;
- Implement the PPS and Growth Plan at the County level; and,
- Establish a framework for coordination and cooperation amongst local municipalities and the County on planning and development issues that cross municipal boundaries.

The County OP is not intended to duplicate the policies of local Official Plans, and recognizes that certain land use planning responsibilities are vested with local municipalities. Accordingly, the County OP provides over-arching guidance necessary to formulate detailed strategies, policies and land use designations at the local level. Thus, the land use designations and policies in the Cobourg OP essentially remain intact, but would need to be monitored and regularly updated to ensure conformity with the County OP.

The County OP encourages each of the six (6) urban areas in the County to become complete communities, including the provision of convenient access to an appropriate mix of jobs, local services, a full range of housing, and community infrastructure including affordable housing, schools, health, transit, recreation and open space for their residents. From this perspective, it is the objective of the County OP to:

- Protect, enhance and maintain existing urban areas as diverse, livable, safe, thriving and attractive communities;
- Promote the efficient use of land and infrastructure by directing most development to urban areas where full services are available;
- Provide opportunities for a diversified economic base, including an appropriate mix of employment and institutional uses to meet long term needs;
- Establish an integrated transportation system that safely and efficiently accommodates various modes of transportation including public transit, cycling and walking;
- Provide for an interconnected system of public spaces that offer convenient and comfortable access and promote safe and healthy environments; and,
- Encourage a high standard of urban design;

Comment/Opinion

It is my opinion that the proposed Zoning By-law Amendment provides a strong foundation for the expansion of the health care facilities within Town of Cobourg settlement area, while providing additional employment opportunities that would benefit not only the Town of Cobourg but also the surrounding area. The proposed development will be subject to Site Plan Approval and applicable approvals to ensure consistency with County and Town of Cobourg policies. Based on a review of the submitted Planning Justification Report and conclusions of EcoVue Consulting Services, it is my opinion that the proposal conforms to the County Official Plan.

6.3 Town of Cobourg Official Plan, 2017/ Cobourg West Business Park Secondary Plan

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. As per the Town of Cobourg Official Plan, the subject property is designated employment area in the Cobourg West Business Park Secondary Plan according to Schedule "I" and part of the Schedule "J" for building or landscape feature.

As per the EcoVue Planning Justification Report (pg. 9), an overview of the existing policies is provided consistent with the Secondary Plan.

1. General

The abovementioned Provincial and County policies encourage a long term development that provides for employment opportunities, incorporates a mix of land uses that are economically feasible and generate revenue to the Town of Cobourg, promotes active transportation, and is compatible with the existing institutional and large scale commercial uses. As per Section 14.2 of the Cobourg West Business Park Secondary Plan, the development should act as a gateway to the Town of Cobourg.

Comment/Opinion

The proposed development is located at the south-west corner of two major arterial roads that provide access to Town of Cobourg from other municipalities and the Highway 401. It is my opinion that the proposed development would be consistent with the existing employment and institutional land uses and Section 14.2 policies of the Secondary Plan. Specifically, there is an opportunity to enhance this major entranceway and create an important gateway to the Town of Cobourg with high quality, high exposure business employment campus environment which reflects the unique character of the Town by:

- i) providing the opportunity to accommodate a wide range of employment and commercial uses, while recognizing and protecting existing uses;
- ii) ensuring strong urban design standards, particularly at key locations which provide gateways to the Town along Highway 401, at the intersection of Burnham Street and Elgin Street West and at the intersection of Roger's Road and Elgin St. West;

- iii) creating a transportation system which ensures the maximum degree of connectivity for pedestrians, bicyclists, and vehicular traffic utilizing public roads, private driveways, transit, and public and private pedestrian/bicycle path facilities; and,

2. Urban & Landscape Design Guidelines

In order to achieve high quality design standards along Arterial Roads, the Town of Cobourg highly encourages proponents to integrate the Town of Cobourg's Urban and Landscape Design Guideline into any proposed design. A development design concept for the site has not been prepared, and thus a thorough evaluation will be conducted during the Site Plan Approval stage to ensure compliance once a development plan is drafted.

3. Municipal Servicing Infrastructure

The future development is subject to Site Plan Approval for servicing, stormwater and sewage management. However, DePalma Drive and Burnham Street are pre-serviced Major Arterial roads and additional infrastructure requirements are anticipated to be minimal.

Comment/Opinion

It is my opinion that the proposed amendment for a medical clinic and ancillary health-related uses is consistent with the policies of the Official Plan and Secondary Plan. Further examination of specific development parameters will occur upon formal Site Plan Application submission and prior to Council approval of a development proposal.

6.4 Town of Cobourg Zoning By-law

The EcoVue Planning Justification Report provides an overview and summary of the existing zoning. The site is presently zoned Business Park Exception 4 (BP-4) In the Town of Cobourg's Comprehensive Zoning By-law, which is consistent with Cobourg West Business Park Secondary Plan Employment Area policies and existing land uses. The amendment is to introduce "Medical Clinic Use" to the list of permitted uses in the "Business Park Exception 4 (BP-4)" zone for future development purposes. Once devised, the proposed development will be subject to a technical zoning evaluation to ensure compliance with the zoning specification of the existing BP-4 zoning requirements.

It is my opinion that the proposed "Medical Clinic" use is a strong and favourable addition to the existing range of land uses for this site and is in compliance with the Provincial, County and local municipal policies relating to sound growth management. Further examination of development criteria will occur upon a formal submission of a development proposal and application for Site Plan Approval.

6.5 Department & Agency Comments

The application for Zoning Amendment was circulated to municipal departments and external partner review agencies. No major concerns or comments were submitted with respect to the request for Zoning By-law Amendment.

6.6 Public Submissions

No submission were received regarding the application for Zoning By-law Amendment in writing, email or at the Public Meeting.

7. FINANCIAL IMPLICATIONS/BUDGET IMPACTS

There are no anticipated negative financial implications imposed on the Municipality as a result of this application. The developer will be responsible for all infrastructure costs associated with servicing and developing the site. The applicant has submitted the requisite \$7,500.00 in application fees and deposit. Approval of an application for Site Plan Approval will be required following approval of the Zoning By-law Amendment, if granted by Council.

8. CONCLUSION

Based on the evaluation of the application relative to the applicable Provincial, County and Municipal policy and regulatory framework, it is my opinion that the proposed Zoning By-law Amendment is appropriate, desirable and represents good planning for following reasons:

- i) The proposal will satisfy the key policy and regulatory directives of the Planning Act, Provincial Policy Statement, A Place to Grow – Growth Plan, County of Northumberland Official Plan, the Cobourg Official Plan and Cobourg West Business Park Secondary Plan policies, most notably relating to the providing a wide range of employment and commercial opportunities, and introducing a broad mix of uses that meets the long term economic needs.
- ii) The proposed development is consistent with the intended purpose of Cobourg West Business Park Secondary Plan and Employment Area policies of the Town of Cobourg's Official Plan.
- iii) The future development will provide an easy transition to existing commercial and institutional land uses, and serve as a desirable gateway to the community.

9. Attachments

Appendix I - EcoVue Consulting Services Inc. - Planning Justification Report