

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:	Glenn McGlashon, MCIP, RPP Director, Planning & Development Planning Department gmcglashon@cobourg.ca	Meeting Type: Open Session <input checked="" type="checkbox"/> Closed Session <input type="checkbox"/>	
Meeting Date:	May 10, 2021		
Report No.:	Planning and Development-018-21		
Submit comments to Council			

Subject/Title: Application for Site Plan Approval – Elgin Park – 265-327 Elgin Street East – Northumberland County Housing Corporation

RECOMMENDATION:

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

THAT the By-laws in **Figure 4** and **Figure 5** of the Staff Report be endorsed and presented to Council which: i) authorize the Mayor and Municipal Clerk to execute a Development Agreement with the Northumberland County Housing Corporation for the 40-unit affordable & market residential re-development project located at 265-327 Elgin Street East, subject to the finalization of details by municipal staff and partner review agencies; and, ii) remove the Holding (H) Symbol from the Subject Lands; and,

FURTHER THAT Council grant Northumberland County Housing Corporation a 50% reduction in the Demolition/Building Permit fees for the project in the amount of \$52,525.00 to be funded from the 2021 Affordable Housing Assistance budget and a 5-year, interest-free deferral of the balance of the Permit fees.

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, 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 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 must include information in regard to the proposal, and a contact number for the Town of Cobourg Planning Department, where plans can be made available for the public to view.

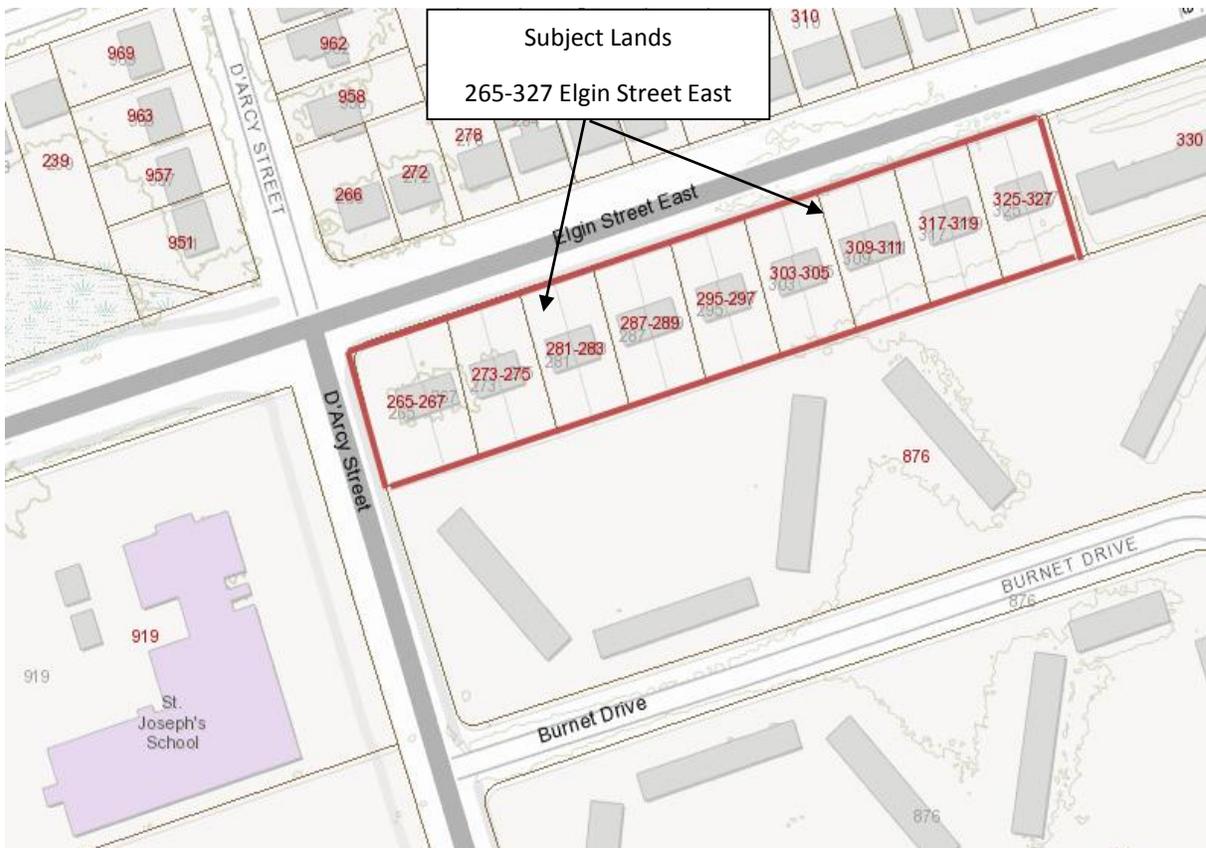
Additionally, the Planning Department provided a written notice of this complete SPA application to Council on January 4, 2021, and all SPA applications are considered by Council in open session prior to final approval. Finally, information relating to the SPA application was posted on the municipal 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

The Planning Department received an application for Site Plan Approval (SPA) from Barry Bryan & Associates (BBA) on behalf of Northumberland County Housing Corporation in December 2020 to permit a 40-unit phased affordable & market residential re-development project at 265-327 Elgin Street East. Please refer to Location Map below.



On January 4, 2021, Council formally received the SPA and referred it to the Planning Department for a report. Pursuant to the provisions of the *Planning Act*, if the Municipality fails to approve the complete application within 30 days after its receipt by Council, the Owner may appeal the application to the Local Planning Appeal Tribunal (LPAT).

5. BACKGROUND

On February 1, 2021, Cobourg Municipal Council approved a Zoning Bylaw Amendment application which changed the zone category of the Subject Lands to Multiple Residential Type 4 Exception 30 Holding [R4-30(H)] Zone. The current application is for Site Plan Approval (SPA) to permit the proposed re-development prior to its commencement.

The proposal consists of the phased re-development of the existing 9 semi-detached buildings into four, two storey, 10-plex buildings, resulting in an increase from 18 to 40 units. Twenty eight (28) of the units will be subsidized (a net increase of 10 subsidized units). Please refer to **Figure 1 - Site & Phasing Plan** attached.

The following plans and reports were submitted in support of the proposal:

- i) Architectural Site Plans and Building Plans
- ii) Civil Engineering Plans & Details
- iii) Electrical & Photometric Plans
- iv) Landscape, Tree Preservation and Details Plans
- v) Functional Servicing Report (FSR) & Stormwater Management (SWM) Report
- vi) Geotechnical Soils Report
- vii) Arborist Report
- viii) Traffic Impact Report
- ix) Planning Justification Report
- x) Urban Design & Sustainability Brief

6. ANALYSIS

The following attachments are included for reference purposes:

Figure 1 – Site & Phasing Plan

Figure 2 – Landscape Plan

Figure 3 -- Building Elevations

Figure 4 -- Agreement Authorization By-law

Figure 5 – Holding (H) Symbol Removal By-law

Summary of Key Points:

The following are the key points associated with the proposal:

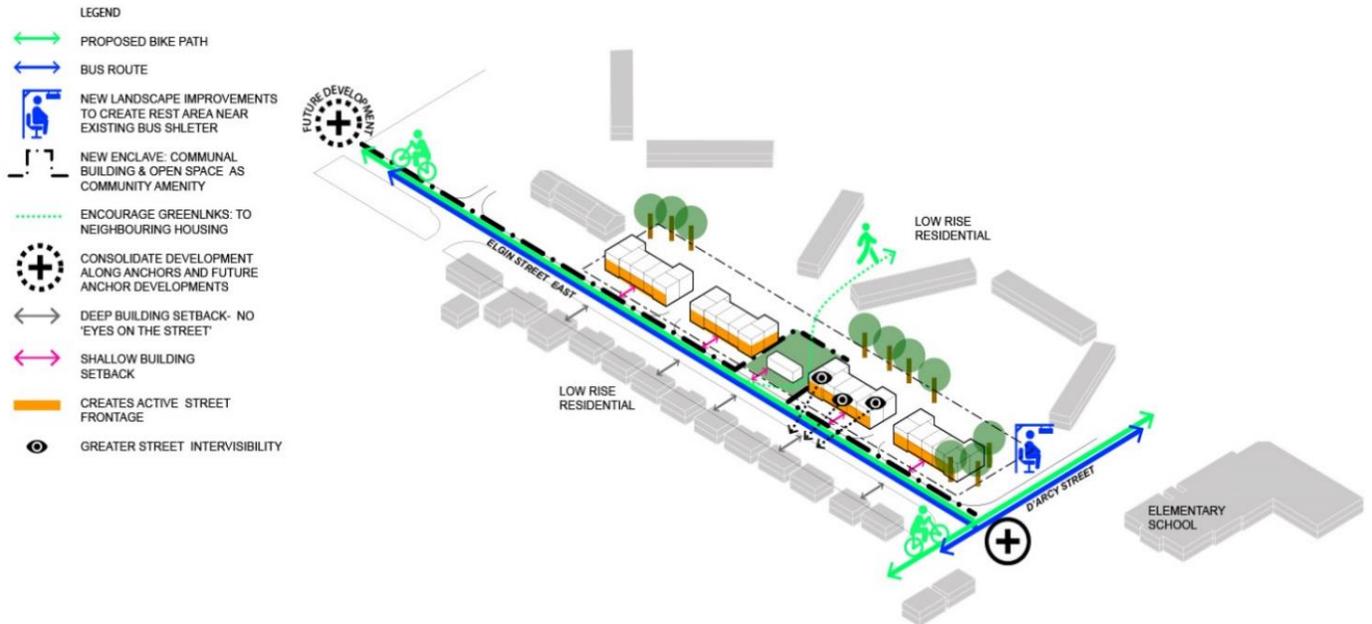
- The applicant is proposing to phase-in the re-development of the existing 9 semi-detached buildings (18 units) into four, 2-storey, 10-unit residential

buildings along the Elgin Street East frontage, for a total of 40 dwelling units (28 of which will be subsidized). Two new driveway access points are proposed from Elgin Street East to a 52 space parking area at the rear of the site (see **Figure 1 – Site & Phasing Plan** attached).

- This mixed affordable/market rental re-development project is intended to intensify the site to provide much-needed affordable and rental housing to Cobourg and the surrounding region. The housing units are targeted towards a diverse user base including single persons, seniors, families, and persons with physical disabilities.
- The development is intended to be constructed in two phases: Phase I – the westernmost four semi-detached buildings (8 units) will be demolished to allow for the first two (2) 10-plex buildings to be constructed. Phase II -- the remaining semi-detached dwellings will be demolished to make way for the two remaining 10-plexes and amenity structure (see **Figure 1**)
- The applicant is pursuing LEED (Leadership in Energy and Environmental Design) Version 4 Silver for Homes for the proposed re-development. The applicant, BBA, is of the belief that the LEED program is one of the most holistic approaches to overall site sustainability and building design and the firm is well-qualified to administer the LEED application process. In addition to the LEED system, the project is also required to meet the Ontario Building Code Standards for SB-12 energy efficiency compliance, including achieving a minimum 15 per cent energy efficiency improvement using more energy efficient building products and assemblies, such as insulation, windows, furnaces and water heaters, and drain water and heat recovery ventilators. Additionally, the project will utilize sustainable measures for the buildings and site design to include items such as: enhanced site and connectivity elements, mitigation of heat island effect, photovoltaics, site water infiltration and landscaping elements, water use efficiency (low flow faucets and toilets), energy efficient heating, indoor air quality, double glazed-windows, use of LED fixtures, provision of on-site bike racks and occupant education into sustainable operating practices.
- The stormwater management design for the site includes the use of a combination of conventional (piped) and low impact “green” infrastructure in the form of an underground stormwater chamber, infiltration galleries and permeable pavers in accordance with the specifications of the Town of Cobourg and Ganaraska Region Conservation Authority (GRCA).
- The proposed development will include eight (8) accessible main floor dwelling units spread throughout the four (4) buildings, each with their own accessible at grade front, side and/or rear access points and individual laundry facilities, plus the provision of six (6) barrier-free parking spaces and two (2) BF-convertible parking spaces based on need. All main floor units have been designed to be easily retrofitted for accessibility if required.
- The rear (south) half of the site will accommodate parking for 52 vehicles which is in compliance with the amended Zoning By-law and is consistent

with the Traffic and Parking Analyses conclusions that parking demand for this mixed affordable/market complex will be lower than a traditional market development and given the site's locational context with respect to transit, bicycle paths and community facilities and services. Bicycle parking racks to accommodate 27 bicycles will be provided on-site.

- The proposed buildings will cover approx. 28% of the site and over 36% of the site will be landscaped open space. A central, accessible open space/activity area is planned in the central section of the site comprised of a covered shelter, accessible picnic tables, accessible benches and open lawn area to serve as a community focal point within the center of the complex. See **Figure 2 – Landscape Plan**.
- The applicant's Arborist Report identified 63 trees, 44 of which are over 25cm diameter at breast height (DBH) and 19 are below 25cm DBH and include suckers and shrubby trees. A total of 34 trees over 30cm DBH are scheduled to be removed and 10 to be preserved. Due to limited opportunities for re-planting, there will be 13 new trees and 435 shrubs and perennials planted on-site plus approx. 18-20 trees along the municipal boulevards taken from the Municipal Tree Levy as a condition to development. In accordance with the Parks Department - Forestry Section requirements, a tree canopy compensation (cash) calculation has been employed to account for the net tree canopy loss (based on removals and replacements using a size/condition assessment and aggregate caliper method). The resulting Tree Compensation Levy has been calculated at \$19,687.50 or the equivalent of ~56 trees which can be utilized by the Municipality in the planting of trees throughout the community.
- The proposed building design consists of a mix of back-to-back townhouse and stacked units incorporating varied articulation, roofline and massing to create visually stimulating homes in keeping with the scale and character of the existing neighbourhood. The building materials will be low maintenance and have a variety of colours and finishes to provide interest along the building façade. Vinyl siding is proposed horizontally on exterior walls of varying color. Projected walls are lighter, using light gray siding, whereas recessed walls are to be darker gray siding (see **Figure 3 – Building Elevations** attached).
- The building layout has been designed to orient to the Elgin Street East frontage to frame the street edge and reflect positively on the streetscape. The buildings will feature patios at-grade at the front face and patio/deck areas at the rear face of each unit to provide a private outdoor amenity space for residents and promote community safety with an "eyes-on-the-street" philosophy.



- A 1.83 m high solid wood privacy fence and landscaping is proposed along the south property line to buffer the proposed parking area from the adjacent residential property to the south. A pedestrian access link to the adjacent residential property to the south is encouraged for overall connectivity, however arrangements would need to be made with this private property owner.
- The basement of each building will contain space for storage lockers, common laundry facilities and mechanical equipment. As noted above, accessible units will have their own internal laundry facilities within the unit.
- Refuse and recycling collection will be accommodated on-site through the use of multiple Molok waste bins and recycling units which will be transferred directly to the appropriate garbage/recycling centre by the landowner.
- A 5.0 m wide road allowance dedication across the frontage of D’Arcy Street will be provided to the Town of Cobourg, and a 5.7 m wide road allowance dedication across Elgin Street East will be provided to the County of Northumberland as a condition of development.
- 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 the Municipality and external review agencies.

7. FINANCIAL IMPLICATIONS/BUDGET IMPACTS

The applicant submitted the requisite SPA application fee and deposit in the amount of \$5,500.00. The following municipal fees and levies would apply to the subject re-development:

- i. Tree Canopy Compensation Levy: \$19,687.50
- ii. Municipal Boulevard Tree Levy: \$7,000.00
- iii. Cash-in-lieu of Parkland Levy: ~\$44,000.00 (in accordance with the *Planning Act* and municipal parkland dedication by-law, and vacant land appraisal)
- iv. Demolition Permit fee: ~\$6,500.00
- v. Building Permit fee: ~\$98,550.00
- vi. Development Charges: \$147,000.00 (exempted under DC By-law)

In March of 2021, the Chair of the NCHC Board requested that Council waive the Demolition & Building Permit fees associated with this affordable and market rental housing project, which amounts to approx. \$105,050.00. Council referred the matter to municipal staff for a report.

The approved 2021 municipal budget has allocated a total of \$250,000.00 for affordable housing assistance, of which \$35,287.00 is pre-committed to the Trinity Housing Corporation's affordable housing development on John Street. Accordingly, the waiver of Permit fees for NCHC's Elgin Park re-development would account for almost ½ of the remaining allotted budget for 2021.

The approval of fee waivers for affordable housing projects is at the discretion of Council and based on the availability of funds. Any reductions in fees and charges results in lost revenue which should be accounted for in the budget. Given that NCHC is a non-profit corporation of the County of Northumberland, consideration of this request does not have to fall under the Affordable & Rental Housing CIP.

In 2019, Council granted Habitat for Humanity of Northumberland a 50% reduction of the applicable fees and levies for its affordable infill project on University Avenue West, and granted Trinity Housing Corporation a 50% waiver of planning application fees in 2016, a 5-year deferral of Development Charges, a 10 year Tax Increment Equivalent Grant (TIEG) and a loan guarantee in 2019. A two-year deferral of applicable fees and charges was also granted to Balder Corporation in 2019 for their mixed affordable/market rental housing project on University Avenue West.

If Council is consistent with the past approach of granting 50% relief to fees and charges, this would result in a waiver of \$52,525.00 for NCHC, leaving \$162,188.00 in the 2021 municipal budget for other affordable housing projects. Council could also consider deferring the remaining Permit fees for a period of 5 years without adversely impacting the budget. As noted above, other municipal fees/levies associated with this project amount to \$70,687.50 and, although not specifically requested by NCHC, these fees could also be waived and/or deferred in a similar manner at the discretion of Council.

8. CONCLUSION

It is the opinion of Planning Department staff that the application by Barry Bryan Associates on behalf of the Northumberland County Housing Corporation to permit the re-development of the existing 18-unit affordable housing site into a 40-unit mixed affordable/market rental complex at 265-327 Elgin Street East meets all applicable policies and standards, subject to the finalization of details by municipal staff and external agencies.

Further, it is the opinion of Planning staff that a 50% reduction in Demolition & Building Permit fees in the amount of \$52,525.00 and a 5-year deferral with no interest on the balance of the Permit fees for the Elgin Park re-development is appropriate and consistent with past practices, and is in compliance with applicable legislation. Council may, at its discretion, also wish to waive and/or defer the other municipal fees and levies as described in Section 7.0 of this Report in a similar fashion.

Report Approval Details

Document Title:	Application for Site Plan Approval - Elgin Park - 265-327 Elgin Street West - Planning and Development-018-21.docx
Attachments:	<ul style="list-style-type: none">- Figure 1 - Site and Phasing Plan.pdf- Figure 2 - Landscape Plan.pdf- Figure 3 - Building Elevations.pdf- Figure 4 - Agreement Authorization By-law - 265-327 Elgin St E.pdf- Figure 5 - Holding Removal Bylaw_265-327 Elgin St E.pdf
Final Approval Date:	May 4, 2021

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

No Signature found

Ian Davey, Treasurer / Director of Corporate Services - May 3, 2021 - 4:07 PM

Tracey Vaughan, Chief Administrative Officer - May 4, 2021 - 4:09 PM