

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:	Kaveen Fernando, Planner I – Development Planning Department kfernando@cobourg.ca	Meeting Type: Open Session <input checked="" type="checkbox"/> Closed Session <input type="checkbox"/>	
Meeting Date:	June 21, 2021		
Report No.:	SPA-09-21		
Submit comments to Council			

Subject/Title: Site Plan Application Submission - 1043 Division Street - Gas Station

RECOMMENDATION:

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

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 and Amendments, as these particular applications are recognized as being a detailed, technical review of matters relating to site development, including but limited to building layout, access, parking, landscaping, servicing and grading.

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 of the submitted SPA application 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. The sign is being prepared and will be erected on-site within 10 business days.

Additionally, the Planning Department provides written notice of complete SPA applications to Council, and all SPA Applications are considered by Council in open session prior to final approval. Finally, information relating to the SPA application is posted on the municipal website under the Planning Applications page (Planning & Development).

3. PURPOSE

The purpose of this report is to advise Council and public of submission of a complete Site Plan Approval (SPA) application, and to recommend that Council receive the formal application and refer it to the Planning Department for a report.

4. ORIGIN AND LEGISLATION

In June 2021, a complete application was received by the Planning Department from Zoltan Engineering on behalf of 2804830 Ontario Inc. for a new commercial development (Gas Station) at 1043 Division Street. Upon review of the submission, Planning staff can confirm it is consistent with the *Planning Act* requirements. Section 41(2)(4) of the *Planning Act* authorizes the municipality to review and ensure appropriate development is approved in compliance with the Town of Cobourg's Official Plan or applicable Secondary Plans, Zoning By-law and applicable guidelines and standards. 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 Ontario Land Tribunal (OLT).

5. BACKGROUND

The proposed Commercial development is located along Division Street, one of our main Arterial Roads running north and south. The subject property is approximately 3,295 m² (0.32 Hectares) in size with a frontage of 34.4 metres and average depth of 75 metres to accommodate a new convenience retail building and four pump stations. Refer to **Schedule "A" Context Map** attached.

The proposed Commercial development is designated "Mixed Use Corridor" as per the Schedule A of the Official Plan and Zoned "District Commercial" in the Town of Cobourg Comprehensive Zoning By-Law #85-2003.

The proposed Commercial Development consists of a gas station with four pump stations, C-Store and a take-out restaurant. Overall development would accommodate 19 parking stalls and one barrier free parking stall with a total of 20 parking spaces for customers. Refer to **Schedule "B" Site Plan** and **Schedule "C" Landscape Design** Attached.

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

- I. Civil Servicing Report by S. Llewellyn & Associates Ltd., May, 2021
- II. Site Grading, Servicing and ESC Plan by S. Llewellyn & Associates Ltd., May, 2021
- III. Geotechnical Report by Frontop Engineering Limited, April 2021
- IV. Site Plan by Zoltan Engineering, May 2021
- V. Site Plan and Elevations by Zoltan Engineering, May 2021
- VI. Survey by IBW Surveyors, March 2021

- VII. Traffic Impact Assessment by Frontop Engineering Limited, May 2021
- VIII. Photometric by Zoltan Engineering, May 2021
- IX. Landscape Plan by N.J. Sinclair Landscape Architect, May 2021
- X. Tree Protection Plan by N.J. Sinclair Landscape Architect, May 2021

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 (DRT) and applicable Agencies/Committees for review and commentary before being brought back to Council for consideration.

7. FINANCIAL IMPLICATIONS/BUDGET IMPACTS

There are no anticipated negative financial implications imposed on the Municipality as a result of the application. The owner has submitted an applicable fee and deposit of \$5,850.00 for the proposed development.

8. CONCLUSION

The SPA application is only being received by Council at this time and a thorough analysis of the proposal will be presented to Council once reviewed by the Development Review Team and applicable Agencies/Committees and prior to final consideration of the development.