

 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG	
	COMMITTEE OF THE WHOLE REPORT	
TO:	Mayor and Council	
FROM:	Desta McAdam	
TITLE:	Planner I - Development	
DATE OF MEETING:	April 2 nd , 2018.	
TITLE / SUBJECT:	Application for Site Plan Approval - Development Agreement: 990-1000 Division Street (MHBC Planning Limited / Sobeys Development Limited Partnership)	
REPORT DATE:	March 22, 2018	File #: SPA-05-15

1.0 **STRATEGIC PLAN**

Objective #4: Managing Sustainable Growth and Development

2.0 **PUBLIC ENGAGEMENT**

Applications for approval of an amendment to the Cobourg Comprehensive Zoning By-law No. 85-2003 and a corresponding Site Plan Application were submitted by MHBC Planning Limited on behalf of Sobeys Development Limited Partnership (hereinafter referred to as "Sobeys") in July of 2015 to permit the redevelopment of the site for a new, expanded, Foodland supermarket store and two (2) new free-standing service commercial pad buildings at the property known as 990-1000 Division Street.

The Municipality followed the statutory notice requirements of the Planning Act, R.S.O. 1990, c.P. 13, as amended, with respect to the Zoning By-law Amendment application, including the scheduling of a Public Meeting. A Public Meeting was held on March 6, 2017 and Council heard submissions from the public regarding the application, particularly in regards to driveway access/vehicular safety, use of sustainable technologies and buffering adjacent residential land uses. Based on all information available, Cobourg Municipal Council approved the amendment to the Zoning By-law to permit the proposed uses on March 13, 2017 and referred specific site design issues to the Site Plan Approval process.

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 Applications and Amendments, 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 has adopted a practice which 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 Site Plan approval has been submitted to the Municipality. The sign must include a contact number for both the applicant and the Town of Cobourg Planning Department, where plans can be made available for the public to view. The sign has been posted on the frontage of the subject property in accordance with this procedure.

Additionally, the Planning Department provided written notice of the Complete Site Plan Amendment Application to Council in July, 2015, and all Site Plan Applications, including Site Plan Amendment Applications, are considered by Council in open session prior to final approval.

Sobeys engaged with the residents immediately adjacent to (to the east of) the Subject Property to resolve landscape and buffering concerns. The persons on record as making formal submissions to Council during the Zoning By-law Amendment process will be notified of the pending approval soon after the Committee of the Whole Agenda and this Report are published.

3.0 **RECOMMENDATION**

THAT the attached By-law be endorsed and be presented to Council for adoption which authorizes the Mayor and Municipal Clerk to execute a Development Agreement with Sobeys Development Limited Partnership and Lakefront Utility Services Inc. re-develop 990-1000 Division Street with a new, 3,024 m² (32,547 ft²) supermarket store, as well as two future buildings, referred to as Building "B", and Building "C", subject to the finalization of details by municipal staff and applicable agencies.

4.0 **ORIGIN**

An application for approval of an amendment to the Cobourg Comprehensive Zoning By-law No. 85-2003 and corresponding Site Plan Application were submitted by MHBC Planning Limited on behalf of Sobeys Development Limited Partnership in July of 2015 to permit the redevelopment of the site for a new, expanded, Foodland supermarket store and two (2) new free-standing service commercial pad buildings at the property known as 990-1000 Division Street.

In March 2017, the Zoning By-law was amended by Cobourg Municipal Council to permit the proposed uses, and to proceed with detailed review through the Site Plan Control process. The review of the latest plans by the municipal Development Review Team is now complete and the Site Plan Application is now in a position to be approved by Council.

5.0 **ANALYSIS**

The subject property is 1.63 ha (4.02 ac) in lot area, with 138.37 m (453.97 ft) in frontage along Division Street. The subject property is designated 'Shopping Node Area' in the Town of Cobourg Official Plan (2017) and zoned District Commercial Exception Twenty-Eight Holding [DC-28 (H)] Zone, which permits a new supermarket store up to a total floor area of 3,024 m².

The applicant is proposing to redevelop the property known as 990-1000 Division Street. Specifically, the proposal is to demolish the existing 1,420 m² (15,288 ft²) Foodland supermarket and the 130 m² (1,400 ft²) former restaurant building to construct a new, 3,024 m² (32,547 ft²) Foodland supermarket store, as well as two future pad-mounted commercial buildings (refer to **Figure 1 - Location Map** and **Figure 2 – Site Plan** attached).

The following attachments are included for reference purposes:

Figure 1 – Location Map

Figure 2 – Site Plan

Figure 3 – Landscape Plan, Stage One

Figure 4 – Landscape Plan, Stage Two

Figure 5 – Building Elevations

Figure 6 – Agreement Authorization By-law

As part of the development approvals process, the proponent completed a number of technical background studies, recommendation reports and detailed drawings which formed the basis for the ultimate design and implementation of the subdivision, including:

- Planning Justification Report, prepared by MHBC Planning Limited.
- Urban Design Brief, prepared by MHBC Planning Limited.
- Traffic Impact Study, prepared by BA Consulting Group Ltd.
- Servicing & Stormwater Management Report, prepared by SCS Consulting
- Arborist Report and Tree Preservation Plan, prepared by MHBC Planning
- Noise Impact Assessment, prepared by J.E. Coulter Associates
- Photometric Study/Plan, prepared by Hammerschlag + Joffe Inc.
- Geotechnical Investigation, prepared by exp Services inc.

The number and scope of detailed technical background materials required for a proposal will vary based on the unique development context applicable to an

individual property or project. The information provided for the Sobeys development proposal, as referenced above, was determined to be appropriate and comprehensive for this development proposal based on pre-submission assessments by the Planning Department and relevant commenting Departments/Agencies.

Summary of Key Points:

The following are the key points associated with the proposal:

- The application is to demolish the existing Foodland supermarket store and the former restaurant building currently occupying the site to construct a new, expanded, 3,024 m² (32,547 ft²) Foodland supermarket store and two future, pad-mounted commercial buildings, respectively known as Building “B,” 373.64 m² (4,022 ft²) in area, and Building “C,” 741 m² (7,976 ft²) in area.
- The new supermarket store will be relocated to the northwest corner of the subject property to frame and animate the corner of Division Street and Patterson Street in accordance with the Town’s community design objectives and guidelines. To further enhance the streetscape presence of the commercial property, extensive perimeter landscaping will also be provided, as well as a new outdoor seating area, adjacent to the new supermarket building.
- The proposed development will incorporate various sustainable design features, including LED lighting, lighting motion sensors, white roof, hot water re-circulation lines, refrigerator heat re-claim systems, a modified HVAC system design, low flush toilets, and xeriscaping (low water usage). The proposal also includes the use of green infrastructure consisting of open bottom underground stormwater chambers which encourage the infiltration of runoff that would otherwise be stored temporarily within conventional underground structures, thus reducing the overall volume of water leaving the proposed development.
- To address comments of municipal staff, the public and the Planning & Sustainability Advisory Committee during the Zoning By-law Amendment process, and to provide a better organized and safer alternative for vehicular traffic both entering and exiting the subject property from Division Street, all three existing driveways on Division Street will be closed and replaced with a new, single full-move driveway in the location shown on **Figure 2 -- Site Plan**. A second driveway will access the site from the east end of Paterson Street and offer the use of the signalized intersection at Division Street and Patterson Street as a means of entrance and egress from the subject property as well as serve as the primary service entrance.

- To address the relationship between the new loading area for the supermarket building and the affected residential rear yard amenity spaces of Otto Drive residents, an acoustic fence and extensive buffer plantings will be added along the east property line. The loading dock itself will be enclosed and fitted with a roll-up door to further mitigate negative noise impacts in accordance with the recommendations of the Noise Impact Assessment and terms and conditions of the Development Agreement.
- An accessible internal pedestrian network is to be established via dedicated pedestrian 'avenues' and painted crosswalks, which connect the public sidewalk to the primary buildings and facilitates safe movement within and external to the site.
- The proposal continues the urbanization of Patterson Street, which will include the installation of new curb and gutter, and a 1.5 m wide concrete sidewalk along the south side of Patterson Street, adjacent to the new supermarket building, which will connect Division Street to the existing pedestrian walkway on Otto Drive and the residential neighbourhood to the east.
- A total of 215 parking spaces, including seven (7) barrier free parking spaces located within close proximity to the supermarket building entrance, have been provided in accordance with the Zoning By-law #85-2003 and municipal accessible design standards. Two bicycle rings are situated close to the building access points. Additional barrier free spaces will be "phased in" with future Buildings "B" and "C" once this development is imminent. Future considerations for barrier free parking related to Buildings "B" and "C" will be encapsulated into the Development Agreement and implemented at the time of development.
- The architectural building design primarily follows Sobey's new Foodland branding with a unique "board and batten" style exterior cladding. Additional architectural and decorative features have been incorporated to break up the expanse of building façade, including the use of raised parapets, vertical colour elements, glazing with heritage-themed illustrations and goose-neck lighting, additional fenestration and decorative features at the intersection, enhanced landscaping, and a landscaped amenity/seating area.
- Given the topography of the site, the use of retaining walls will be required along the south and east property lines to provide proper slope and drainage. Existing vegetation along these edges will need to be removed, however replacement vegetation will be provided, particularly adjacent to the residential properties on Otto Drive. Sobey's has engaged with these adjacent residents to provide additional landscape

plantings on their private rear yard areas to further buffer the development.

- Wherever feasible and practical, the internal parking area has been divided into compartments with landscaped medians, islands and pedestrian corridors to soften the impact of asphalt and help reduce the heat island effect.
- Similar to the re-development of the No Frills supermarket, the re-development of the Sobeys site will be implemented in Stages. The existing supermarket will remain open while the new store is being constructed at the north end of the site. Detailed staging plans have been submitted to illustrate how the site will function during construction to ensure safety of customers and workers.

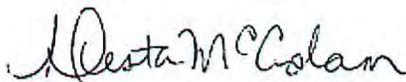
6.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

There are no anticipated negative financial implications imposed on the municipality as a result of granting final approval of the Site Plan application. The Owner has submitted the requisite Site Plan Amendment Application fee and deposit in the amount of \$5,500.00. A municipal tree levy of \$11,000.00 will be collected as a condition to the proposed development. Development Charges of approx. \$111,000.00 and Building Permit fees of approx. \$56,000.00 (2018 data) would apply for the initial re-development of the supermarket.

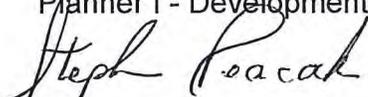
7.0 CONCLUSION

It is the opinion of the Planning Department that the application by MHBC Planning Limited on behalf of Sobeys Development Limited Partnership to permit the redevelopment of 990-1000 Division Street, including the demolition of the existing Foodland building and vacant 130 m² (1400 ft²) building, and construction of a new, 3,024 m² (32,547 ft²) Foodland supermarket store, as well as two future buildings, referred to as Building "B," 373.64 m² (4,022 ft²) in area, and Building "C," 741 m² (7,976 ft²) in area, meets all applicable policies and standards, subject to the finalization of details by planning staff and applicable agencies.

Yours very truly,
THE CORPORATION OF THE TOWN OF COBOURG

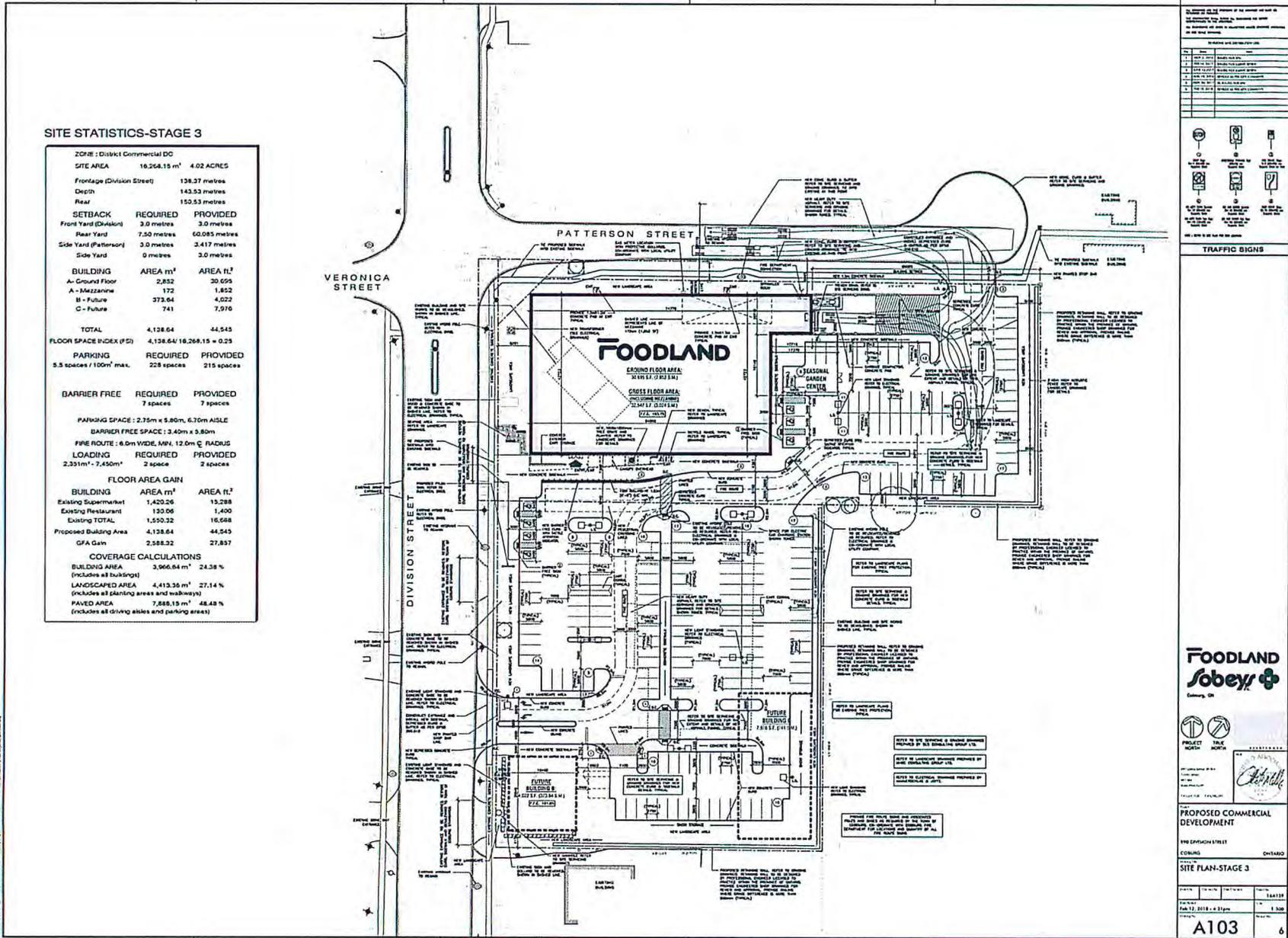


Desta McAdam
Planner I - Development



CAO

FIGURE 2: SITE PLAN



SITE STATISTICS-STAGE 3

ZONE : District Commercial DC			
SITE AREA 16,268.15 m ² 4.02 ACRES			
Frontage (Division Street)	128.27 metres		
Depth	143.53 metres		
Rear	152.53 metres		
SETBACK			
Front Yard (Division)	3.0 metres	3.0 metres	
Rear Yard	7.50 metres	60.085 metres	
Side Yard (Patterson)	3.0 metres	3.417 metres	
Side Yard	0 metres	3.0 metres	
BUILDING			
	AREA m ²	AREA ft ²	
A - Ground Floor	2,852	30,699	
A - Mezzanine	172	1,852	
B - Future	373.64	4,022	
C - Future	741	7,976	
TOTAL	4,128.64	44,545	
FLOOR SPACE INDEX (FSI) 4,128.64/16,268.15 = 0.25			
PARKING			
	REQUIRED	PROVIDED	
5.5 spaces / 100m ² max.	228 spaces	215 spaces	
BARRIER FREE			
	REQUIRED	PROVIDED	
	7 spaces	7 spaces	
PARKING SPACE : 2.25m x 5.80m, 6.70m AISLE			
BARRIER FREE SPACE : 3.40m x 5.80m			
FIRE ROUTE : 6.0m WIDE, MIN. 12.0m Q RADIUS			
LOADING			
	REQUIRED	PROVIDED	
2,331m ² - 7,450m ²	2 spaces	2 spaces	
FLOOR AREA GAIN			
	AREA m ²	AREA ft ²	
Existing Supermarket	1,420.26	15,288	
Existing Restaurant	130.06	1,400	
Existing TOTAL	1,550.32	16,688	
Proposed Building Area	4,128.64	44,545	
GFA Gain	2,588.32	27,857	
COVERAGE CALCULATIONS			
BUILDING AREA	3,966.64 m ²	24.38 %	
(includes all buildings)			
LANDSCAPED AREA	4,413.36 m ²	27.14 %	
(includes all planting areas and walkways)			
PAVED AREA	7,888.15 m ²	48.48 %	
(includes all driving aisles and parking areas)			

No.	Symbol	Description
1	[Symbol]	Proposed Building
2	[Symbol]	Proposed Parking
3	[Symbol]	Proposed Driveway
4	[Symbol]	Proposed Sidewalk
5	[Symbol]	Proposed Street
6	[Symbol]	Proposed Utility
7	[Symbol]	Proposed Landscaping
8	[Symbol]	Proposed Fencing
9	[Symbol]	Proposed Signage
10	[Symbol]	Proposed Other

Symbol	Description
[Symbol]	Proposed Building
[Symbol]	Proposed Parking
[Symbol]	Proposed Driveway
[Symbol]	Proposed Sidewalk
[Symbol]	Proposed Street
[Symbol]	Proposed Utility
[Symbol]	Proposed Landscaping
[Symbol]	Proposed Fencing
[Symbol]	Proposed Signage
[Symbol]	Proposed Other

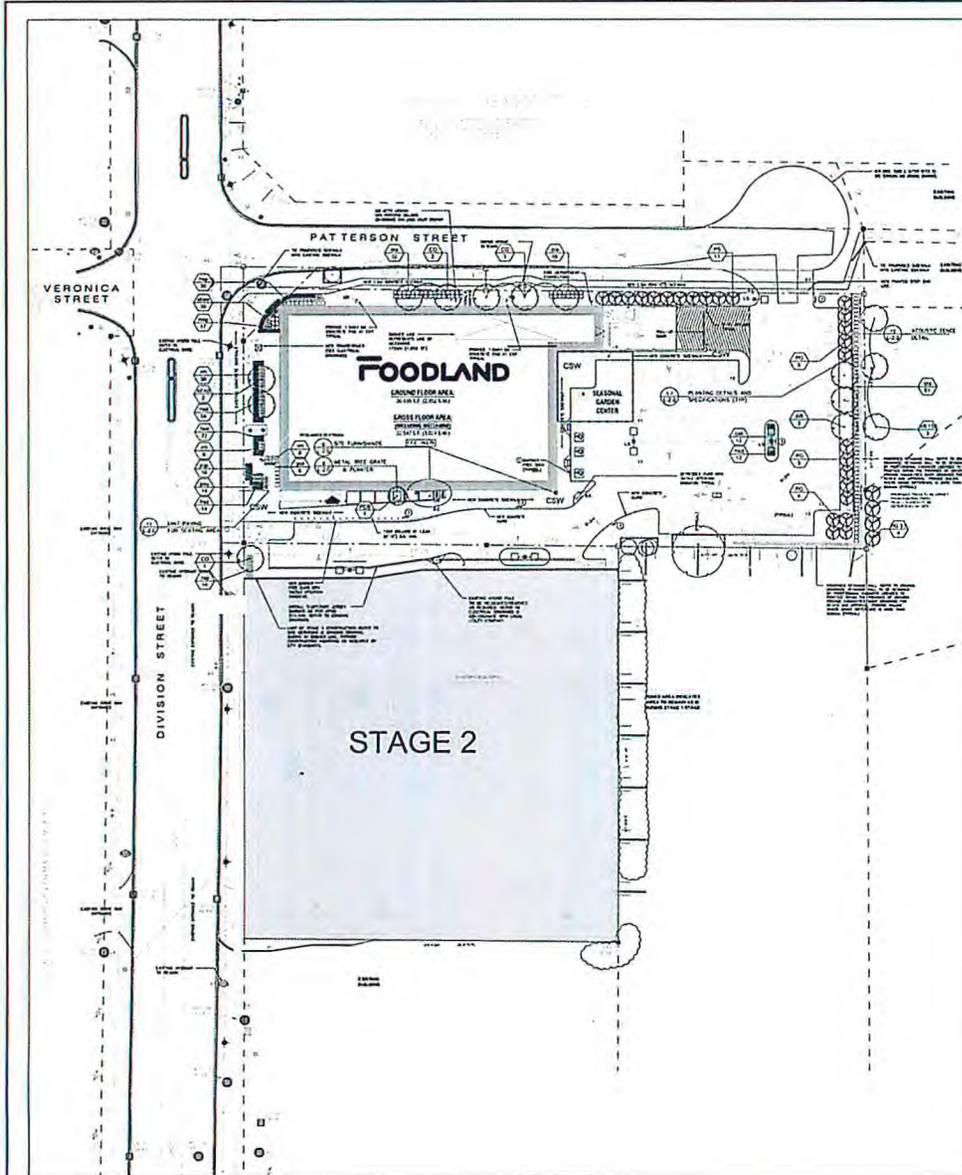
TRAFFIC SIGNS

[Symbol]	Proposed Signage



PROPOSED COMMERCIAL DEVELOPMENT	
190 DIVISION STREET	
COBURG ONTARIO	
SITE PLAN-STAGE 3	
DATE	1/24/12
SCALE	1:100
DATE	Feb 12, 2012, 4:31pm
PROJECT	A103

FIGURE 3: LANDSCAPE PLAN – STAGE ONE



1. Do not scale the drawings. All dimensions are in millimeters unless noted otherwise.
2. This drawing is to be read in conjunction with the site plan and architectural drawings prepared by the Architect, and engineering drawings prepared by the Civil, Mechanical, and Electrical Engineers.
3. The contractor shall check and verify all existing and proposed grading and conditions on the project and immediately report any discrepancies to the architect's before proceeding with any work.
4. The contractor is to be aware of all existing and proposed services and utilities. The contractor is responsible for locating all underground services, and utility lines located by each agency having jurisdiction prior to commencing work.
5. This drawing is to be used for development approval only. For layout of all work refer to construction drawings.
6. Plant quantities indicated on this plan supersede the quantities from the plant list except any discrepancies in the landscape schedule.
7. Do not have any holes open overnight.
8. Keep areas suitable for construction open and available by means of all trees. Continuous guard through the block must be maintained to the construction level at the end of each work day.
9. Contractor to make good any and all damages to the development area that may occur as a result of construction at the site.
10. This drawing is Copyright MHC Planning Urban Design, and Landscape Architecture.

STAGE 1 PLANT LIST

Qty	Botanical Name	Common Name	Cal	Ht (m)	Cont
DECIDUOUS TREES					
10	Black Birch	Black Birch	10m	10m	10m
10	White Birch	White Birch	10m	10m	10m
10	White Birch	White Birch	10m	10m	10m
CONIFER TREES					
10	Blue Spruce	Blue Spruce	10m	10m	10m
10	White Spruce	White Spruce	10m	10m	10m
10	White Spruce	White Spruce	10m	10m	10m
SHRUBS					
10	Red Dogwood	Red Dogwood	10m	10m	10m
10	Red Dogwood	Red Dogwood	10m	10m	10m
10	Red Dogwood	Red Dogwood	10m	10m	10m
PERENNIALS					
10	Black-eyed Susan	Black-eyed Susan	10m	10m	10m
10	Black-eyed Susan	Black-eyed Susan	10m	10m	10m
10	Black-eyed Susan	Black-eyed Susan	10m	10m	10m

TRAFFIC SIGNS

LEGEND

- EXISTING DECIDUOUS TREE TO REMAIN
- EXISTING CONIFEROUS TREE TO REMAIN
- PROPOSED DECIDUOUS TREE
- PROPOSED CONIFEROUS TREE
- PROPOSED CONTINUOUS SHRUB PERENNIAL BED
- SOD
- SODDED AREA
- PLANT KEY
- DETAIL KEY
- PLAN DETAIL KEY
- CONCRETE PAVING
- LOCKSTONE UNIT PAVING

Rev	Date	By	Checked	Appr
1	2018-04-27	...	...	...
2	2018-04-27	...	...	...
3	2018-04-27	...	...	...
4	2018-04-27	...	...	...
5	2018-04-27	...	...	...
6	2018-04-27	...	...	...
7	2018-04-27	...	...	...
8	2018-04-27	...	...	...
9	2018-04-27	...	...	...
10	2018-04-27	...	...	...

NOT FOR CONSTRUCTION

COMMERCIAL DEVELOPMENT			
Division & Patterson			
COBOURG, ONTARIO			
STAGE 1 LANDSCAPE PLAN			
Drawn by:	G.C.		
Checked by:	G.C.		
Scale:	1:1000		
Date:	April 27, 2018		
Proj. No.:	0119A-02		
		L-1.1	

FIGURE 4: LANDSCAPE PLAN – STAGE TWO

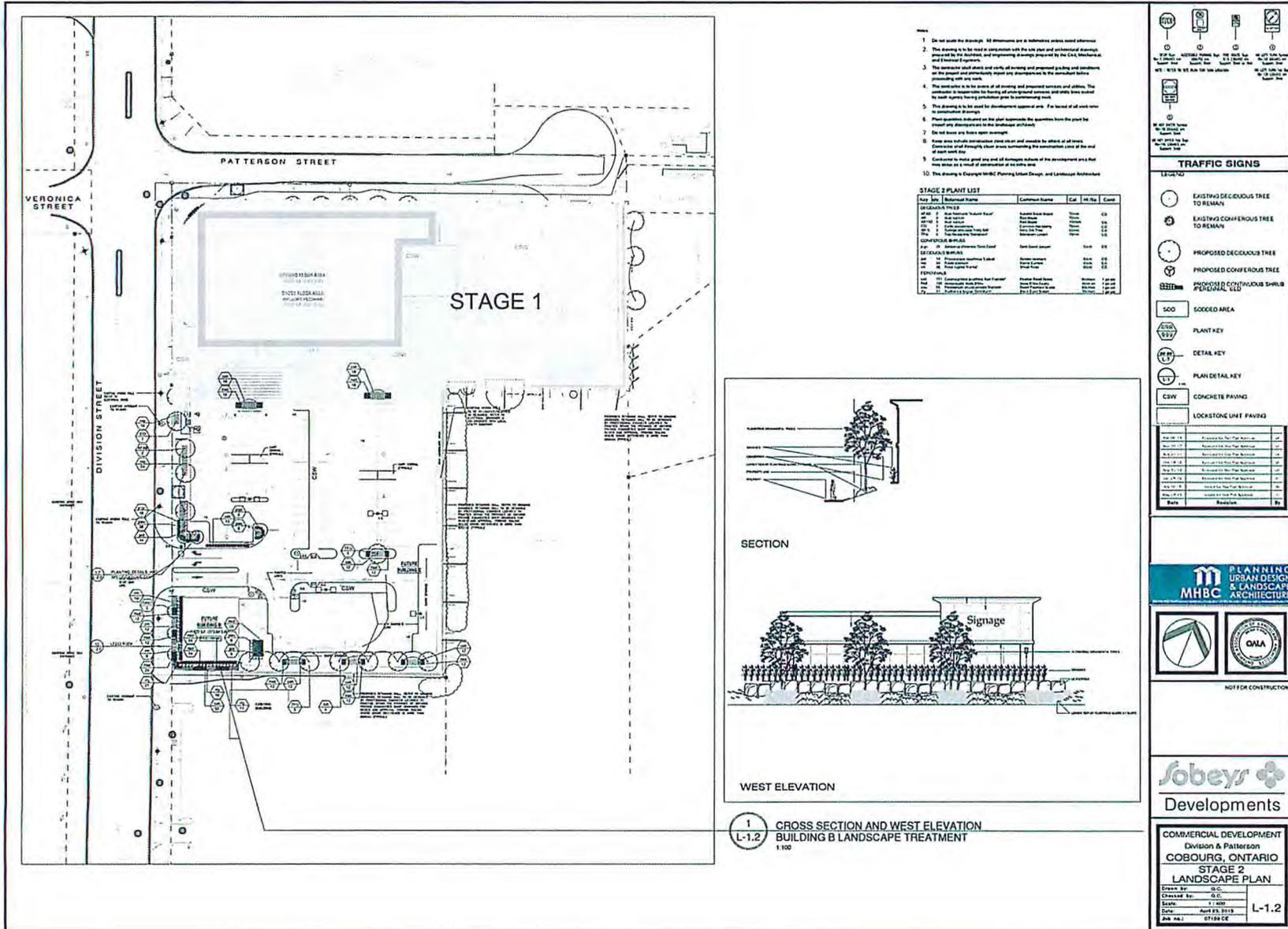
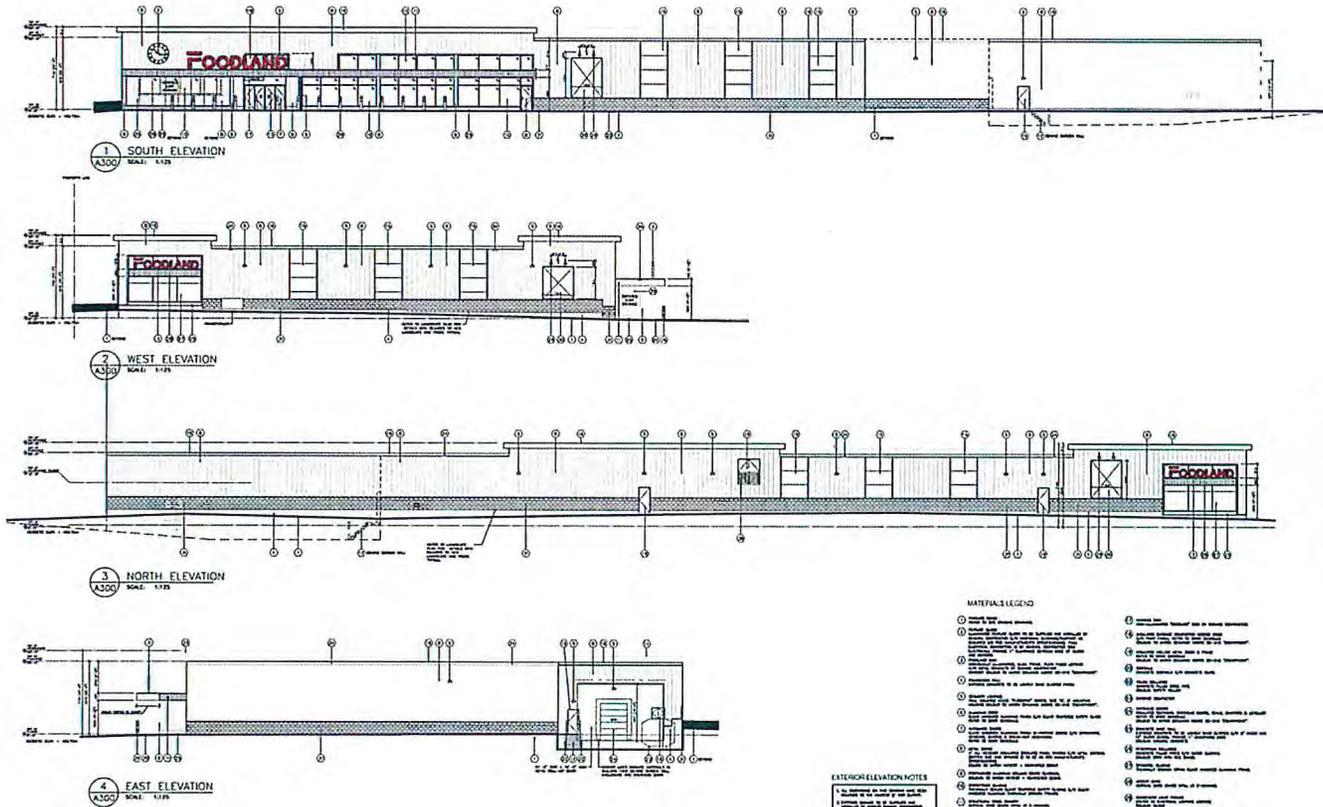


FIGURE 5: BUILDING ELEVATIONS



EXTERIOR ELEVATION NOTES

1. All elevations are shown in perspective.
2. Elevation drawings are not to scale.
3. Elevation drawings are not to scale.
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16. Elevation drawings are not to scale.
17. Elevation drawings are not to scale.
18. Elevation drawings are not to scale.
19. Elevation drawings are not to scale.
20. Elevation drawings are not to scale.

- MATERIALS LEGEND**
- 1. Concrete
 - 2. Brick
 - 3. Stone
 - 4. Glass
 - 5. Metal
 - 6. Wood
 - 7. Insulation
 - 8. Drywall
 - 9. Paint
 - 10. Sealant
 - 11. Gypsum Board
 - 12. Acoustic Ceiling
 - 13. Acoustic Wall
 - 14. Acoustic Floor
 - 15. Acoustic Partition
 - 16. Acoustic Blanket
 - 17. Acoustic Baffle
 - 18. Acoustic Panel
 - 19. Acoustic Screen
 - 20. Acoustic Curtain

REVISIONS	
No.	Description



PROPOSED RETAIL DEVELOPMENT

FIVE DUNDAS STREET
 CHATHAM, ONTARIO

BUILDING ELEVATIONS

DATE: 2017-11-13
 DRAWN BY: [Name]
 CHECKED BY: [Name]

A300 3

FIGURE 6: AGREEMENT AUTHORIZATION BY-LAW

	THE CORPORATION OF THE TOWN OF COBOURG
	BY-LAW NUMBER <u> -2018 </u>

A BY-LAW TO AUTHORIZE EXECUTION OF A DEVELOPMENT AGREEMENT WITH SOBEYS DEVELOPMENT LIMITED PARTNERSHIP, LAKEFRONT UTILITY SERVICES INC. AND THE CORPORATION OF THE TOWN OF COBOURG. (990-1000 DIVISION STREET, COBOURG)

WHEREAS pursuant to Section 41(7) of the *Planning Act*, R. S. O. 1990, c. P. 13, as amended, which provides in part that a municipality has the authority to enter into one or more agreements in dealing with matters subject to Site Plan Control;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. That the Mayor and Municipal Clerk are hereby authorized and instructed to execute on behalf of the Corporation an agreement with Sobeyes Development Limited Partnership, Lakefront Utility Services Inc. and the Corporation of the Town of Cobourg for the re-development of 990-1000 Division Street, Cobourg, ON with a 3,024 m² (32,547 ft²) supermarket store, as well as two future buildings, referred to as Building "B," and Building "C."
2. THAT this By-law come into effect as of its final passing thereof, and shall expire three (3) years from the date of passing.

By-law read and passed in Open Council this __ day of ____ 2018.

MAYOR

MUNICIPAL CLERK