

# STAFF REPORT

THE CORPORATION OF THE TOWN OF COBOURG



<b>Report to:</b>	Mayor and Council Members	<b>Priority:</b>	<input type="checkbox"/> High <input type="checkbox"/> Low
<b>Submitted by:</b>	Dave Johnson, Planner 1 – Heritage, Planning and Development, <a href="mailto:djohnson@cobourg.ca">djohnson@cobourg.ca</a>	<b>Meeting Type:</b>  Open Session <input checked="" type="checkbox"/> Closed Session <input type="checkbox"/>	
<b>Meeting Date:</b>	January 25, 2021		
<b>Report No.:</b>	SPA-04-20		
<a href="#">Submit comments to Council</a>			

**Subject/Title:** Application Site Plan Approval – 428-432 King Street East (at Brook Road North)

## RECOMMENDATION:

THAT the Staff Report be received by Council for information purposes; and,  
THAT the By-law attached as Figure 5 to the Staff Report be endorsed and be presented to Council for adoption which authorizes the Mayor and Municipal Clerk to execute a Development Agreement with King & Brook Inc., King & Brookeast Inc. and Lakefront Utility Services Inc. for the proposed development of a new a multi-unit commercial development consisting of three (3) single storey, stand-alone buildings with a total gross floor area of 971 m<sup>2</sup>, as follows: Building A1: 185 m<sup>2</sup> convenience /gas bar; Building B1: 254 m<sup>2</sup> drive-thru restaurant; Building B2: 532 m<sup>2</sup> service commercial/drive-thru restaurants, subject to the finalization of details by municipal staff and applicable agencies.

## 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 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 includes a contact number for the Town of Cobourg Planning Department, where plans can be made available for the public to view. An SPA sign was erected at the intersection of Brook Road North and King Street East.

Additionally, the Planning Department provided a written notice of complete SPA application to Council on April 6, 2020, 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

To receive Council approval for the application for Site Plan Approval.

### 4. ORIGIN AND LEGISLATION

In March, 2020, the Planning Department received an application for Site Plan Approval from N Architecture on behalf of King & Brook Inc. and King & Brookeast Inc. for a 0.8 ha (2.0 ac) parcel of land at the north-east corner of King Street East and Brook Road North, known municipally as 428-432 King Street East. Following a review of the application, Planning staff concluded that it constituted a complete application in accordance with the provisions of the Ontario *Planning Act* and the Cobourg Official Plan to form a complete application and was formally received by Council on April 6, 2020.

The review of the latest plans and reports by the municipal staff/agency Development Review Team is now complete and the Site Plan Approval application is now in a position to be approved by Council. This Report summarizes the development proposal for Council in response to its earlier direction.

### 5. BACKGROUND

The Subject Lands known 428-432 King Street East are comprised of a 0.8 ha (2.0 ac) parcel of land spread over two properties, owned by related companies known as King & Brook Inc. and King & Brookeast Inc.. The site is currently occupied with a vacant house. (see **Figure 1 - Location Map**).

The Subject Lands are designated “Mixed Use Area” in the Town of Cobourg Official Plan (2017), and zoned “District Commercial (DC) Zone” in the Comprehensive Zoning By-law No. 85-2003.

In 2014, the owner obtained Site Plan Approval from the Municipality for the development of a 1,151 m<sup>2</sup> (12,391 ft<sup>2</sup>) commercial complex consisting of a gas bar, convenience store, drive-thru restaurant and service commercial space in three (3) single storey, stand-alone buildings. The owner did not commence any development on the subject property and approval lapsed.

### 6. ANALYSIS

The current development proposal consists of a new multi-unit commercial development consisting of three (3) single storey, stand-alone buildings with a total gross floor area of 971 m<sup>2</sup>, to be developed as an integrated commercial complex as follows: Building A1 (south-west): 185 m<sup>2</sup> convenience/gas bar; Building B1 (north-west): 254 m<sup>2</sup> drive-thru restaurant (Tim Horton's); Building B2 (east): 532 m<sup>2</sup> service commercial/drive-thru restaurants. (see **Figure 2 - Site Plan**).

The following attachments are included for reference purposes:

**Figure 1 – Location Map**

**Figure 2 – Site Plan**

**Figure 3 – Landscape Plan**

**Figure 4 – Building Elevations**

**Figure 5 – 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 development, including but not limited to:

- Tree Inventory & Preservation Plan, prepared by Richardson Tree Care and Landscaping
- Transportation Impact Study, prepared by CGE Transportation Consulting
- Stormwater Management Report, prepared by NArchitecture Inc.
- Fire Hydrant Testing Report prepared by Jackson Waterworks
- Landscape plans prepared by Richardson Tree Care
- Electrical plans prepared by MSBA
- Architectural plans prepared by N Architecture
- Site grading plans prepared by N Architecture
- Site servicing plans prepared by N Architecture
- Erosion and sediment control plans prepared by N Architecture
- Plumbing layout prepared by MAGH Engineering 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 this 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 Subject Lands at 428-432 King Street East are currently occupied by a vacant house (see **Figure 1 Location Map** attached). The development of

the site was originally approved by Council in 2014. Because the current proposal is different from that previously approved, Council approval is required to accurately reflect the proposed re-design.

- The development proposal consists of a new multi-unit, integrated commercial complex consisting of three (3) single storey, stand-alone buildings with a total gross floor area of 971 m<sup>2</sup>, as follows: Building A1: 185 m<sup>2</sup> convenience/gas bar; Building B1: 254 m<sup>2</sup> drive-thru restaurant (Tim Horton's); Building B2: 532 m<sup>2</sup> service commercial/drive-thru restaurants.
- The proposed development has been designed to accommodate persons with mobility challenges and disabilities through a connected network of wider (1.8 m – 2.7 m) internal sidewalks, barrier-free curb ramps complete with tactile strips, dedicated painted pedestrian crosswalk, universal washrooms, rooms and spaces designed to accommodate turning radius requirements of wheelchairs, and a fire alarm system with mechanisms to assist visually impaired patrons in the event of fire. The Accessibility Advisory Committee was satisfied with the development plans.
- The new development area will be extensively landscaped with approx. 98 new trees and over 575 shrubs, grasses and plants. Decorative landscaped features with brick pillars and a decorative metal fence will be situated at the King Street East entrance and a decorative brick pillar and armourstone landscaped fence feature is proposed at the corner of King Street East and Brook Rd. North. Landscaped islands will be integrated into the parking lots to break up the asphalt, provide tree canopy and shade, and reduce the heat island effect. There will also be a 2.5 m high solid wood fence screen abutting the drive-thru lane of the northerly restaurant (Bldg. B1) coupled with coniferous landscaping to provide a visual and noise mitigating buffer between the commercial development and the residences to the north (**see Figure 3 Landscape Plan**).
- The facades will incorporate a combination of cultured stone, brick, stucco (E.I.F.S) of varying colours, raised parapet walls and cornices, and spandrel windows which, along with landscape treatments and the architectural feature wall at the corner of King St. E and Brook Rd. North, will animate this new development, reduce the horizontal 'wall' effect and create visual street appeal at this prominent location in the east-end (**see Figure 4 – Building Elevations**).
- 22 parking spaces will be provided at Building A1 (convenience store/gas bar) including two (2) EV charging spaces, 2 barrier free spaces, and eight (8) gas pump spaces, plus six (6) bike-parking spaces. Building B1 (drive-thru restaurant) will have 28 parking spaces, including 2 barrier-free spaces, plus six (6) bike-parking spaces and 15 drive-thru spaces. Building B2 will have 59 parking spaces, including 4 barrier-free spaces, plus parking for six (6) bicycles and 11 drive-thru spaces. A total of 111 vehicle parking spaces are proposed in the complex (not including drive-thru and bicycle spaces).

- The proposed development will incorporate various sustainable design features, including motion sensor detection and LED lighting, 'cool' roofing material, a modified high-efficiency HVAC system design with heat recovery systems, thermal wall assemblies, bicycle racks, an Electric Vehicle (EV) charging station for two (2) vehicles, and extensive landscaping throughout to 'green' up the asphalt, improve the on-site tree canopy and reduce the heat island effect. On-site run-off will be managed via a combination of conventional piped and 'green' infrastructure, including the use of underground stormwater management chambers. An integrated waste and recycling management program is proposed for cardboard, paper, cans, bottles and organics, and appropriate accommodations are provided within enclosed, masonry-clad refuse areas for each building.
- 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**

There are no anticipated negative financial implications imposed on the Municipality as a result of the application. The Owner has submitted the requisite \$8,500.00 in application fees and deposits, and will be responsible for all costs associated with the registration of the amending Development Agreement and road allowance widening.

## **8. CONCLUSION**

It is the opinion of the Planning Department that the application submitted by N Architecture on behalf of King & Brook Inc., King & Brookeast Inc. for the development of a new multi-unit, integrated commercial development and gas bar meets all applicable policies and standards, subject to the finalization of details by municipal staff and partner review agencies.

## Report Approval Details

Document Title:	Application Site Plan Approval - 428 432 King Street East (at Brook Rd North).docx
Attachments:	<ul style="list-style-type: none"><li>- Location Map.PNG</li><li>- 428 Site plan.png</li><li>- 428 landscape rendered.PNG.jpg</li><li>- 428 landscape.PNG</li><li>- Building elevations C-store.PNG</li><li>- Building elevations Tim hortons.PNG</li><li>- Building elevations B2.PNG</li></ul>
Final Approval Date:	Jan 14, 2021

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

**Rob Franklin, Manager of Planning - Jan 14, 2021 - 8:12 AM**

**Glenn McGlashon, Director of Planning and Development - Jan 14, 2021 - 10:05 AM**

**Tracey Vaughan, Chief Administrative Officer - Jan 14, 2021 - 8:57 PM**

Figure 1 Location Map

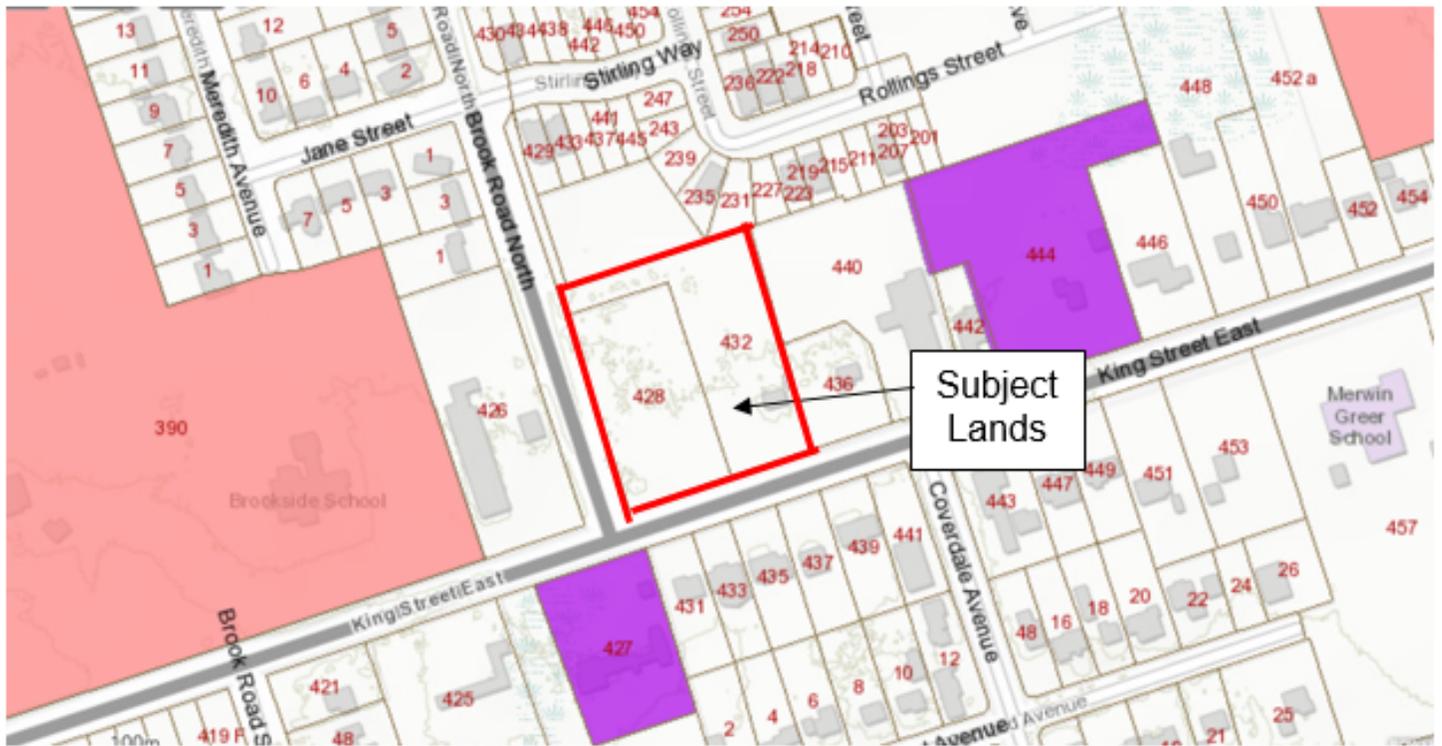
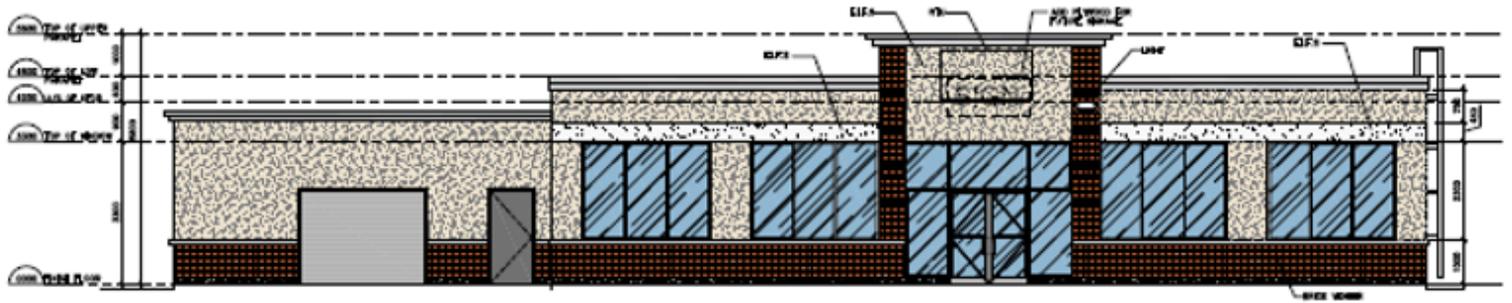




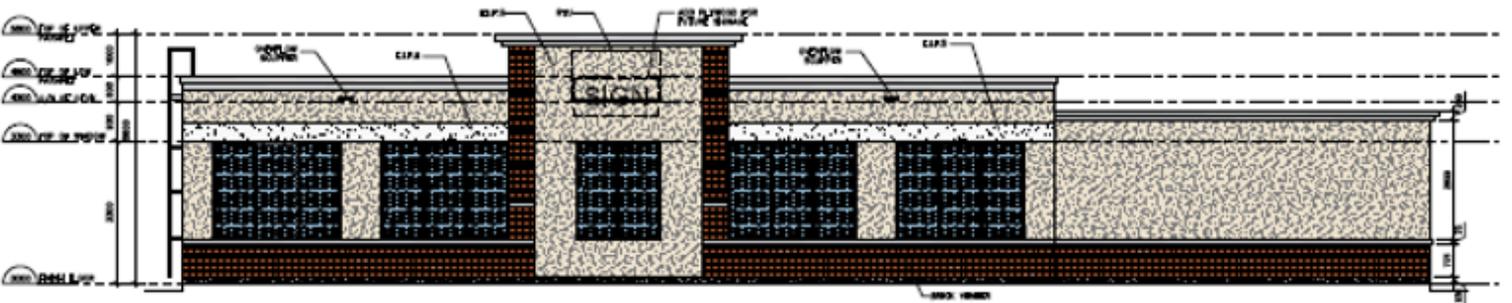




Figure 4 Building Elevations  
Building A1 - C-Store

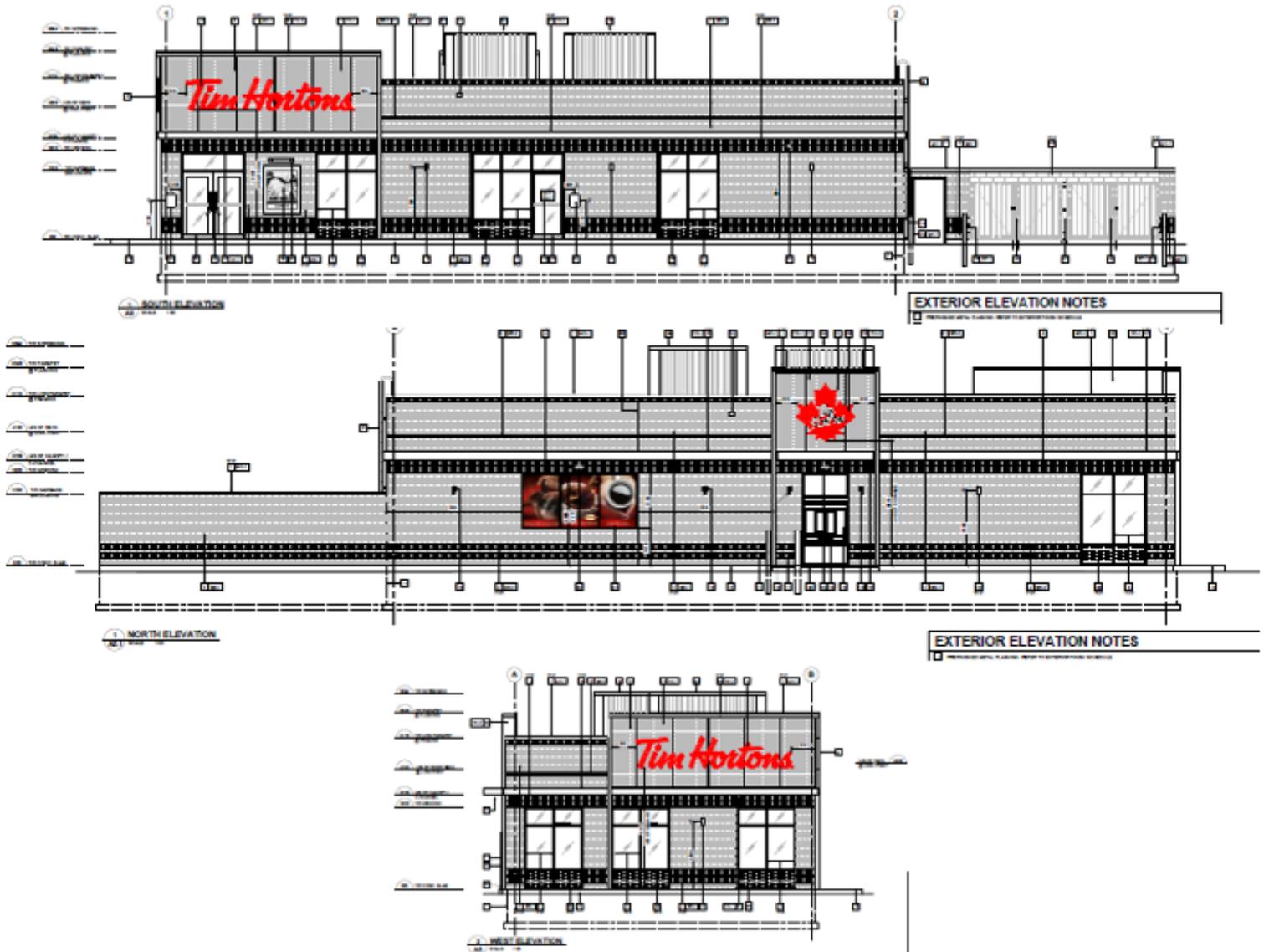


1 NORTH ELEVATION  
SCALE 1/8" = 1'-0"

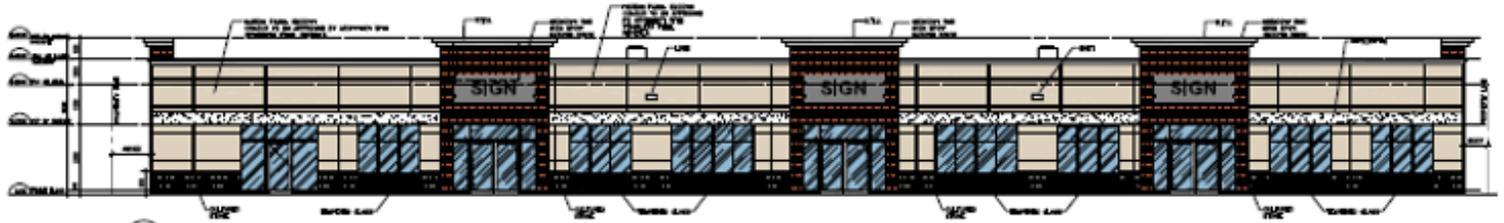


2 SOUTH ELEVATION  
SCALE 1/8" = 1'-0"

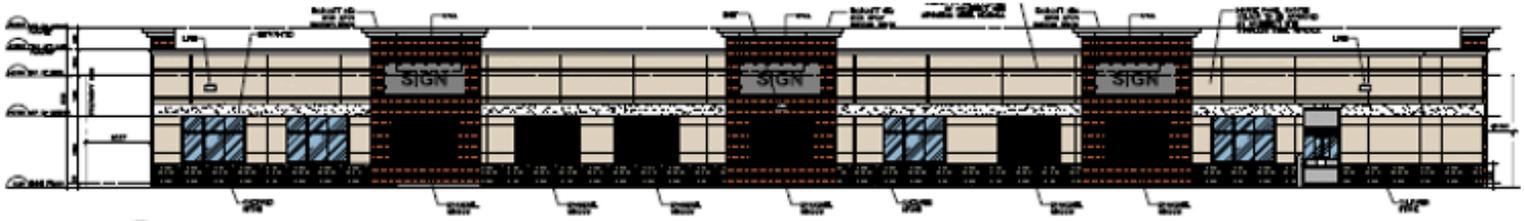
# Building B1 – Tim Horton's



# Building B2



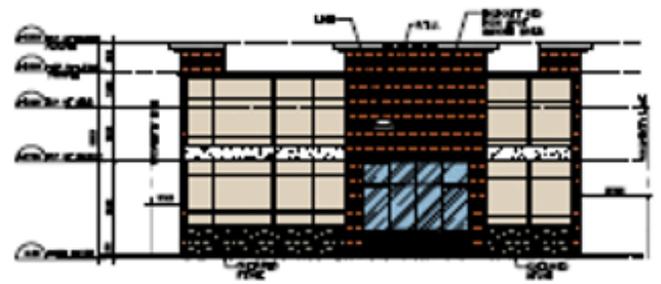
1 WEST ELEVATION  
SCALE 1/8" = 1'-0"



2 EAST ELEVATION  
SCALE 1/8" = 1'-0"



3 SOUTH ELEVATION  
SCALE 1/8" = 1'-0"



4 NORTH ELEVATION  
SCALE 1/8" = 1'-0"

 COBOURG	<b>THE CORPORATION OF THE TOWN OF COBOURG</b>
	<b>BY-LAW NUMBER <u>    -2021    </u></b>

**A BY-LAW TO AUTHORIZE THE EXECUTION OF A DEVELOPMENT AGREEMENT WITH KING & BROOK INC. & KING & BROOKEAST INC., LAKEFRONT UTILITY SERVICES INC. AND THE CORPORATION OF THE TOWN OF COBOURG. (428-432 King St. East, 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 King & Brook Inc., King & Brookeast Inc., Lakefront Utility Services Inc. and the Corporation of the Town of Cobourg for the development of a 971 m<sup>2</sup> free-standing multi-unit commercial complex and associated driveway and parking facilities at 428-432 King St. East, Cobourg, ON, subject to the finalization of details by municipal staff and external review agencies.
2. THAT this By-law come into effect as of its final passing thereof and shall expire within two (2) years of the date of its final passing.

READ and passed in Open Council this 1st day of February, 2021.

\_\_\_\_\_  
MAYOR

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MUNICIPAL CLERK