

# STAFF REPORT

THE CORPORATION OF THE TOWN OF COBOURG



<b>Report to:</b>	Mayor and Council Members	<b>Priority:</b>	<input checked="" type="checkbox"/> High <input type="checkbox"/> Low
<b>Submitted by:</b>	Kaveen Fernando Planner I – Development Planning Department <a href="mailto:kfernando@Cobourg.ca">kfernando@Cobourg.ca</a>	<b>Meeting Type:</b>  Open Session <input checked="" type="checkbox"/> Closed Session <input type="checkbox"/>	
<b>Meeting Date:</b>	July 19, 2021		
<b>Report No.:</b>	SPA-02-19		
<a href="#">Submit comments to Council</a>			

**Subject/Title:** Site Plan Approval Application – 545 King Street East – D.M. Wills Associated/1681941 Ontario Inc.

## RECOMMENDATION:

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

THAT the By-law attached as **Schedule E** 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 1681941 Ontario Inc. and Lakefront Utility Services Inc. for the proposed development, which consists of three phases;

- Phase 1 - Buildings B and C of 844.5 m<sup>2</sup> (9,090 square feet) and 222.9 m<sup>2</sup> (2,400 square feet) in area;
- Phase 2 – Building B2 of 836.1 m<sup>2</sup> (9,000 square foot) in area;
- Phase 3 – Building A of 3,259.4 m<sup>2</sup> (35,084 square foot) in area

at the south-east corner of King Street East and Willmott Street, subject to the finalization of details by municipal staff and partner review agencies; and

THAT the By-law attached as **Schedule F** to the Staff Report be endorsed and be presented to Council for adoption which removes the Holding (H) Symbol from the subject Lands.

## 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. Two SPA signs were erected on the King Street East and Willmott Street frontages.

Additionally, the Planning Department provided a written notice of complete SPA application to Council on April 4, 2019, 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 of the details of the SPA application and provide a recommendation for Council's consideration.

### 4. ORIGIN AND LEGISLATION

In April 2019, the Planning Department received an application for Site Plan Approval (SPA) from D.M. Wills Associated on behalf of 1681941 Ontario Inc. for a new commercial development for the vacant land located at the south-east corner of King Street East and Willmott Street. The Development is considered to be a phased development of different commercial retail type buildings. 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, and was formally received by Council on April 04, 2019. If Council does not approve the application within 30 days of its receipt, the application may appeal to Ontario Land Tribunal (OLT).

### 5. BACKGROUND

The property known as 545 King Street East is a 2.18 ha (5.39 ac) parcel, with 196.5 m frontage along King Street East. The site is currently vacant. See **Schedule "A"** Context Map.

The Subject Lands are designated as "Mixed Use Area" in the Town of Cobourg Official Plan (2017), and zoned "District Commercial Exception Three Holding [DC-3(H)] Zone" in the Comprehensive Zoning By-law No. 85-2003.

In 2007, the owner obtained Official Plan and Zoning By-law Amendments to permit the development of a supermarket up to 4,248 sq m (45,726 sq ft) in gross floor area. In 2009, Council granted Site Plan Approval for the development of the supermarket plus approx. 1,900 sq m (20,500 sq ft) of service commercial space in three (3) single storey, stand-alone buildings. The owner has not commenced any development on the subject property to date.

The owner submitted a new application for Site Plan Approval in 2019, which proposes a phased commercial development consisting of three (3) single storey, standalone buildings (Building A: ~3,520 m<sup>2</sup>, Building B: ~840 m<sup>2</sup>, Building B2: ~836.1 m<sup>2</sup>, and Building C: ~220 m<sup>2</sup>). The Development site is accessible by two driveways along the King Street East frontage (one of which is primarily a service driveway access), and also through one driveway from Willmott Street frontage, for a total of three new driveways. The existing DC-3 (H) Zone permits the proposed land uses, and therefore, a zoning by-law amendment is not required. Refer to **Schedule "B"** Site Plan.

## 6. ANALYSIS

The following plans and reports were submitted in support of the application and for technical review:

- Civil Engineering Drawing by D.M. Wills Associates, dates June 01, 2021
- Architectural Drawings by Clear Avenue Design Inc., dated May 09, 2021.
- Electrical Drawings by Hammerschlag & Joffe Inc, dated May 12, 2021
- Floor Plans by Clear Avenue Design Inc., dated May 09, 2021.
- Landscape Plans by Basterfield & Associates Landscape Architects, dated April 20, 2021
- Arborist Report by NewLeaf Landscape Architecture Ltd, dated October 13, 2020
- Stormwater Management Brief by D.M. Wills Associates, dates October, 2019

The following attachments are included for reference purposes:

**Schedule A – Context Map**

**Schedule B – Site Plan**

**Schedule C – Landscape Plan**

**Schedule D – Building Elevations**

**Schedule E – Agreement Authorization By-law**

**Schedule F – Holding Removal By-law**

The Summary Key Points:

The following are the key points associated with the proposal:

- I. The subject land at 545 King Street East is vacant property and the proposed commercial development abuts Diamond Head Industrial Mall to the south, with Residential Uses to the west and east (the residential property to the east is zoned Light Industrial and is considered a legal non-conforming use).
- II. The proposed development will commence in phases, with Phase 1 introducing a 220 m<sup>2</sup> one-storey drive-through fast food restaurant (Building C) at the north-west corner of the lot, and an 840 m<sup>2</sup> retail commercial building (Building B) at the south-west corner of the subject lands with entrance from Willmott Street. Subsequent phases include an 836 m<sup>2</sup> addition to Building B (Phase 2 – Building B2) and a new 3,520 m<sup>2</sup> supermarket in Phase 3 (Bldg. A).
- III. The proposed development has been designed to accommodate persons with mobility challenges and disabilities by providing appropriate depressed curbs, wider parking stalls closer to the buildings, barrier-free curb ramps complete with tactile strips, universal washrooms, rooms and spaces designed to accommodate turning radius requirements of wheelchairs, and dedicated pedestrian sidewalks and painted crosswalks for convenient and safe access to all buildings by customers in accordance with the recommendations of the Accessibility Co-ordinator.
- IV. The development will be extensively landscaped with approximately 76 Deciduous and 53 Coniferous trees, approximately 350 deciduous and 258 coniferous shrubs, perennials, grass and sedges to “green up” the site and complement the King Street East and Willmott Street streetscapes. Decorative metal picket fence features, armourstone rockery and an enhanced landscaped corner garden feature will adorn the street frontages and intersection to define the edge of the public-private realm and add visual appeal. Landscaped islands are integrated into the parking lots to break up the asphalt, provide tree canopy

and shade, and reduce the heat island effect. Refer to **Schedule “C”** Landscape Plan attached.

- V. The first phase of the development (Buildings B and C) provides a combined 65 parking spaces with 4 accessible spaces per building. Additionally, dedicated loading spaces are provided for each building. Two, 2-bike post and loop parking racks are proposed for each building (Bldg. A will have four 2-bike racks) to accommodate alternative (active) modes of transportation. Each subsequent phase will include additional site improvements (parking, landscaping, pedestrian walkways, furniture, etc.) as per **Schedule “B”**.
- VI. As part of the development, a new concrete pedestrian sidewalk will be introduced along King Street East and Willmott Street frontages for improved pedestrian connectivity in the public realm. Upon completion, the full build-out of the site will provide an integrated pedestrian walkway system for enhanced connectivity both internal and external to the site.
- VII. The facades of the buildings will incorporate a combination of architectural block, brick, stucco (E.I.F.S) of varying colours, decorative metal panels, raised parapet walls and cornices, and active and spandrel windows which, along with landscape treatments and features along the street frontages and at the corner of King St. E and Willmott Street, will animate this new development, reduce the horizontal ‘wall’ effect and create visual street appeal at this prominent location in the east-end of town.
- VIII. The proposed development will incorporate various sustainable design features, including motion sensor detection and LED lighting, exterior LED lighting, ‘cool’ roofing material, a modified high-efficiency HVAC system design with heat recovery systems, thermal wall assemblies, bicycle racks, and extensive landscaping throughout to break up the expanse of 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.
- IX. A 7.4 m high multi-tenant freestanding sign will be erected to the west of Building A at the main entrance abutting King Street East.
- X. A 1.2 m high black chain link fence and additional landscaping is proposed along the southern and eastern property lines abutting the Diamond Head Industrial Mall and east residential property for security and screening/buffering purposes.
- XI. A 2.1 m road allowance dedication along the King Street East frontage will be provided to the Municipality as a condition of development.
- XII. 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 Municipal and partner review agencies. All outstanding technical requirements from municipal departments and partner agencies are being finalized and will be addressed prior to executing the Development Agreement.

## **7. FINANCIAL IMPLICATIONS/BUDGET IMPACTS**

There are no anticipated negative financial implications imposed on the Municipality as a result of the application. The owner submitted the requisite \$5,500 in SPA application fees and deposits. As a condition of development, the developer will be providing the Municipality with a cash-in-lieu of parkland payment of ~\$40,400.00 (to be placed in the parkland reserve) and a municipal tree levy of \$9,155.00 (for boulevard tree planting). At full build-out, the development would generate ~\$387,000.00 in Development Charges (2021 rates) and ~\$95,000.00 in Building Permit fees (2021 rates), in addition to additional tax revenue associated with developing this vacant parcel of land.

## **8. CONCLUSION**

It is the opinion of the Planning Department that the application submitted by D.M. Wills Associates on behalf of 1681941 Ontario Inc. for the phased development of three free-standing commercial buildings at 545 King Street East meets all applicable policies and standards, subject to finalization of details by municipal staff and partner review agencies and the execution of a Development Agreement.