TO: Mayor and Council

FROM: Desta McAdam, MCIP, RPP
TITLE: Senior Planner - Development


TITLE / SUBJECT: Receipt of an application for Zoning By-law Amendment
0.751 ha Land parcel generally south of Highway 401, west of DePalma Drive, east of the Municipal boundary, and north of Elgin Street West (Part of the DePalma Lands)
Weston Consulting / DePalma Developments Limited


1.0 CORPORATE STRATEGIC PLAN OBJECTIVE
N/A

2.0 RECOMMENDATION
The following actions are recommended:
   a) That the applications be received by Council and referred to the Planning Department for a report; and,
   b) That the notice requirements of the Planning Act, RSO 1990, as amended, be implemented, including the scheduling of a Public Meeting.

3.0 PUBLIC ENGAGEMENT
Sections 34 (10.4) & (13) of the Planning Act, RSO 1990, c.P.13, as amended prescribe statutory notice requirements for a complete application for Zoning By-law Amendment applications and for the scheduling of a public meeting.

The notice of a statutory Public Meeting can also be provided together with notice of complete applications, or separately. The Municipality is required to give notice by either:

   a) publication in a newspaper that is of sufficient circulation in the area which the application applies; or
b) personal or ordinary service mail to every land owner within 120 metres of the subject land, and by posting a notice, clearly visible from a public highway or other place the public has access on the subject land, or a location chosen by the municipality.

The Municipality’s notification procedures for complete applications and public meetings comply with the notice requirements prescribed by the Planning Act.

4.0 ORIGIN AND LEGISLATION
On August 13, 2019, the Planning Department received an application for approval of an amendment to Comprehensive Zoning By-law No. 85-2003 from Weston Consulting on behalf of DePalma Developments Limited for a 0.751 ha (1.86 acre) land parcel within a larger 12.84 hectare (31.73 acre) parcel of land located generally south of Highway 401, west of DePalma Drive, east of the Municipal boundary, and north of Elgin Street West, referred to as the DePalma Lands. Following a review of the application, Planning staff has concluded that it forms a complete application in accordance with the provisions of the Ontario Planning Act and the Cobourg Official Plan and is in a position to be formally received by Council. Pursuant to the Planning Act, the Municipality has 30 days from the receipt of an application to deem it complete, otherwise the applicant may appeal the matter to the Local Planning Appeal Tribunal.

5.0 BACKGROUND
On February 20th, 2019, provisional Consent was granted by the Committee of Adjustment to sever a 0.751 hectare parcel from the larger land parcel generally south of Highway 401, west of DePalma Drive, east of the Municipal boundary, and north of Elgin Street West, referred to as the DePalma Lands. On August 13, 2019 an application for Zoning By-law Amendment over the 0.751 ha parcel was received by the Planning Department. See Schedule “A” Key Map.

The Subject Lands are currently designated as “Employment Area Special Policy 14.3.2.6.2” in the Cobourg West Business Park Secondary Plan (as approved by the Local Planning Appeal Tribunal on June 15, 2018), and zoned “Business Park Exception 4 (BP-4) Zone,” in the Comprehensive Zoning By-law No. 85-2003.

The purpose of the application is to amend the site specific provisions of the BP-4 Zone to permit a new 5,060 m², four (4) storey hotel use on the Subject Lands. The proposed hotel will consist of eighty-two (82) hotel suites, amenity space for hotel patrons including, pool, fitness centre, meeting rooms, board room, meal space, and lobby area. Spaces for hotel staff office/administrative and maintenance will also be provided. The application also seeks site specific provisions to increase the permitted encroachments in yards for unenclosed uncovered porches and sundecks, steps and patios not exceeding 0.6 m above
finished grade, and to reduce minimum required parking and minimum landscaped area adjoining a Street or Road Allowance.

The following plans and reports have been submitted in support of the applications:

- Planning Justification Report, Weston Consulting
- Urban Design and Sustainability Brief, Weston Consulting
- Conceptual Site Plan, Chamberlain Architects
- Conceptual Architectural Elevation Drawings, Chamberlain Architects
- Zoning Compliance Matrix (contained on Site Plan), Chamberlain Architects
- Ontario Building Code Matrix (contained on Site Plan), Chamberlain Architects
- Topographic Survey, DFP Surveyors
- Functional Servicing Report, Engage Engineering Ltd.
- Geotechnical Report, Trow Architects Inc.
- Preliminary Servicing/Grading Plans, Engage Engineering Ltd.
- Traffic Impact Study, NexTrans Consulting Engineers

6.0 ANALYSIS
This memo is for application receipt notification purposes only and there is subsequently no staff analysis at this time. The application package is being circulated to the Development Review Team and applicable agencies/committees for review and comment before being brought back to Council for consideration, including the convening of a Public Meeting.

Formal public notifications of the applications and future public meeting will be provided in accordance with Planning Act regulations. Pursuant to the provisions of the Planning Act, if the Municipality fails to approve the complete application within 90 days after their receipt by Council, the applicant may appeal the application to the Local Planning Appeal Tribunal.

7.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT
There are no anticipated negative financial implications imposed on the Municipality as a result of the applications. The Owner has submitted the requisite $6,500.00 in application fees and deposits.

8.0 CONCLUSION
The application package and supporting information is being circulated to the Development Review Team and applicable agencies/committees for review and comments before being brought back to Council for consideration, including the convening of a Public Meeting.
9.0 POLICIES AFFECTING THE PROPOSAL
The primary policies affecting this application relate to the Mixed Use Area designation of the Cobourg Official Plan.

10.0 COMMUNICATION RESULTS
This Report is intended to: advise Council of the applications; and, to recommend that Council receive the applications, refer the applications to the Planning Department for a report, and implement the public notification requirements of the Planning Act, including the scheduling of a Public Meeting.

Please contact the Planning Department if you have any questions or concerns.

Respectfully submitted,

Desta McAdam, MCIP RPP
Senior Planner – Development

Reviewed by:

Glenn J. McGlashon, MCIP, RPP
Director of Planning & Development
SCHEDULE ‘A’
KEY MAP

Subject Lands
DePalma Lands
Hamilton Township
Elgin Street West

401