



THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 039-2018

A BY-LAW TO AMEND ZONING BY-LAW 85-2003 (VILLAGES OF CENTRAL PARK SUBDIVISION, BROOK ROAD NORTH/ELGIN STREET EAST/ DANFORTH ROAD/GREER ROAD, RONDEAU [COBOURG] LTD.)

WHEREAS the Municipal Council of the Corporation of the Town of Cobourg convened a Public Meeting on June 25, 2018 under the Planning Act, R.S.O. 1990, C.P. 13, as amended, regarding an application for a Zoning By-law Amendment for the 107 ha area of land generally located at Brook Road North, Elgin Street East, Danforth Road, and Greer Road, Rondeau (Cobourg) Ltd;

AND WHEREAS the Council of the Corporation of the Town of Cobourg deems it advisable to amend By-law Number 85-2003, as amended;

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

1. That By-law No. 85-2003, Section 3 is hereby amended by adding the following new definition:

"3.110a **LONG TERM CARE FACILITY** shall mean a facility licensed pursuant to Provincial legislation, where a broad range of personal care, support and health services are provided for the elderly, disabled or chronically ill occupants in a supervised setting, and may include one or more accessory uses, such as common dining, lounging, kitchen, recreational or medical offices/clinics, but shall not include a retirement home".

2. That By-law No. 85-2003, Section 25.10 is hereby amended by adding the following new sub-section:

"**25.10.3** **Institutional Exception Eight Holding [I-8(H)] Zone, Cobourg East Low Density Residential Holding [CER1(H)] Zone, Cobourg East High Density Residential Exception One Holding [CER3-1(H)], and Cobourg East Mixed Use Holding [CEMU(H)] Zones**

25.10.3.1 Defined Area

I-8(H), CER1(H), CER3-1(H) and CEMU(H) Zones as shown on Schedule "A", Maps 10, 12 and 13 to this By-law.

25.10.3.2 Permitted uses, Buildings and Structures

The uses, buildings and structures permitted in Sections 25.2 and 25.3 of this By-law.

25.10.3.3 Regulations for Permitted Uses

The regulations provided in Section 25 of this By-law.

25.10.3.4 Conditions for the Removal of the Holding Zones

The Holding Zones shall be removed from the I-8(H), CER1(H), CER2(H), CER3-1(H) and CEMU(H) Zones when:

- i) All of, a portion of, or a defined phase of the subject lands are subject to a registered Plan of Subdivision, a registered Plan of Condominium, and/or an executed Site Plan Agreement.
- ii) Adequate municipal water and sanitary services are available to service all of, a portion of, or a defined phase of the subject lands.”

3. That By-law No. 85-2003, Section 33.2 is hereby amended by adding the following new sub-section:

“33.2.1 Cobourg East High Density Residential Exception One (CER3-1) Zone – Rondeau (Cobourg) Ltd

33.2.1.1 Defined Area

The CER3-1 Zone as shown on Schedule “A”, Maps 10 and 12 of this By-law.

33.2.1.2 Permitted Uses

The uses permitted in Section 33.1.1.

33.2.1.3 Permitted Buildings and Structures

The buildings and structures permitted in Section 33.1.2 with the addition of:

- i) townhouse dwellings, including townhouse dwellings for senior citizen’s and/or the disabled.

33.2.1.4 Regulations for the Uses Permitted in the CER3-1 Zone

Townhouse dwellings in the CER3-1 Zone shall be developed in accordance with the provisions provided in Section 31.1.3 of this By-law. All other buildings, structures and uses shall be developed in accordance with the provisions of Section 33.1.3.”

4. That By-law No. 85-2003, Section 34.1.1 is hereby amended by deleting subsection xx), and replacing it with the following:

“xxii) supermarket, food store, specialty food, and pharmacy uses, but only within 250 metres of the intersection of Brook Road and Elgin Street East, having a combined maximum total gross floor area of 3,000 sq m (32,292

sq ft) permitted after January 1, 2026 but not before, with a combined maximum total gross floor area of 4,088 sq m (44,000 sq ft) permitted after January 1, 2036 but not before.”

5. That By-law No. 85-2003, Section 34.1.1 is hereby amended by adding the following new permitted uses:

- “xi) long term care facility
- xii) medical clinic”

and that the remainder of Section 34.1.1 be re-numbered accordingly.

6. That By-law No. 85-2003, Section 34.1.2 is hereby amended by deleting subsections i), ii) and iii), and replacing them with the following:

- “i) a building containing townhouse dwellings, which may include other permitted uses as a component of the building, subject to special provision 5 for Table 34.1;
- ii) a building containing apartment dwellings, which may include other permitted uses as a component of the building, subject to special provision 5 for Table 34.1;
- iii) a building containing multiple dwellings, which may include other permitted uses as a component of the building, subject to special provision 5 for Table 34.1”.

7. That By-law No. 85-2003, Section 34.1.2 is hereby further amended by adding the following new permitted buildings:

- “vi) a building containing permitted commercial uses, which may include other permitted uses as a component of the building; and
- vii) a building containing a retirement home or long term care facility, which may include other permitted uses as a component of the building.”

and that the remainder of Section 34.1.1 be re-numbered accordingly.

8. That By-law No. 85-2003, Section 34.1.3 is hereby amended by deleting the Section and replacing it with the following:

“34.1.3 Mixed use, Residential and Non-residential Building Regulations

Townhouses, multiple dwellings, apartments and buildings and structures for non-residential uses in accordance with the provisions of Table 34.1.

Table 34.1: Standards for the Cobourg Mixed Use (CEMU) Zone

ZONE PROVISIONS		Townhouse Dwellings	Apartment Dwellings, Commercial Uses, Hotel, Institutional Uses, Multiple Dwellings, Office Uses.
A	Minimum lot area	Not applicable	Not applicable
B	Minimum lot frontage	6.0 m per unit (1)	Not applicable
C	Minimum required front yard	3.0 m (2)(5)	1.8 m (2)(5)
D	Maximum front yard	5.0 m (2)	5.0 m (2)
E	Minimum required exterior side yard	2.4 m	1.8 m
F	Maximum exterior side yard	4.0 m	4.0 m
G	Minimum required interior side yard	0.0 m (3)	0.0 m (4)
H	Minimum required rear yard	7.5 m	7.5 m

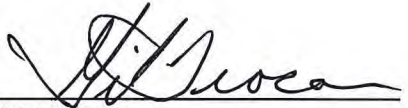
I	Minimum height	5.5 m	10.5 m
J	Maximum height	12.0 m	.6 storeys up to a maximum of 22.5 m
K	Minimum gross area of the portion of well that is less than 4.6 metres above grade required to be windows and doors for any wall facing a street line	50% (5)	50% (5)

Special Provisions for Table 34.1

1	The minimum lot frontage is 7.5 metres for an end unit on an interior lot. The minimum lot frontage is 8.4 metres for an end unit on a corner lot.
2	No less than 80% of the wall of the first storey facing the front lot line shall be located any further than 3.0 metres from the front lot line.
3	The minimum required interior side yard is 1.2 metres for an end unit on an interior lot.
4	The minimum required interior side yard is 6.0 metres if it abuts a CER1 or CER2 Zone boundary.
5	No part of the first storey of any building abutting Elgin Street East, or Street A within 125 metres of Elgin Street East, shall be used for any residential use. Notwithstanding this, a maximum of 30% of the wall facing the street line may be occupied by common entrances, lobbies, or other common features/amenities associated with a residential use. This provision does not apply to a retirement home or special needs facility.

9. That Schedule 'A', Maps 10, 12 and 13 attached to and forming part of By-law No. 85-2003, are hereby amended by changing the zone categories from "Development (D) Zone", "Environmental Constraint (EC) Zone", "Open Space (OS) Zone", "Cobourg East Low Density Residential Holding [CER1(H)] Zone", "Cobourg East Medium Density Residential Holding [CER2(H)] Zone", "Cobourg East High Density Residential Holding [CER3(H)] Zone", "Cobourg East Mixed Use Holding [CEMU(H)] Zone", "Institutional Exception Eight Holding [I-8(H)] Zone", and "Neighbourhood Commercial Holding [NC(H)] Zone", to "Development (D) Zone", "Environmental Constraint (EC) Zone", "Open Space (OS) Zone", "Cobourg East Low Density Residential Holding [CER1(H)] Zone", "Cobourg East Medium Density residential Holding [CER2(H)] Zone", "Cobourg East High Density Residential Exception One Holding [CER3-1(H)] Zone", "Cobourg East Mixed Use Holding [CEMU(H)] Zone", and "Institutional Exception Eight Holding [I-8(H)] Zone", as shown on Schedule 'A' of this By-law.
10. THAT THIS BY-LAW shall come into force and effect upon final passing hereof, subject to the provisions of the Planning Act, R.S.O. 1990, c.P. 13, as amended

READ and passed in Open Council this 23, day of July, 2018.


MAYOR


MUNICIPAL CLERK

Schedule "A"

BY-LAW No.039-2018

