



**BY-LAW NUMBER 088-2019**

**A BY-LAW TO AMEND ZONING BY-LAW NUMBER 085-2003 (LANDS GENERALLY WEST OF HOME DEPOT, KNOWN MUNICIPALLY AS PART OF THE DEPALMA LANDS)**

**WHEREAS** the Council of the Corporation of the Town of Cobourg held a Public Meeting in accordance with the Planning Act, R.S.O. 1990, c.P. 13, as amended, on the 4th day of November, 2019 regarding an application by Weston Consulting on behalf of DePalma Developments Limited to re-zone a 0.751 ha parcel of land to the west of Home Depot on an extension of DePalma Drive (hereinafter referred to as the "Subject Lands") to permit a 5,060 m<sup>2</sup>, four (4) storey hotel use on the Subject Lands;

**AND WHEREAS** the Council of the Corporation of the Town of Cobourg duly considered all public submissions, the Manager of Planning Services' report and all other relevant background information surrounding the subject matter, and deems it advisable to amend the Town of Cobourg Zoning By-law, subject to detailed provisions to address development matters including but not limited to servicing particularly stormwater management, landscaping, urban design and interim road construction;

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

1. **THAT** By-law No. 85-2003, Section 18 is hereby amended by the addition of the following new subsection:

**18.2.9            Business Park Exception 9 Holding (BP-9[H]) Zone**

**18.2.9.1        Defined Area:**

(BP-9[H]) as shown on Schedule 'A', to this by-law.

**18.2.9.2        Permitted Uses:**

The following uses shall be permitted in the (BP-9) Zone in addition to the uses permitted in Section 18.2.4.2:

- i) hotel use;

**18.2.9.3        Permitted Buildings and Structures**

The buildings and structures permitted in Section 18.2.4.4.

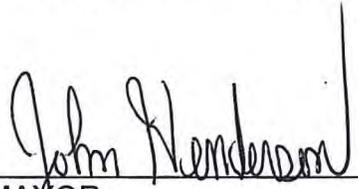
**18.2.9.4        Regulations for Permitted Uses in the BP-9 Zone**

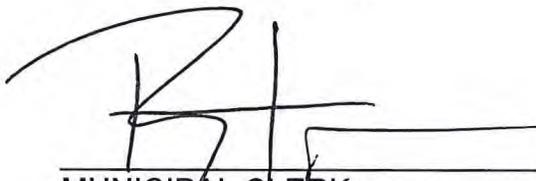
The regulations of Section 18.2.4.5 shall apply.

2. **THAT** Schedule 'A', Map 15, attached to and forming part of By-law No. 85-2003, is hereby amended by changing the zone category of the lands generally located west of Home Depot on an extension of DePalma Drive from "Business Park Exception 4 (BP-4) Zone" to "Business Park Exception 9 Holding (BP-9[H]) Zone" as illustrated on Schedule "B" attached hereto.

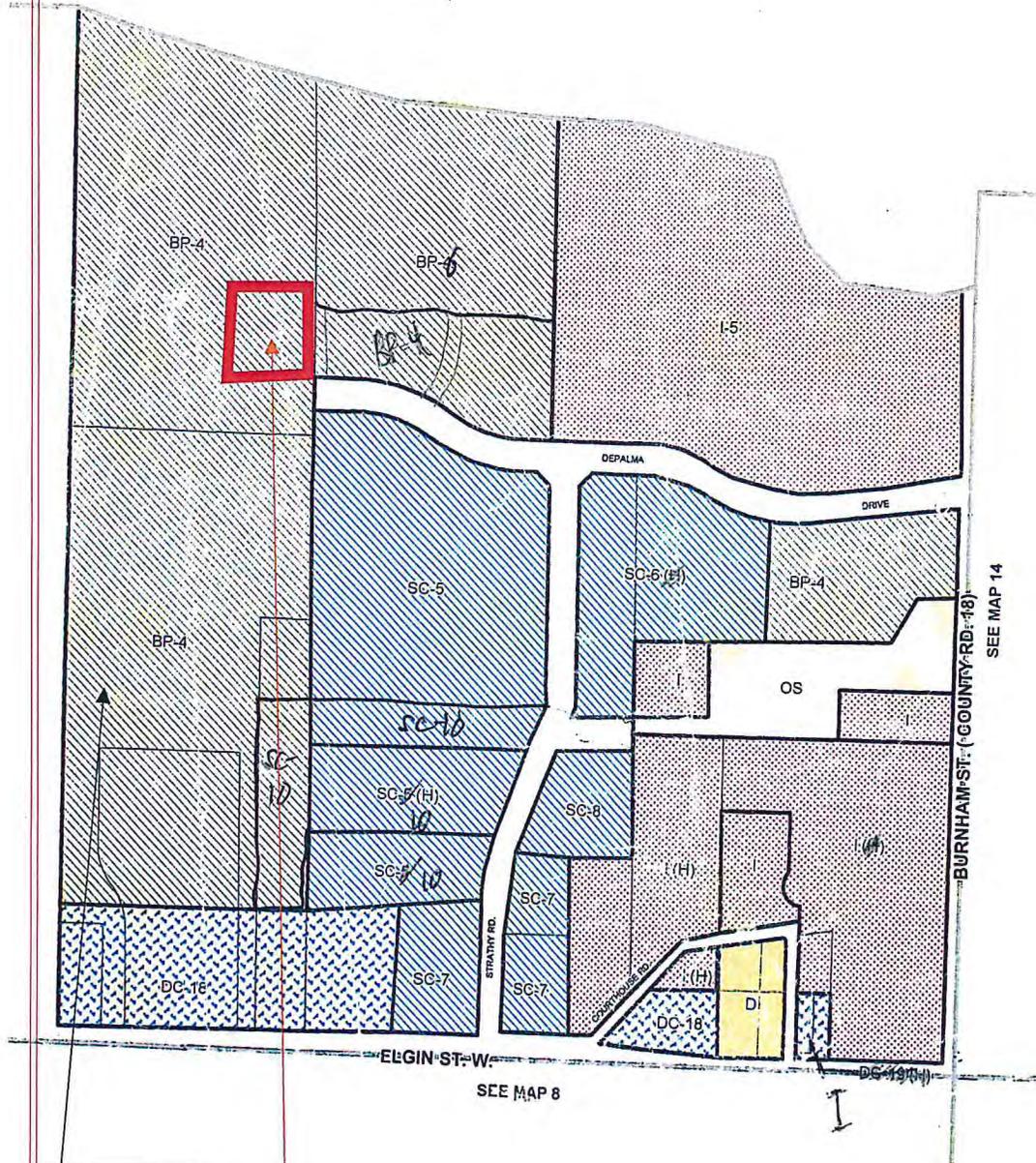
3. **THAT** the Holding (H) Symbol shall not be removed by Cobourg Municipal Council until the Owner(s) has received approval of all applicable plans, drawings, and other related documentation by the Municipality and following the execution of a Subdivision Agreement and/or a Development Agreement with the Municipality and/or other authority having jurisdiction. The Agreement(s) shall address technical matters both internal and external to the Subject Lands, including but not limited to: plans and/or other documentation pertaining to architectural, landscape, urban and sustainable design; vehicular access, parking, site circulation, pedestrian connections and access; infrastructure and servicing, particularly stormwater management; fencing and buffering; and, performance measures (re: financial securities and regulations for construction and use), all to the satisfaction of the Municipality.
4. **THAT** Schedule "B" attached hereto is hereby made part of this by-law as fully and to all intents and purposes as though recited in full herein.
5. **THAT** this Bylaw 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 a first, second, third time and finally passed in Open Council on this 12<sup>th</sup> day of November, 2019.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
MUNICIPAL CLERK

SCHEDULE "B"



DePalma Lands

To be Rezoned from Business Park Exception 4 (BP-4) to Business Park Exception 9 Holding (BP-9[H])

Robyn B.



## THE CORPORATION OF THE TOWN OF COBOURG

### NOTICE OF THE PASSING OF A ZONING BY-LAW AMENDMENT

**TAKE NOTICE** that the Municipal Council of the Corporation of the Town of Cobourg passed **By-law No. 088-2019** (being a Zoning By-law Amendment) on the 12th day of November, 2019 under Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

**AND TAKE NOTICE** that any person, incorporated group of persons or agency may appeal to the Local Planning Appeal Tribunal in respect of the Zoning By-law Amendment by filing with the Municipal Clerk of the Corporation of the Town of Cobourg not later than **December 16, 2019** a Notice of Appeal setting out the reasons for the appeal, together with the prescribed fee of \$300.00 for each appeal made payable to the 'Minister of Finance'.

**NOTE:** Only individuals, corporations and public bodies may appeal a Zoning By-law Amendment to the Local Planning Appeal Tribunal. A Notice of Appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a member of the association or the group on its behalf. No person or public body shall be added as a party to the hearing of an appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.

**AN EXPLANATION** of the purpose and effect of the Zoning By-law Amendment and a Key Map showing the location of the lands to which the Amendment applies are attached. The complete Zoning By-law Amendment is available for inspection in the Planning Department, Victoria Hall, 55 King Street West, Town of Cobourg, (905) 372-1005 between the office hours of 8:30 am and 4:30 pm under File No. Z-06-19.

**DATED AT THE TOWN OF COBOURG THIS 26<sup>th</sup> DAY OF NOVEMBER, 2019.**

Glenn McGlashon, MCIP, RPP  
Director of Planning & Development  
The Corporation of the Town of Cobourg  
Victoria Hall 55 King Street West  
Cobourg ON K9A 2M2  
(905) 372-1005  
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## EXPLANATION OF THE PURPOSE AND EFFECT OF THIS ZONING BY-LAW AMENDMENT AND KEY MAP SHOWING THE LOCATION OF THE SUBJECT LANDS

1. This Zoning By-law Amendment has the following purpose and effect:

**THE PURPOSE** of By-law No. 088-2019 is to amend By-law No. 85-2003 (a comprehensive Zoning By-law affecting lands in the Town of Cobourg) by changing the zone category of lands generally south of Highway 401, west of the current DePalma Drive, east of the Municipal boundary and north of Elgin Street West (see Key Map below), from "Business Park Exception 4 (BP-4) Zone" to "Business Park Exception 9 Holding [BP-9(H)] Zone."

**THE EFFECT** of By-law No. 088-2019 is to facilitate the development of a 4-storey, 5,060 m<sup>2</sup> hotel on the 0.751 hectare (1.199 acre) site. The Holding (H) Symbol affixed to the BP-9 Zone will not be removed until the Owner(s) has received Site Plan Approval of all applicable plans, drawings, and other related documentation by the Municipality, and a Development Agreement(s) has been entered into pursuant to the Planning Act, R.S.O. 1990, c.P. 13, as amended.

*Note: Cobourg Municipal Council considered one (1) submission from the public expressing concerns with respect to parking provision of the development that were subsequently dealt with during the review process. Cobourg Municipal Council duly considered the public submission and all available information before it and felt that the components in question were technical matters relating to Site Plan Approval and could be addressed during this process. Following the Public Meeting on November 4, 2019, Council approved the Zoning By-law Amendment as described above at its regular meeting on November 12, 2019.*

2. A KEY MAP showing the lands to which this Zoning By-law Amendment applies is included below:

