



THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 018-2018

A BY-LAW TO AMEND ZONING BY-LAW NUMBER 85-2003 (FRED ADAMS STREET & NEW AMHERST BOULEVARD).

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 19th day of March, 2018 regarding an application by New Amherst Ltd. to re-zone the 1.86 ha (4.60 ac) parcel of land at the north-west corner of Fred Adams Street and New Amherst Boulevard (hereinafter referred to as the "Subject Lands") to permit a new elementary school;

AND WHEREAS a number of public submissions regarding the application were received by the Council of the Corporation of the Town of Cobourg prior to, during and after the Public Meeting;

AND WHEREAS the Council of the Corporation of the Town of Cobourg referred the subject matter to the Planning Department for a report;

AND WHEREAS the Council of the Corporation of the Town of Cobourg considered a report from the Director of Planning & Development at a meeting of the Committee of the Whole on the 23rd day of April, 2018;

AND WHEREAS the Council of the Corporation of the Town of Cobourg duly considered all public submissions, the Director's report and all other relevant information surrounding the subject matter, and 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 19 is hereby amended by deleting subsection 19.2.3.2 and replacing it with the following new subsection:

19.2.3.2 Permitted Uses, Buildings and Structures and Regulations

The permitted uses, buildings and structures and regulations for the (I-3) zone shall be the same as for the (I-1) zone with the exception of the following special regulations:

i) **Permitted Uses:**

- i) elementary school use;
- ii) day nursery use;
- iii) library use;
- iv) recreation and community centre use;
- v) public uses in accordance with the provisions of Section 5.3.2;
- vi) accessory use.

ii) **Lot Area:**

0.6 ha (1.5 ac) minimum

iii) **Building Height:**

3 storeys maximum, and the front wall and exterior side wall of the main building shall be a minimum height of 6.0 m (20 ft).

v) **Front Yard:**

3.0 m (10 ft) minimum.

vi) **Exterior Side Yard:**

3.0 m (10 ft) minimum to a maximum of 15.0 m (50 ft).

vii) **Side Yard:**

7.5 m (25 ft) minimum

viii) **Site Access**

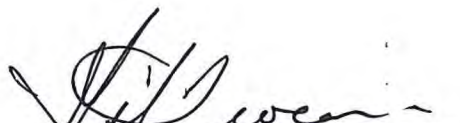
No vehicular access shall be permitted to the lands zoned (I-3) from New Amherst Boulevard, with the exception of one emergency access.

2. That Schedule 'A', Map 8, attached to and forming part of By-law No. 85-2003, is hereby amended by changing the zone category of the lands as illustrated on Schedule "B" attached hereto from "Neighbourhood Mixed Use Holding [NMU(H)] Zone" and 'Neighbourhood General Holding [NR2(H)] Zone' to "Institutional Exception 3 Holding [I-3(H)] Zone'.
3. 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 after a Development Agreement has been entered into pursuant to the Site Plan Control provisions of the Planning Act, R.S.O. 1990, c.P. 13, as amended. The Agreement shall address technical matters both internal and external to the Subject Lands, including but not limited to: plans and/or other documentation pertaining to site plan, landscape and urban design; architectural and building design; vehicular access, parking, site circulation, passenger loading/unloading; pedestrian connections and access; infrastructure and servicing; fencing and buffering; and, performance measures (re: financial securities and regulations for construction and use), all to the satisfaction of the Municipality.

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.

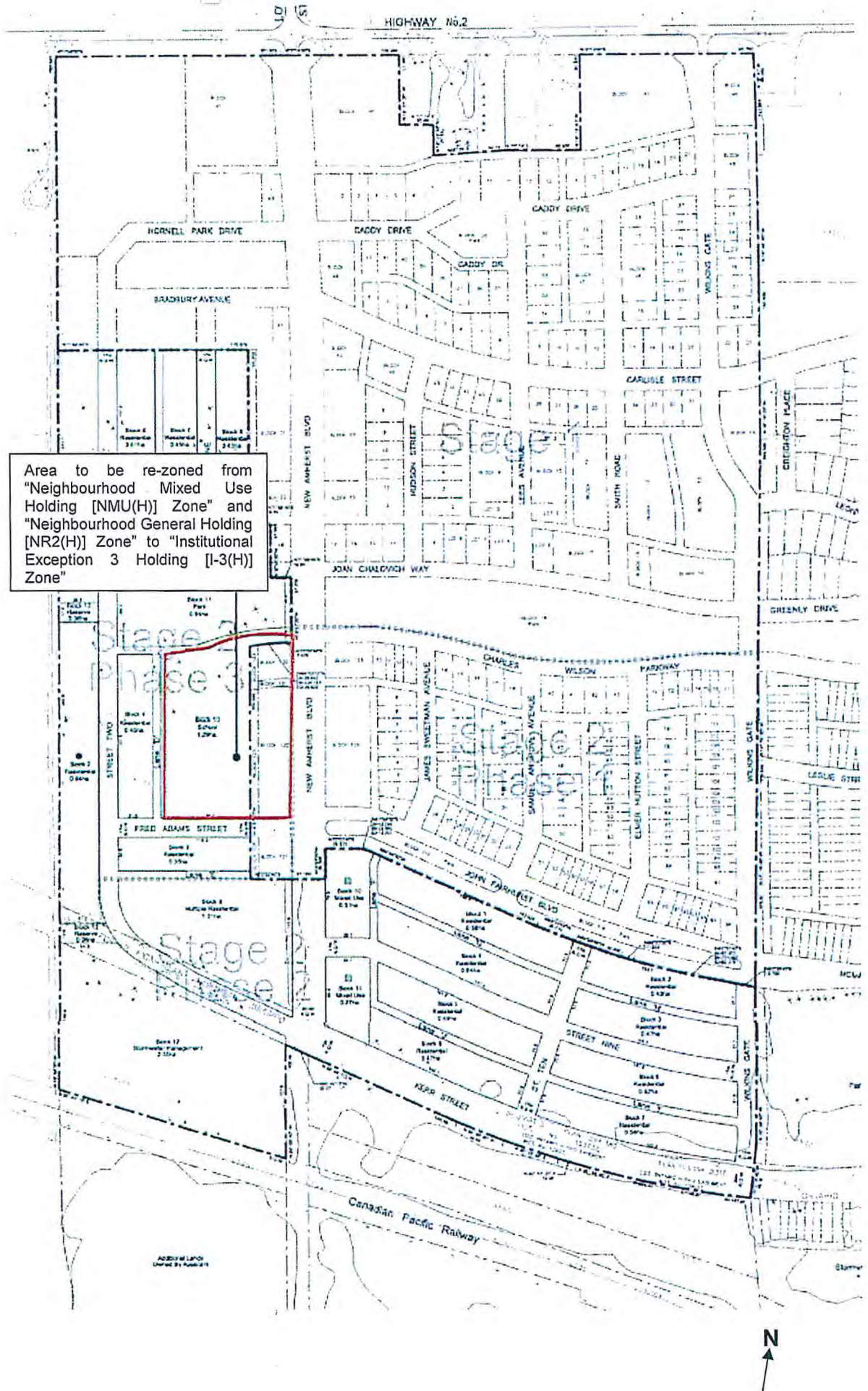
THIS BY-LAW shall come into force and effect upon final passing hereof, subject to the provisions of the Planning Act, R.S.O. 1990, c. P. 13, as amended.

READ and passed in Open Council this 30th day of April, 2018.


MAYOR


MUNICIPAL CLERK

Schedule "B"



Area to be re-zoned from "Neighbourhood Mixed Use Holding [NMU(H)] Zone" and "Neighbourhood General Holding [NR2(H)] Zone" to "Institutional Exception 3 Holding [I-3(H)] Zone"