



BY-LAW NUMBER 043-2018

A BY-LAW TO AMEND ZONING BY-LAW NUMBER 85-2003 (EXTENSION OF D'ARCY STREET AT NICKERSON DRIVE).

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 25th day of June, 2018 regarding an application by 2020910 Ontario Ltd. (LeBlanc Enterprises) to re-zone the 2.1ha (4.95 ac) parcel of land on the extension of D'Arcy Street, north of Nickerson Drive (hereinafter referred to as the "Subject Lands") to permit a subdivision for 23 single detached dwellings on freehold lots accessed by a condominium road, plus one additional residential lot of record;

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 Manager of Planning Services at a meeting of the Committee of the Whole on the 4th day of September, 2018;

AND WHEREAS the Council of the Corporation of the Town of Cobourg duly considered all public submissions, the Manager'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 8.2 is hereby amended by adding the following new subsection 8.2.16:

8.2.16 Residential 2 Exception 16 (R2-16) – Extension of D'Arcy Street, North of Nickerson Drive

8.2.16.1 Defined Area

R2-16, as shown on Schedule A, Map 13 to this By-law.

8.2.16.2 Permitted Uses

A residential use and accessory use

8.2.16.3 Permitted Buildings and Structures

The buildings and structures permitted in Section 8.1.3

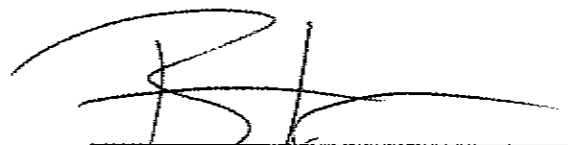
8.2.15.4 Regulations for Uses in the R2-16 Zone

Notwithstanding the regulations of Section 8.1, the uses in the R2-16 Zone shall be developed in accordance with the following special provisions:

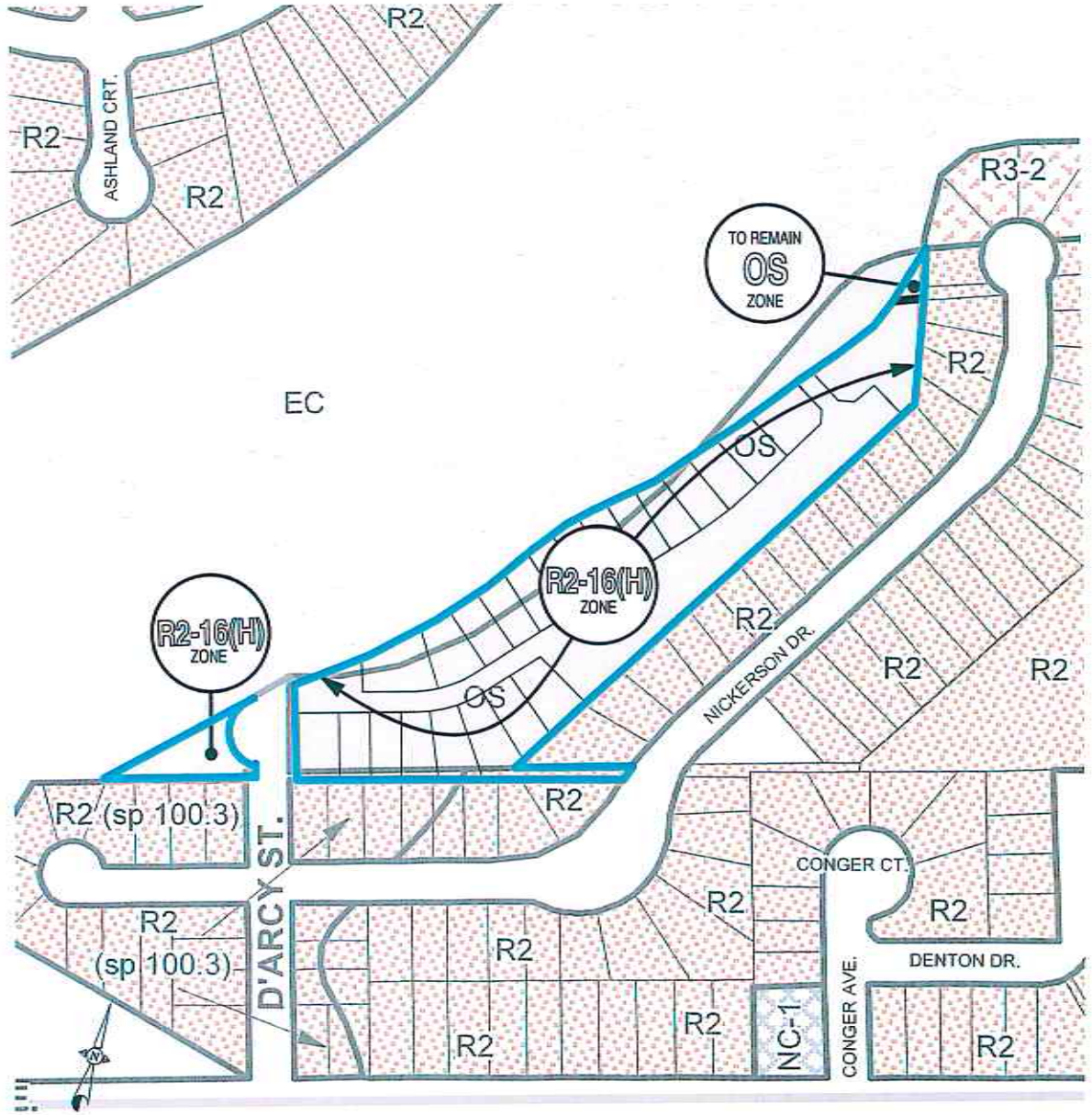
- (i) Building Height shall be a maximum of 1 storey.
 - (ii) Minimum setback of all buildings and structures from the top of bank of the Midtown Creek is 30 metres.
 - (iii) All other provisions of Section 8.1 shall apply to the lands zoned R2-16 Zone.
2. That Schedule 'A', Map 13, attached to and forming 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 "EC Environmental Constraint Zone" and "Open Space (OS) Zone" to "Residential Two Exception 16 Holding [R2-16(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 Subdivision Agreement has been entered into pursuant to the subdivision 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 the draft plan, landscape and urban design; vehicular access, visitor parking, site circulation, 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.
 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. 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 10th day of September, 2018.


MAYOR


MUNICIPAL CLERK

SCHEDULE "B"



LEGAL DESCRIPTION:
 PARTS 5, 6, & 7, PLAN 399-8760
 PART OF BLOCKS A & B
 REGISTERED PLAN 227
 TOWN OF COBOURG
 COUNTY OF NORTHUMBERLAND

LEGEND:
 FROM "EC" & "OS" ZONES
 TO R2-16 ZONE

SCHEDULE "B"
ZONING BY-LAW AMENDMENT
 LEBLANC ENTERPRISES



MAP CREATED USING DATA PROVIDED BY MAP 13 OF
 THE TOWN OF COBOURG ZONING BY-LAW 55-2003.