



**A BY-LAW TO AMEND ZONING BY-LAW NUMBER 85-2003 NORTH-EAST CORNER OF DENSMORE AND BIRCHWOOD TRAIL (160 DENSMORE ROAD), COBOURG).**

**WHEREAS** the Council of the Corporation of the Town of Cobourg deems it advisable to amend By-Law Number 120-2005 as amended; and

**WHEREAS** the owner of the land described in this By-law has requested to amend the existing By-law No. 120-2005 to remove “Apartment Dwellings” as permitted use and to introduce “Stacked Townhouses” as a new permitted use among other technical matters; and

**WHEREAS** the Council of the Corporation of the Town of Cobourg convened a Public Meeting on August 09, 2021 to consider submissions regarding the proposed amendment in accordance with the provisions of the Planning Act, R.S.O. 1990, c.P. 13, as amended with no negative public comments received; and

**WHEREAS** the Council of the Corporation of the Town of Cobourg considered the staff report on the proposed amendment on September 13<sup>th</sup>, 2021;

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

1. That By-law No. 85-2003, Section 10.2.18 is hereby deleted and replaced with the following:

**10.2.18      Residential 4 Exception 18 (R4-18) Zone – North-East Corner of Densmore Road and Birchwood Trail**

**10.2.18.1    Defined Area**

R4-18 as shown on Schedule A, Map 13 to this By-law and attached Schedule B.

**10.2.18.2    Permitted Uses an Permitted Accessory Uses**

The uses permitted Under Section 10.1.1 and accessory uses

**10.2.18.3    Permitted Building and Structures**

The Building and Structure permitted shall be limited to:

- i)      townhouse dwellings;
- ii)     multiple dwellings including stacked townhouse dwellings;

**10.2.18.4    Regulations for Permitted Uses in R4-18 Zone**

The regulations of Section 10.1 shall apply to the uses permitted in R4-18 zone with the exception of the following:

**Lot Area**

- i) one unit of townhouse dwelling: 190.0 sq. m;
- ii) stacked townhouse dwelling: 0.8 ha.

**Lot Frontage**

- i) one unit of townhouse dwelling: 7.0 m;
- ii) stacked townhouse dwelling: 60.0 m.

**Lot Coverage**

- i) one unit of townhouse dwelling: 60% max;
- ii) stacked townhouse dwelling: 40% max.

**Density – Stacked Townhouse Dwellings**

- i) 84 dwelling units maximum

**Front Yard (abutting Densmore Road)**

- i) townhouse dwelling fronting a public street: 4.0 m min.
- ii) stacked townhouse dwelling fronting a public street: 3.0 m min.

**Front yard (abutting Private Right-of-Way)**

- i) townhouse dwelling fronting a private right-of-way: 6.0 m where a sidewalk abuts the block
- ii) townhouse dwelling fronting a private right-of-way: 4.13 m where no sidewalk abuts the block

**Rear Yard**

Rear Yard (Block 2 – Building 7) 5.89 m minimum to private lands

**Interior Side Yard**

townhouse dwelling: no interior side yard shall be required between the common vertical

wall dividing one dwelling unit from another. The side yard on the other side of the unit shall be 1.5 m minimum for a townhouse unit.

- i) stacked townhouse dwelling: 2.5 m minimum

The following exception shall apply to townhouse dwelling units between Block 1 and Block 5:

distance between townhouse dwelling units (Blocks 1 & 5): 4.34 m minimum

**Exterior Side Yard**

The minimum exterior side yard setback of a townhouse dwelling or a stacked townhouse dwelling to a right-of-way shall be 2.0 m

The minimum exterior side yard setback of a townhouse dwelling to a public road shall be 3.75 m

**Landscaped Open Space**

- townhouse dwelling: 10% minimum and any areas not occupied by building, structures and driveways
- stacked townhouse dwelling including Block 8: 20% minimum

**Building Height**

- townhouse dwelling: 3 storeys minimum
- stacked townhouse dwelling: 3 storeys minimum

**Parking**

The regulations of Section 6 shall apply, with the exception of the following:

**Parking Requirement**

- townhouse dwelling: 2.0 spaces per dwelling unit
- stacked townhouse dwelling: 1.25 spaces per dwelling unit

**General**

The side yard setback of a driveway for a townhouse dwelling shall be 0.0 m minimum.

### **Permitted Encroachments in Yards**

Notwithstanding Section 5.13.1 of By-law No. 85-2003, window wells and covered porches are permitted to encroach into the front yard a maximum of 1.0 m

2. That Schedule “A” Map 13, attached to and forming part of By-law No. 85-2003, is hereby amended by changing the provisions of the previously approved By-law 120-2005 to permit “84 Stacked Townhouse Dwellings” and other changes to the Zoning By-law provisions as illustrated on Schedule “B” attached hereto. The Removal of the holding (H) Symbols is subject to fulfillment of conditions of Draft Approval of the Plan of Subdivision and the execution of a subdivision/Development Agreement with the Municipality pursuant to Sections 41 and 51 of the Planning Act R.S.O. 1990, c.P. 13, as amended.
3. 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.
4. 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 a first, second and third time and finally passed in Open Council this 20<sup>th</sup> day of September, 2021.

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MAYOR

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MUNICIPAL CLERK

**SCHEDULE “B”**

