

**A BY-LAW TO AMEND ZONING BY-LAW 85-2003 FOR TRIBUTE (COBOURG) LIMITED, PHASES 2-7 (COBOURG TRAILS COMMUNITY – BROOK ROAD NORTH/ELGIN STREET EAST/DANFORTH ROAD/GREER ROAD).**

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

**AND WHEREAS** the Municipal Council of the Corporation of the Town of Cobourg convened a Public Meeting on April 11, 2022 to consider submissions regarding the proposed Zoning By-law Amendment in accordance with the provisions under the *Planning Act*, R.S.O. 1990, C.P. 13, as amended;

**AND WHEREAS** the Council of the Corporation of the Town of Cobourg considered a staff report on the proposed Zoning By-law Amendment on September 5, 2023;

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

1. THAT By-law No. 85-2003, Section 31.1.3 is hereby amended by deleting the Section and replacing it with the following:

**“31.1.3 Residential Regulations**

Single-detached, semi-detached, and townhouse dwellings in accordance with the provisions of Table 31.1, below:

**Table 31.1: Standards for the Cobourg East Low Density Residential (CER1) Zone**

	<b>Zone Provisions</b>	<b>Single Detached Dwellings</b>	<b>Semi-Detached Dwellings</b>	<b>Townhouse Dwellings (13)</b>
A	Minimum lot frontage	9.0 m	7.6 m per unit (9) (10)	6.0 m per unit (11) (12)
B	Minimum required front yard	3.0 m (1) (2)	3.0 m (1) (2)	3.0 m (1) (2)
C	Maximum front yard	7.5 m (1) (2) (16)	7.5 m (1) (2) (16)	7.5 m (1) (2) (16)
D	Minimum required exterior side yard	2.4 m (1) (2)	2.4 m (1) (2)	2.4 m (1) (2)

E	Maximum exterior side yard	7.5 m (16)	7.5 m (16)	7.5 m (16)
F	Minimum required interior side yard	0.75 m (3)(4)	1.2 m and 0.0 m (3)(4)	1.5 m and 0.0 m (14)(15)
G	Minimum required rear yard	7.5 m (17)	7.5 m (17)	7.5 m (17)
	<ul style="list-style-type: none"> <li>On a lot accessed by a driveway crossing the front or exterior side lot line</li> <li>On all other lots</li> </ul>	12.5 m (5)(6)	12.5 m (5)(6)	12.5 m (5)(6)
H	Maximum height	11.0 m	11.0 m	11.0 m
I	Minimum driveway width	3.0 m	3.0 m	3.0 m
J	Maximum driveway width	(7)	(7)	(7)
K	Minimum garage width	3.0 m	3.0 m	3.0 m
L	Maximum garage width on a lot that is accessed by a driveway crossing the front or exterior side lot line	4.0 m	4.0 m	4.0 m
	<ul style="list-style-type: none"> <li>With a lot frontage of less than 11.6 metres</li> <li>With a lot frontage of 11.6 metres or greater</li> </ul>	6.1 m	6.1 m	6.1 m
M	Minimum setback for driveways from an interior side lot line	0.0 m	0.0 m	0.0 m
	<ul style="list-style-type: none"> <li>With a lot frontage of less than 11.6 metres</li> <li>With a lot frontage of</li> </ul>	0.3 m (8)	0.3 m (8)	0.3 m (8)

	11.6 metres or greater.			
N	Minimum required soft landscape open space in the front or exterior side yard where the driveway is located	40%	40%	30%
O	Minimum distance between a driveway and the intersection of any two street lines	7 m	7 m	7 m

**Special Provisions for Table 31.1**

1	<p>The floor of any covered porch that is located between a main wall of a building and a street line shall extend at least 1.5 metres towards the street line from the main wall that abuts the porch and is permitted to encroach into the minimum required front and exterior side yards. Windows, columns, piers and/or railings associated with the porch are permitted in conjunction with the porch.</p> <p>Stairs that access a porch are permitted to encroach into the minimum required front and exterior side yards, but in no case shall the stairs be located closer than 1.5 metres to the front or exterior side lot line.</p> <p>Stairs and landings that access any part of the main building on the lot, and which are not associated with a deck or porch, may encroach into the required exterior side yard a distance of no more than 50 percent of the required exterior side yard for the main building on the lot; and, into the required front yard a distance of no more than 3.0 metres, but in no case shall the stairs or landing be located closer than 1.5 metres to the front lot line.</p> <p>Uncovered porches are subject to Section 5.13.1.</p>
2	The wall of an attached parking garage that contains the opening for motor vehicle access shall be set back a minimum of 5.8 metres from the lot line the driveway crosses to access the attached parking garage.
3	The required interior side yard on one side is 3.0 metres, if a detached parking garage is located in the rear yard and is accessed by a driveway that crosses the front lot line.
4	An opening for a door that provides access to the interior of the main building is not permitted in any portion of a wall facing the interior side lot line that is located less than 1.2 metres from the interior side lot line.
5	Where the rear lot line intersects the side lot lines at a geometric angle greater or less than 90 degrees, the required rear yard can be reduced to 10.0 metres provided a 12.5 metre rear yard is maintained between the mid-point of the lot and a side lot line.
6	Where an attached parking garage is provided in the rear yard and motor vehicle access to the parking garage is provided over any lot line other than the front or exterior side lot lines, the minimum required rear yard shall be reduced to 7.5 metres. The

	maximum width of such an attached parking garage shall be 50% of the width of the lot, measured along the rear lot line. The wall of an attached parking garage that contains the opening for motor vehicle access shall be set back a minimum of 1.0 metre from the rear lot line.
7	Shall be equal to the garage door width plus 1.5 metres or 6.1 metres, whichever is greater.
8	The minimum required setback for a driveway shall be reduced to zero where parking garages on two abutting lots share a common wall.
9	If a semi-detached dwelling unit is located on a corner lot, the minimum lot frontage is 8.8 metres if one semi-detached dwelling unit is located on a corner lot.
10	Notwithstanding Special Provision #9, if a semi-detached dwelling unit is located on a lot that is not accessed by a driveway crossing the front or exterior side lot line, the minimum lot frontage shall be 6.6 metres per unit on an interior lot and 7.8 metres on a corner lot.
11	The minimum lot frontage is 7.5 metres for an end townhouse dwelling unit on an interior lot and 8.4 metres for an end townhouse dwelling unit on a corner lot.
12	Notwithstanding Special Provision #11, if an end townhouse dwelling unit is located on a lot that is not accessed by a driveway crossing the front or exterior side lot line, the minimum lot frontage shall be 7.0 metres per unit on an interior lot and 7.9 metres on a corner lot.
13	The maximum number of dwelling units permitted in a townhouse building shall be 8.
14	The minimum distance between the exterior walls of any two groups of townhouse dwellings shall be 3.0 metres regardless of the number of storeys.
15	No interior side yard setbacks are required for interior townhouse units where a common wall is shared, and a common party wall extension may not be greater than 3.0 metres beyond the main wall of an abutting townhouse building.
16	The required setback only to the closest part of either the main wall of the dwelling unit or garage to the street line.
17	The required rear yard setback is a minimum of 9 metres where the lot line abuts an existing hydro substation at the lands municipally known as 833 Brook Road North.

2. THAT By-law No. 85-2003, Section 31.1 is hereby amended by adding the following regulations:

**“31.1.13 Accessory Dwelling Units within Single Detached Dwellings**

Notwithstanding the provisions in Section 5.28 of this By-law, where a single detached dwelling contains one (1) accessory dwelling unit within the *building*, an *accessory dwelling unit* shall be subject to the following provisions:

- i) The maximum *floor area* used for an *accessory dwelling unit* on a lot shall not exceed 45% of the total *floor area* of the *building* (including *basement* or *cellar*);
- ii) There is no maximum square footage for an *accessory dwelling unit*; and,
- iii) There is no maximum number of bedrooms for an *accessory dwelling unit*.”

3. THAT Schedule 'A', Map 10, attached to and forming part of By-law No.

85-2003, are hereby amended by refining the zone boundaries of the "Environmental Constraint (EC) Zone", "Open Space (OS) Zone", and "Cobourg East Low Density Residential Holding (CER1[H]) Zone", as shown on Figure 1 attached hereto.

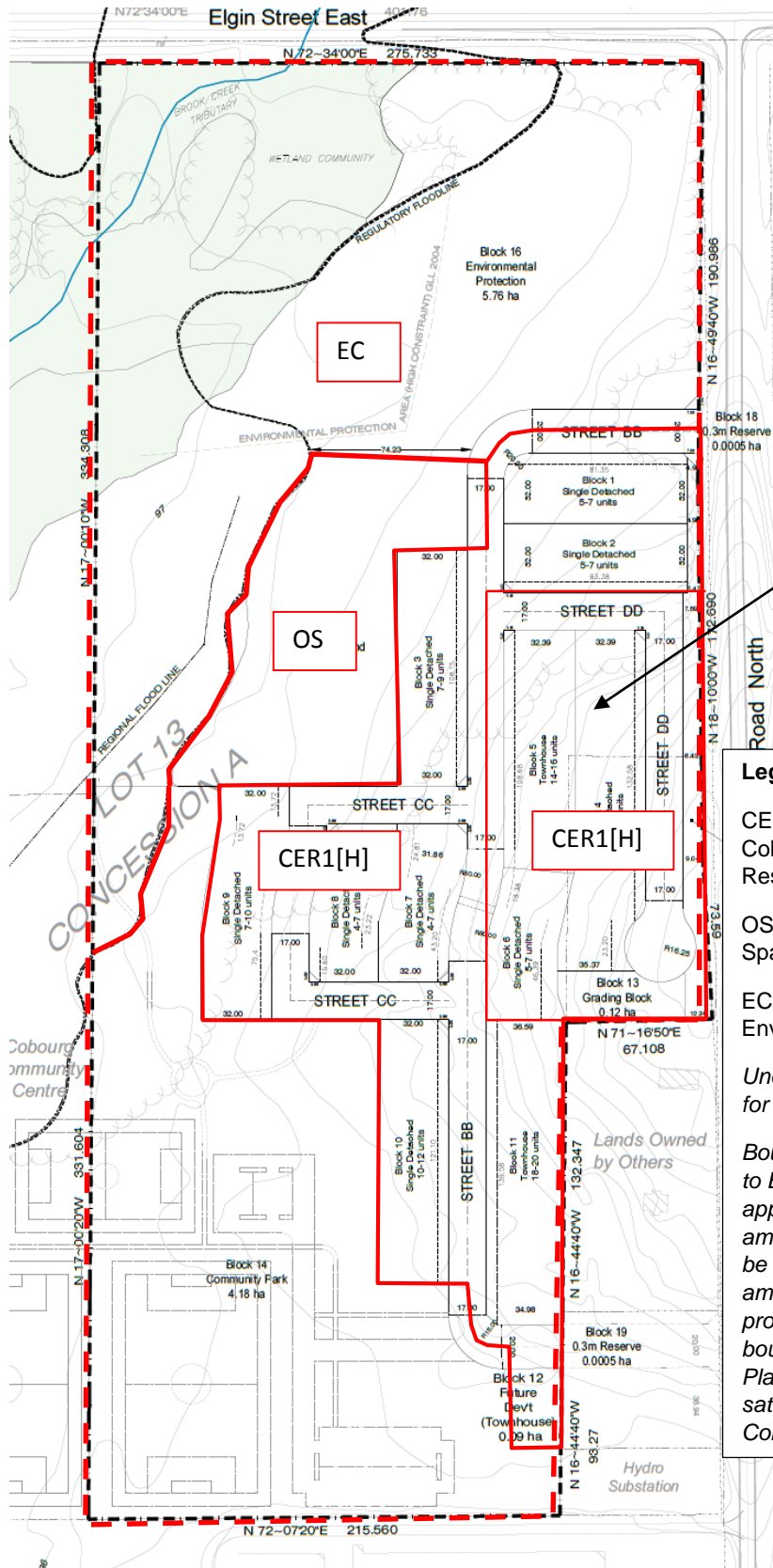
4. THAT Figure 1 attached hereto is hereby made part of this by-law as fully and to all intents and purposes as though recited in full herein.
5. THIS BY-LAW shall come into force and effect upon final passing hereof, subject to the provisions of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

READ a first, second and third time and finally passed in Open Council this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
L. Cleveland, Mayor

\_\_\_\_\_  
B. Larmer, Clerk

**Figure 1 to By-law, XXX-2023  
An Amendment to Zoning By-law 85-2003, as amended  
Tribute (Cobourg) Limited**



Lands to be rezoned from "Cobourg East High Density Residential 3 Exception 1 Holding (CER3-1[H]) Zone" to "Cobourg East Low Density Residential 1 Holding (CER1[H]) Zone"

**Legend**

- CER1[H] - Lands to be rezoned to Cobourg East Low Density Residential Holding
- OS – Lands to be rezoned to Open Space
- EC – Lands to be rezoned to Environmental Constraint

*Underlying information included for reference only.*

*Boundaries as shown on Figure 1 to By-law XXX-2023 are deemed approximate, and adjustment or amendment to the boundaries may be permitted without an amendment to this By-law and provided they match the final boundaries of the Approved Draft Plan of Subdivision to the satisfaction of the Town of Cobourg.*