

**To:** Anne Taylor Scott and Vanessa Reusser  
**From:** Arthur Grabowski and Maria Gudova  
**Date:** August 17, 2023  
**Subject:** Evaluation of Alternative Zoning Approach for Tribute Concept Plan

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The project team has reviewed the implications of Bill 23 with Tribute, including a detailed review of the Zoning By-law, Urban Design Guidelines and potential options for implementation of an alternative “Duplex” style housing typology as shown in a Concept Plan dated June 8, 2023 (“Tribute Concept Plan”).

Units in the proposed Tribute Concept Plan are horizontally divided between the 1<sup>st</sup> and 2<sup>nd</sup> storey, and as such, seems to best align with the definition of a “Duplex” by the Town’s Zoning By-law. Adding a Duplex use to the Cobourg Trails Zoning By-law Amendment for Phase 2-7 would provide greater certainty and clarity as to the implementation of the Tribute Concept Plan. However, at the request of Town Staff, we have reviewed the current Accessory Dwelling Unit (“ADU”) regulations in the Town’s Zoning By-law to determine an alternative approach for the implementation of the Tribute Concept Plan.

Table 1 is a comparison of the proposed Tribute Concept Plan against the existing Accessory Dwelling Unit (“ADU”) Zoning regulations to inform a proposed modification to the Zoning By-law Amendment for Phase 2-7.

Based upon our commentary in Table 1, we suggest the following modified site-specific regulation be added to replace the previously proposed explicit “Duplex” permission. The amendment would modify or replace several of the existing ADU standards under the Town-wide Zoning By-law with site specific standards to permit the proposed Tribute Concept Plan.

We met with Town Staff on August 10, 2023 to review options for site specific wording that would implement the Tribute Concept Plan using amendments to existing ADU zone standards. We have worked with Town Staff, and have agreed to the following amended wording to be added to the Site-Specific By-law:

**“32.2.1 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, 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.*



- iii) *There is no maximum number of bedrooms for an accessory dwelling unit.”*

We have tied the above wording to only single detached dwellings, and any semi-detached and townhouse units would still be subject to the accessory dwelling unit provisions under the parent By-law and Cobourg East Site-Specific By-law, as amended.

As noted in Table 1, the Tribute Concept Plan requires relief from the maximum floor area requirement, maximum number of bedrooms, and to allow one dwelling unit to be 45% of the floor area. However, the Tribute Concept Plan will align with existing setbacks, height, driveway requirements, and other performance standards that are outlined in the CER1 zone and parent By-law. As such, the Tribute Concept Plan will maintain the physical characteristics of a single or semi-detached dwelling.

The underlying site-specific By-law 083-2010, as amended, was long envisioned to support a range of housing types, and originally was crafted to permit ADUs in the form of coach housing, garden suites and basement dwellings. In addition, we were asked by the previous ownership group (i.e. the Rondeaus) for the site to look at options for co-housing in November 2018, including co-habitation options for seniors within self-contained single detached dwellings. While an amendment was never brought forward at the time, we looked at several options for implementation including an amendment to the ADU By-law.

Ultimately, the proposed Tribute Concept Plan is an evolution that builds upon previous initiatives and ADU housing models, and does not significantly depart from the spirit of these previous initiatives. Rather, the requested modifications build upon existing site specific and Town-wide ADU regulations and collectively seek to deliver a more contemporary housing typology in keeping with Provincial, County and Local policy directives. It is our opinion that the proposed revisions are minor, do not result in significant changes to existing ADU regulations and do not warrant an additional public meeting to solicit further feedback.

In terms of parking, the Tribute Concept Plan will deliver up to four parking spaces for the two proposed dwelling units, which is double what is required by the Planning Act, and current site-specific regulations for accessory dwelling units for By-law 083-2010, as amended. We would work with the Town in the development of an on-street parking plan, similar to what was provided for Phase 2 to ensure that there are adequate short term visitor parking spaces on street.



Table 1: Comparison of Proposed Tribute Concept Plan and Accessory Dwelling Performance Standards

| Current Accessory Dwelling Zoning (By-law 013-2017)   | Proposed Amendment (Based on Tribute Concept Pan)   | Analysis and Rationale   |
|---|---|--|
| <b>By-law 013-2017</b>  |   |  |
| <p><i>Dwelling, Accessory</i> shall mean one (1) additional dwelling unit that is located within a <i>single detached dwelling</i>, one unit of a <i>semi-detached dwelling</i> or one unit of a <i>townhouse dwelling</i>, or in a non-residential building.</p> | <p>Bill 23 requires municipalities to permit up to two Accessory Dwelling Units on a lot.</p> <p>An amendment is proposed for clarity and to implement the proposed Tribute Concept Plan on an area specific basis.</p> | <p>We have suggested a modified site specific exception that amends elements of the existing accessory dwelling unit zoning regulations to permit the Tribute Concept Plan.</p> <p>As a general note, the provision of the Tribute Concept Plan aligns with the County’s Affordable Strategy, providing for flexibility to support smaller and a more diverse housing supply within Cobourg East. Additional residential units are a form of gently increasing density, with minimal impact on neighbourhood character and infrastructure.</p> |
| <p>a) The <i>accessory dwelling use</i> is entirely within the same <i>building</i> as the <i>main use</i> on the same <i>lot</i>;</p>  | <p>No amendment is proposed</p>   | <p>n/a</p>   |
| <p>b) The <i>use</i> is <i>accessory</i> to the <i>main use</i> on the same <i>lot</i>;</p>   | <p>No amendment is proposed</p>   | <p>n/a</p>   |
| <p>c) The maximum <i>floor area</i> used for an <i>accessory dwelling</i> on a <i>lot</i> is 100 m<sup>2</sup> and shall not exceed 45% of the total <i>floor area</i> of the <i>building</i> (including <i>basement</i> or <i>cellar</i>);</p>                   | <p>Amendment is proposed.</p>   | <p>The ground floor unit will have about 123.61 square metres, and an additional 123 square metres for the basement “recreation area”. The 2<sup>nd</sup> floor unit will have about 136.52 square metres in floor area, which amounts to about 40% of the total floor area of the building. Therefore, the 2<sup>nd</sup> floor will unit will be subordinate to the ground floor unit and will not exceed 45% of the floor area of the building.</p> <p>An amendment would be required to delete the maximum floor area</p>                  |

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|   |  | <p>requirement all together, only relying upon percentage to regulate unit sizes. This, when paired with the current the performance standards in CER1 zone would effectively regulate the sizing and positioning of the Tribute Concept Plan.</p>   |
| <p>d) A maximum of 2 bedrooms is permitted in each <i>accessory dwelling</i>;</p>   | <p>Amendment is proposed.</p>  | <p>Utilizing bedrooms as a measure of density tends to discourage the development of more flexible family style unit layouts (i.e. with 3 bedrooms).</p> <p>As both the 1<sup>st</sup> and 2<sup>nd</sup> floor units of the Tribute Concept Plan contain 3 bedrooms each, we propose to remove the bedroom restriction all together and rely other regulations in the CER1 zone under Table 31.1.</p> |
| <p>5.28.1<br/>e) An accessory dwelling is not permitted on a property where there is a converted dwelling, duplex, garden suite or coach house also situated;</p>   | <p>No amendment is proposed.</p>   | <p>The Site Specific Cobourg East By-law already has accessory dwelling unit provisions for Coach Houses. No specific amendment is required at this time.</p>  |
| <p>5.28.1<br/>f) A minimum of 1 parking space is provided for the accessory dwelling, in addition to parking required for the single detached, semi-detached or townhouse dwelling in the area shown on Schedule "D" attached to this By-law. In all other areas, a minimum of 1 non-tandem parking space is provided for the accessory dwelling, in addition to parking required for the single detached, semi-detached or townhouse dwelling;</p> | <p>No amendment is required. In addition to requirements under the Planning Act, we note that the site specific By-law 083-2010 also requires one additional parking space for an accessory dwelling unit.</p> | <p>Provincial regulations dictate that only one parking space may be required for an accessory dwelling unit and it may be provided as a tandem space (i.e. in front of or behind another space).</p> <p>No specific amendment is required for implementation as the Tribute concept plan contemplates up to 4 parking spaces, including tandem parking spaces available in the driveway.</p>          |



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