



**A BY-LAW TO AMEND BY-LAW NUMBER 065-2022 BEING A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA FOR THE TOWN OF COBOURG.**

**WHEREAS** under Section 41 of the Planning Act, a Council of a Municipality may by by-law designate the whole or any part of the Municipality as a Site Plan Control Area; and,

**WHEREAS** Section 9.6 of the Town of Cobourg Official Plan designates all areas in the Town as a Site Plan Control Area; and,

**WHEREAS** the purpose of this by-law is to amend Site Plan Control By-law No. 065-2022 to implement changes to the *Planning Act* as amended by *Bill 23, More Homes Built Faster Act, 2022*.

**NOW THEREFORE BE IT RESOLVED THAT THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF COBOURG ENACTS AS FOLLOWS:**

1. That By-law No. 065-2022 is hereby amended by deleting the subsection and replacing it with the following:

“**1.3(iii)(4)** sites for the construction, erection, or placing of a land lease community home defined in subsection 46(1) of the *Planning Act*, on a parcel of land that will contain any number of residential units.”

2. That By-law No. 065-2022 is hereby amended by adding the following section:

“**1.9 “Prescribed Areas”** means any area that is within 300 metres of a railway line other than a railway line to which the *Canada Transportation Act (Canada)* applies and whose operations have been discontinued under Section 146 of that Act; an abandoned railway line to which the *Canada Transportation Act (Canada)* does not apply; and, a railway line on which the only railway that operates is an urban rail transit system. Prescribed Areas also means any area that is within 120 metres of a wetland; the shoreline of the Great Lakes – St. Lawrence River System; an inland lake; or, a river or stream valley that has depressional features associated with a river or stream, whether or not it contains a watercourse. Prescribed Areas do not apply in respect of any development for which a building permit has been issued on or before August 9, 2023.”

3. That By-law No. 065-2022 is hereby amended by adding the following subsection:

“2.4.6 A residential building which is constructed, erected or placed solely for the purpose of no more than ten (10) residential units, including accessory dwelling units as permitted by the Zoning By-law, unless the parcel of land is within a Prescribed Area.”

4. That By-law No. 065-2022 is hereby amended by deleting the subsection and replacing it with the following:

“3.2.2 Massing, conceptual design, and scale of building;”

5. That By-law No. 065-2022 is hereby amended by adding the following Section:

“3.2.6 Matters relating to building construction required under a by-law refer to in Section 97.1 of the *Municipal Act, 2001*.”

6. That this By-law shall come into effect on the xx<sup>th</sup> day of Month, 2024.

READ and finally passed in Open Council this xx<sup>th</sup> day of Month, 2024.

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Lucas Cleveland, Mayor

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Brent Larmer, Clerk