



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 28th day of February, 2024.

READ and finally passed in Open Council this 28th day of February, 2024.

Lucas Cleveland, Mayor

Brent Larmer, Clerk