



A BY-LAW TO AMEND ZONING BY-LAW 85-2003 FOR SUNNYSIDE VILLAGE INC. (540 KING STREET EAST)

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 Council of the Corporation of the Town of Cobourg convened a Public Meeting on September 19, 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 June 26, 2024.

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

1. That Schedule 'A', Map 5, attached to and forming part of By-law No. 85-2003, are hereby amended by changing the zone category of the lands as illustrated on Figure 1 attached hereto from "Rural Exception 3 (RU-3) Zone" to "Residential 2 Exception 17 (R2-17) Zone", "Residential 4 Exception 33 (R4-33) Zone", "Residential 4 Exception 34 (R4-34) Zone", "Residential 4 Exception 35 (R4-35) Zone", "Environmental Constraint (EC) Zone", and "Development (D) Zone".
2. 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.
3. That By-law No. 85-2003 is hereby amended by adding the following subsection:

"8.2.17 Residential 2 Exception 17 (R2-17) – 540 King Street East

8.2.17.1 Defined Area

R2-17 as shown on Schedule "A", Map 5 to this By-law.

8.2.17.2 Permitted Uses

The uses permitted in Section 8.1.1 and 8.1.2.

8.2.17.3 Permitted Buildings and Structures

The permitted buildings and structures in Section 8.1.3.

8.2.17.4 Regulations for the Uses Permitted in the R2-17 Zone

Notwithstanding the regulations of Section 8.1, the uses in the R2-17 Zone shall be developed in accordance with the following special provisions:

- i) Front Yard setback shall be a minimum of 4.6 m.
- ii) Rear Yard setback shall be a minimum of 2.9 m.
- iii) Exterior Side Yard setback shall be a minimum of 4.3 m.

8.2.17.5 Lots to Front on Public Road

A Lot with frontage onto a private right-of-way with a minimum width of 6 m shall be deemed to comply with Section 5.11.

8.2.17.6 Definitions

i) **“Street or Road”**

For the lands zoned “R2-17” a “Street or Road” shall mean a public highway which has been assumed by the Ministry of Transportation, the County of Northumberland or the Town of Cobourg and the lands formerly known as the H.E.P.C and shall also include a private condominium road.”

4. That By-law No. 85-2003 is hereby amended by adding the following subsection:

“10.2.33 Multiple Residential 4 Exception 33 (R4-33)

10.2.33.1 Defined Area

R4-33 as shown on Schedule “A”, Map 5 to this By-law.

10.2.33.2 Permitted Uses and Permitted Accessory Uses

The uses permitted shall be in accordance with Section 10.1.1 and 10.1.2.

10.2.33.3 Permitted Buildings and Structures

The permitted buildings and structures shall be limited to:

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

10.2.33.4 Definitions

i) **“Street or Road”**

For the lands zoned “R4-33” a “Street or Road” shall mean a public highway which has been assumed by the Ministry of Transportation, the County of Northumberland or the Town of Cobourg and the lands formerly known as the H.E.P.C and shall also include a private condominium road.”

ii) **“Stacked Townhouse”**

For the lands zoned “R4-33”, a “Stacked Townhouse” shall mean a townhouse with demising walls which separate dwelling units vertically and horizontally.

10.2.33.5 Regulations for Permitted Uses in the R4-33 Zone

The regulations of Section 10.1 shall apply, except for the following:

Lot Area	i)	One unit of a townhouse dwelling	178 m ² minimum Not applicable
	ii)	One multiple dwelling or stacked townhouse dwelling	
Lot Frontage	i)	One townhouse dwelling	6 m minimum
	ii)	Stacked townhouse	24 m minimum
Lots to Front on Public Road	Notwithstanding Section 5.11.2, for the purpose of lot frontage, the front lot line shall be the lot line abutting a private right-of-way with a minimum width of 6 m.		
Lot Coverage	Maximum lot coverage shall be 72% for the individual lot.		
Floor Area Per Dwelling Unit	Section 10.1.8 shall not apply.		
Front Yard	For the purpose of R4-33, the Front Yard shall be considered the yard extending across the full width of the lot or zone which contains the main front feature. Minimum front yard shall be 4.5m. For lots fronting onto King Street, the minimum front yard shall be 1.8m.		
Rear Yard	Minimum rear yard shall be 7 m. For multiple buildings/stacked townhouses that do not have individual rear yard amenities, they shall have a common outdoor amenity area of a minimum area of 19m ² .		
Interior Side Yard	Minimum interior side yard shall be 1.5m. No interior side yard shall be required between the common vertical wall dividing one unit from another.		
Exterior Side Yard	Minimum Exterior Side Yard shall be 3.0m.		
Landscape Open Space	Minimum 20% to be provided over the entire R4-33 zone regardless of lot areas.		
Distance Between Buildings	Minimum distance between any two Townhouse buildings or multiple dwelling or stacked townhouses located on one lot shall be 3.0m.		
Regulations for Accessory Buildings and Structures	Private garages and other accessory buildings and structures not attached to the main building: <ul style="list-style-type: none"> • shall have a minimum exterior side yard of 0 m. • shall have a minimum interior side yard of 0 m. • shall not exceed 18% of the lot area. 		

5. That By-law No. 85-2003 is hereby amended by adding the following subsection:

“10.2.34 Multiple Residential 4 Exception 34 (R4-34)

10.2.34.1 Defined Area

R4-34 as shown on Schedule “A”, Map 5, to this By-law.

10.2.34.2 Permitted Uses and Permitted Accessory Uses

The uses permitted shall be in accordance with Section 10.1.1 and 10.1.2.

10.2.34.3 Permitted Buildings and Structures

The permitted buildings and structures shall be in accordance with Section 10.1.3 and the following:

- i) One single detached dwelling;
- ii) multiple dwelling including stacked townhouse dwellings.

10.2.34.4 Definitions

- i) **“Street or Road”**

For the lands zoned “R4-34” a “Street or Road” shall mean a public highway which has been assumed by the Ministry of Transportation, the County of Northumberland or the Town of Cobourg and the lands formerly known as the H.E.P.C and shall also include a private condominium road.”

- ii) **“Stacked Townhouse”**

For the lands zoned “R4-34”, a “Stacked Townhouse” shall mean a townhouse with demising walls which separate dwelling units vertically and horizontally.

10.2.34.5 Regulations for Permitted Uses in the R4-34 Zone

The regulations of Section 10.1 shall apply, except for the following:

Lot Area	<ul style="list-style-type: none"> iii) One single detached dwelling iv) One unit of semi-detached dwelling v) One unit of a townhouse dwelling vi) One multiple dwelling or stacked townhouse dwelling 	<ul style="list-style-type: none"> 300 m2 minimum 218 m2 minimum 143 m2 minimum Not applicable
Lot Frontage	<ul style="list-style-type: none"> i) One single detached dwelling ii) One unit of semi-detached dwelling iii) One unit of a townhouse dwelling iv) One multiple dwelling or stacked townhouse dwelling 	<ul style="list-style-type: none"> 11 m minimum 8.5 m minimum 6 m minimum Not applicable
Lots to Front on Public Road	Notwithstanding Section 5.11.2, for the purpose of lot frontage, the front lot line shall be the lot line abutting a private right-of-way with a minimum width of 6 m.	
Lot Coverage	Maximum lot coverage shall be as follows: <ul style="list-style-type: none"> i) Single detached and Semi-detached dwellings – 40% ii) Townhouses and stacked townhouse – 56% 	
Floor Area Per Dwelling Unit	Section 10.1.8 shall not apply.	
Front Yard	Minimum front yard shall be 4.5m.	

Rear Yard	<ul style="list-style-type: none"> i) Single detached and semi-detached – 6 m ii) Townhouse or stacked townhouse – 5.4m iii) Heritage house – 2.9 m
Interior Side Yard	Minimum interior side yard shall be 1.2m. No interior side yard shall be required between the common vertical wall dividing one unit from another.
Exterior Side Yard	Minimum Exterior Side yard shall be 1.6 m.
Landscape Open Space	Minimum 30% of the lot area.
Distance Between Buildings	Minimum distance between any two Townhouse buildings or multiple dwelling or stacked townhouses located on one lot shall be 3.0m.
Regulations for Accessory Buildings and Structures	Private garages and other accessory buildings and structures not attached to the main building: <ul style="list-style-type: none"> • shall have a minimum exterior side yard abutting the street line of 5.7m for a detached garage on a corner lot. • shall have a minimum rear side yard of 0 m.

6. That By-law No. 85-2003 is hereby amended by adding the following subsection:

“10.2.35 Multiple Residential 4 Exception 35 (R4-35)”

10.2.35.1 Defined Area

R4-35 as shown on Schedule “A”, Map 5 to this By-law.

10.2.35.2 Permitted Uses and Permitted Accessory Uses

The uses permitted shall be in accordance with Section 10.1.1 and 10.1.2.

10.2.35.3 Permitted Buildings and Structures

The permitted buildings and structures shall be in accordance with Section 10.1.3 and the following:

- i) multiple dwelling including stacked townhouse dwellings.

10.2.35.4 Definitions

- i) **“Street or Road”**

For the lands zoned “R4-35” a “Street or Road” shall mean a public highway which has been assumed by the Ministry of Transportation, the County of Northumberland or the Town of Cobourg and the lands formerly known as the H.E.P.C and shall also include a private condominium road.”

- ii) **“Stacked Townhouse”**

For the lands zoned “R4-35”, a “Stacked Townhouse” shall mean a townhouse with demising walls which separate dwelling units vertically and horizontally.

10.2.35.5 Regulations for Permitted Uses in the R4-35 Zone

The regulations of Section 10.1 shall apply, except the following:

Lot Area	vii) One unit of a townhouse dwelling	123 m2 Minimum
	viii) One multiple dwelling or stacked townhouse dwelling	Not applicable
Lot Frontage	v) One unit of a townhouse dwelling	6 m minimum
	vi) One multiple dwelling or stacked townhouse dwelling	Not applicable
Lots to Front on Public Road	Notwithstanding Section 5.11.2, for the purpose of lot frontage, the front lot line shall be the lot line abutting a private right-of-way with a minimum width of 6 m.	
Lot Coverage	Maximum lot coverage shall be 45%.	
Floor Area Per Dwelling Unit	Section 10.1.8 shall not apply.	
Front Yard	Minimum front yard shall be 4.5m.	
Rear Yard	Minimum rear yard shall be 5 m.	
Interior Side Yard	Minimum interior side yard shall be 1.5m. No interior side yard shall be required between the common vertical wall dividing one unit from another.	
Exterior Side Yard	Minimum Exterior Side yard shall be 2.5 m	
Distance Between Buildings	Minimum distance between any two Townhouse buildings or multiple dwelling or stacked townhouses located on one lot shall be 3.0m.	
Regulations for Accessory Buildings and Structures	Private garages and other accessory buildings and structures not attached to the main building shall have a minimum rear side yard of 0m.	

7. That this By-law shall come into force and effect on June 26th, 2024, subject to the provisions of the *Planning Act*, R.S.O. 1990, c.P 13, as amended.

READ and finally passed in Open Council this 26th day of June, 2024.

Lucas Cleveland, Mayor

Brent Larmer, Cler

**Figure 1 to By-law 046-2024
An Amendment to Zoning By-law 85-2003, as amended
540 King Street East**

