



THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 051-2019

A BY-LAW TO AMEND THE ZONING BY-LAW NO. 85-2003 (311-325 UNIVERSITY AVENUE WEST AND 387 WILLIAM STREET, COBOURG).

WHEREAS the Council of the Corporation of the Town of Cobourg held a Public Meeting in accordance with the Planning Act, R.S.O. 1990, c.P. 13, as amended, on the 2nd day of July, 2019, regarding an application by Andrew Ferancik, WND Associates, on behalf of 2642301 Ontario Ltd. and 2363219 Ontario Ltd. (known as Balder Corporation) to re-zone the 0.48 ha (1.1 ac) parcel of land at 311-325 University Avenue West and 387 William Street (hereinafter referred to as the "Subject Lands") to permit a 71 unit residential apartment building in addition to the existing mixed use building at 387 William Street;

AND WHEREAS the Council of the Corporation of the Town of Cobourg duly considered all public submissions, the Manager of Planning Services' report and all other relevant background information surrounding the subject matter, and deems it advisable to amend By-Law Number 85-2003, as amended;

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. 85-2003 be amended to include the following new subsection 11.2.15:

"11.2.15 High Density Residential 5 Exception 15 (R5-15) – 311-325 University Avenue West and 387 William Street

11.2.15.1 Defined Area

R5-15, as shown on Schedule A, Map 2 to this By-law.

11.2.15.2 Permitted Uses

The uses permitted in Section 11.1.1 and 11.1.2 and the following additional uses:

- i) A mixed use building with office, personal services and/or residential uses is permitted within a 30m setback from William Street.

11.2.15.3 Permitted Buildings and Structures

The buildings and structures permitted in Section 11.1.3

11.2.15.4 Regulations for Uses in the R5-15 Zone

The regulations of Section 11.1 shall apply to the uses permitted in the R5-15 Zone, with the exception of the following special provisions:

(i) **Zone Boundary**

Notwithstanding any other provisions of this By-law, the regulations for the lands zoned R5-15 shall apply to the entire gross lands located within the boundary of the R5-15 Zone irrespective of the lot lines associated with 311 to 325 University Avenue West and 387 William Street.

(ii) **Density**

A maximum of 72 apartment dwelling units are permitted on the overall property (0.48 ha) zoned R5-15.

(iii) **Floor Space Index**

Maximum Floor Space Index (FSI) shall be 2.0.

(iv) **Building Setbacks**

Building setbacks for the 4-story apartment building abutting University Avenue West shall be as follows:

- i) North Front Yard: 1.0 m minimum
- ii) West Side Yard: 7.5 m minimum
- iii) East Side Yard: 1.0 m minimum
- iv) South Rear Yard: 7.5 m minimum

Building setbacks for the 2-story mixed use building abutting William Street shall be as the building existed on July 22, 2019, with small additions permitted provided the current setbacks are maintained and all other provisions of this By-law are complied with.

v) **Landscaped Open Space**

Minimum of 20% of the lot, and shall include any area not used for buildings, structures or parking areas.

vi) **Building Height**

The maximum building height for the apartment building shall be 4 storeys with a minimum 1.5 m step-back on the 4th story on the north, east and west sides of the building. The mixed-use building abutting William Street shall be no higher than 2 storeys.

vii) **Parking**

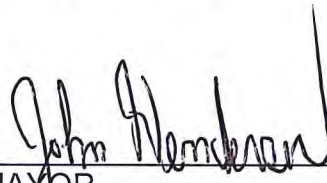
A minimum of 1.1 parking spaces per dwelling unit in the apartment building, plus 2 parking spaces for the mixed use building.

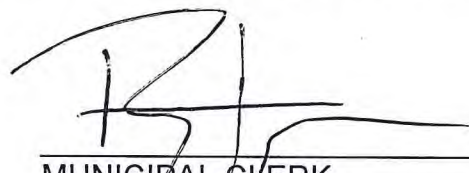
2. THAT Schedule 'A', Map 2, attached to and forming part of By-law No. 85-2003, is hereby amended by changing the zone category of the lands as illustrated on Schedule "B" attached hereto from "Residential Three (R3) Zone" to "High Density Residential Five Exception 15 Holding [R5-15(H)] Zone'.
3. THAT the Holding (H) Symbol shall not be removed by Cobourg Municipal Council until the Owner(s) has received approval of all applicable plans, drawings, and other related documentation by the Municipality and following the execution of a Development and/or Facilities Agreement with the

Municipality and/or other authority having jurisdiction. The Agreements shall address technical matters both internal and external to the Subject Lands, including but not limited to: plans and/or other documentation pertaining to the architectural, landscape and urban design; vehicular access, parking, site circulation, pedestrian connections and access; infrastructure and servicing; fencing and buffering; provision of affordable housing; and, performance measures (re: financial securities and regulations for construction and use), all to the satisfaction of the Municipality.

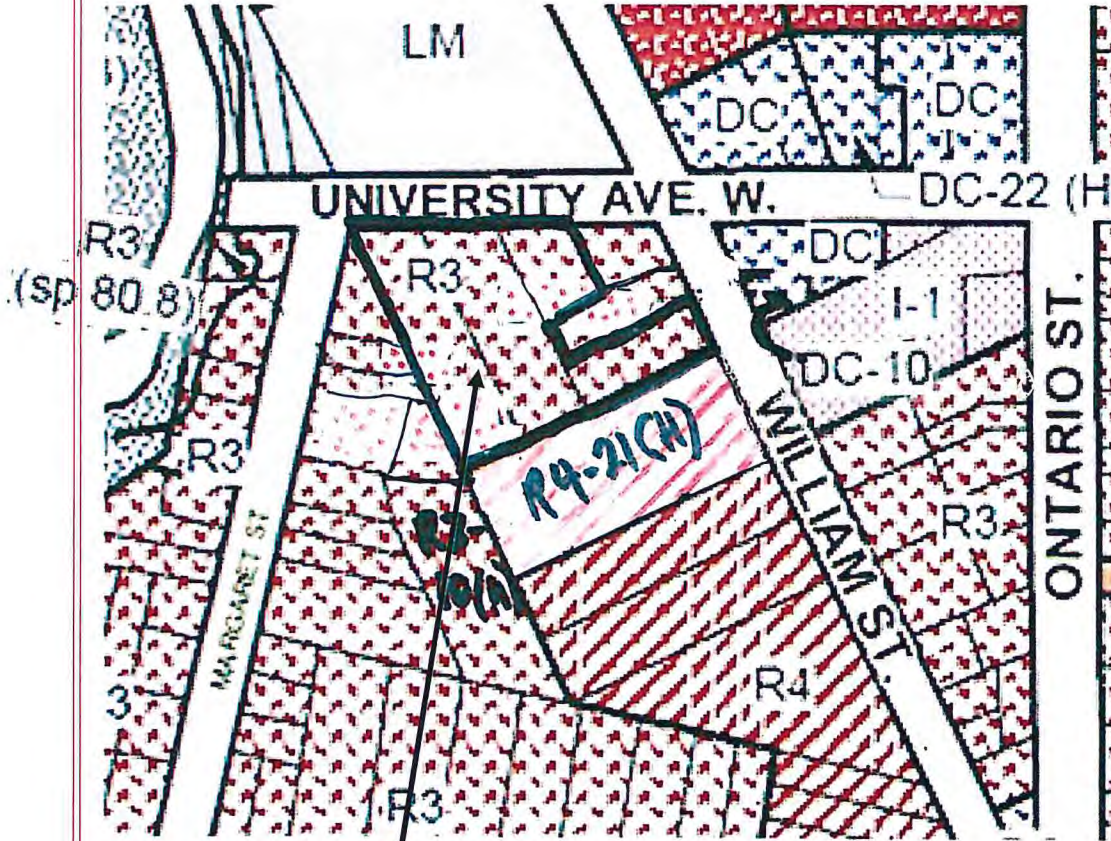
4. THAT Schedule "B" attached hereto is hereby made part of this by-law as fully and to all intents and purposes as though recited in full herein.
5. THAT this by-law shall come into force and effect upon final passing hereof, subject to the provisions of the Planning Act, R.S.O. 1990, c. P. 13, as amended.

By-law read and passed in Open Council on this 22nd day of July, 2019.


MAYOR


MUNICIPAL CLERK

SCHEDULE "B"



To be changed from Residential Type 3 (R3) to High Density Residential Type 5 Exception 15 Holding (R5-15[H])