

Applicant: Tribute (Cobourg) Limited
File No: SUB-2024-001
Municipality: Town of Cobourg
Location: Tribute Phase 4A

Date of Decision:
Date of Notice:
Last Date of Appeal:

Cobourg Trails Phase 4A – Draft Plan Approval Conditions

Part 1 – Plan Identification

1. The Owner shall prepare a final draft plan to the satisfaction of the Town of Cobourg and County of Northumberland in accordance with the Draft Plan of Subdivision for 8.31 ha of land as shown as Cobourg Trails Phase 4A on the Plan attached hereto as **Figure 1** dated September 6, 2024 and consisting of:
 - 17 residential blocks accommodating between 139 to 161 single detached, semi-detached, and street townhouse dwellings;
 - One Village Square block;
 - One Buffer block;
 - One Road Widening block;
 - Four 0.3-metre reserve blocks;
 - One road widening block; and,
 - Streets A, M, N, O, P, Q, and R.

Part 2 - General

2. The owner shall agree in writing to satisfy the requirements of the Town of Cobourg and any other municipality and/or approval authority that has jurisdiction, and subsequently enter into a Subdivision Agreement with the Town of Cobourg pursuant to the Planning Act, RSO 1990 c.P 13, as amended, which shall be registered on title to the subject lands once the plan of subdivision has been registered. Without limiting the generality of the foregoing, the owner shall agree in writing to satisfy all the requirements, financial and otherwise, of the Town and any other municipality and/or authority that has jurisdiction concerning matters internal and external to the draft plan, including but not limited to:
 - a) the provision, installation and staging of roads, services (including utilities), drainage, and grading, and any easements that may be required by the applicable authority;
 - b) the provision of affordable housing in accordance with Section 3.2.5 of the Official Plan;
 - c) architectural, landscape and streetscape design measures, including buffering for existing land uses;
 - d) sustainable design elements and initiatives;
 - e) open space/park design, landscaping and other improvements;
 - f) noise impact and mitigation;
 - g) tree protection, removals, edge management/buffering, landscaping and other matters relating to the appropriate stewardship of natural heritage systems;
 - h) stormwater management and wastewater allocation, collection and treatment, including low- impact development stormwater systems and related soil documentation;
 - i) traffic impact and road infrastructure improvements and timing thereof;
 - j) pedestrian and bicycle circulation (trails and sidewalks);
 - k) construction and emergency access.
3. The Owner shall convey the Blocks on the plan identified for Village Square, Buffer, Road Widening, 0.3m reserves and right-of-ways to the Town of Cobourg in accordance with Section 51.1(1) of the *Planning Act*, R.S.O. 1990, c.P. 13. Only the Village Square block will be considered to contribute to the of the parkland dedication requirements of the *Planning Act*.
4. All costs incurred by the Town and any other municipality and/or approval authority that has jurisdiction which are associated with the planning, design, peer review and inspection of said works shall be borne by the owner.
5. The Town of Cobourg reserves the right to modify, or 'red-line', at its discretion the draft plan and/or conditions for Phase 3 prior to final approval based on an evaluation by the Town and relevant agencies of detailed engineering plans, reports, or other applicable documentation, particularly related to stormwater management and natural heritage protection, and may impose special conditions in the Subdivision Agreement that it deems reasonable in accordance with the Planning Act, R.S.O. 1990, c.P. 13, as amended. The aforementioned modifications to the draft plan may include, but are not limited to, changes to the lotting and/or road pattern and possible removal/re-location of lots and roads to

satisfy the applicable policies, guidelines and standards of the Town and agencies.

6. That the Owner submit a draft plan conditions matrix outlining how each of the conditions have been addressed, together with a zoning compliance matrix, prior to registration.

Part 3 – Urban Design

7. The owner shall agree in writing to satisfy the Town of Cobourg's urban design objectives of the Official Plan, including, but not limited to:
 - a) the creation of high quality, pedestrian-friendly streetscapes and landscapes;
 - b) the provision of attractive building designs and dwelling forms which promote and enhance the character of the neighbourhood, and reflect the quality image of the community;
 - c) the careful design and placement of roads, dwellings and other uses in relation to existing natural heritage resources; and,
 - d) the careful design and placement of dwellings in relation to the street to enhance the sense of place and minimize the impact of garages on the streetscape.
8. The development will be subject to architectural controls. The Town will require the preparation of architectural plans, guidelines and details which demonstrate that the aforementioned objectives will be achieved upon the implementation of the subdivision to the satisfaction of the Town prior to registration.
9. Prior to entering into an Agreement of Purchase and Sale for any lots/blocks within the Plan of Subdivision, architectural model plans showing options for sale and/or conversion to allow for second and/or third dwelling units to be reviewed and approved by the Director of Development.

Part 4 – Roads

10. The developer confirms and agrees to provide a road widening on Danforth Road at the request of the Town that may be in addition to that stipulated in By-law #85-2003. Tribute (Cobourg) will be included in future discussions regarding the ultimate width and alignment of Danforth and other adjacent Town Right of Ways. Tribute acknowledges that the Town is undergoing an EA to address final Danforth Road alignment.
11. Prior to the final approval of the draft plan, the owner shall prepare and submit a Noise Feasibility Study by a qualified noise consultant which recommends necessary abatement measures, if required, for buildings and amenity areas adjacent to Danforth Road, Highway 401, and the adjacent employment lands in accordance with Provincial Guidelines and to the satisfaction of the Town.
12. The road allowances included in this draft plan shall be shown and dedicated as public highways. The streets shall be named to the satisfaction of the Town of Cobourg.

Part 5 – Planning

13. Prior to the final approval of the draft plan, the appropriate zoning shall be in place to the satisfaction of the Town of Cobourg.
14. The Owner shall prepare a Community Land Use Plan which shows the draft plan and surrounding land uses, parks, sidewalks, trails, on-street parking, above ground utilities, community mailboxes, easements, etc. The Community and Use Plan shall be in a format approved by the Director of Development. The Owner shall erect and maintain a sign on the development site and/or in the sales office which shows the Community Land Use Plan as approved by the Director of Development.
15. The Owner shall submit its standard Agreement of Purchase and Sale to the Director of Development which includes all warning clauses/ notices prior to any residential units being offered for sale to the public.
16. Prior to registration, a detailed landscape plan will be prepared to the satisfaction of the Director of Development.
17. Prior to detailed design, the Owner shall confirm to the satisfaction of the Director of Development how the 10% affordable housing target will be achieved in Phase 4a using the Official Plan definition of "affordable".

Part 6 – Engineering

18. Tribute acknowledges and agrees that Cobourg Trails, Phase 4A Residential Development is allocated capacity for sanitary sewage flow to Water Pollution Control Plant (WPCP) 2 based on a maximum 161 residential units composed of detached, semi-detached, and Townhomes, subject to:
 - a) All changes to required servicing due to the addition of accessory dwelling units, lot configuration, or change in density will be forwarded to the Deputy Director, Engineering, for approval.
 - b) Where information is unknown (and thus not reported) and then later updated, Tribute (Cobourg) will immediately inform the Manager of Engineering for consideration of allocation impacts and approval.
19. The Owner shall coordinate the preparation of an overall utility distribution plan that allows for the safe installation of all utilities including the separation between utilities to the satisfaction of the Municipal Engineer. All utilities will be installed within the proposed road allowances. Where this is not possible, easements will be provided at no cost to the utility provider. Proposed easements are not permitted on lands owned by the Municipality unless it can be demonstrated that there is no other alternative. Such easements must not impede the long-term use of the lands and will be at the discretion of the Municipal Engineer. The Owner shall cause all utilities, including hydro, telephone, and cable television within the streets of this development to be installed underground for both primary and secondary services.
20. The Owner agrees to install a minimum width of 4.6 metres and length of 5.5 metres of asphalt to accommodate two outdoor parking spaces on all single detached and semi-detached lots. Grading plans as part of the detailed design submission and building permit application shall include siting plans and two outdoor parking spaces.
21. The final detailed design shall include sidewalks on both sides of Street “M” and Street “Q”.
22. All streets will be designed to maximize canopy tree plantings and to have those plantings reflected in the approved Landscape Plan.
23. Tribute agrees to provide a revegetation plan for disturbed lands that are not planned to be developed in 2026. The vegetation plan is to be implemented as soon as it is practical in spring 2026.
24. The Owner acknowledges and agrees to include provisions in the Subdivision Agreement to implement the recommendations of the supporting and/or amended studies to the satisfaction of the Director of Development related to:
 - a) Arborist Report and Tree Preservation Plan;
 - b) Archaeological Assessment;
 - c) Functional Servicing Report;
 - d) Environmental Site Assessment;
 - e) Geotechnical Investigation;
 - f) Noise Study;
 - g) Hydrogeological Impact Assessment.
25. The Owner shows all fencing on the final engineering plans to the satisfaction of the Director of Engineering showing no gates to open space and stormwater management areas. acknowledges and agrees to include clauses in the Subdivision Agreement and Agreements of Purchase and Sale that no gates will be permitted in fences.
26. A Utility Coordination Plan shall be required as part of the detailed design submission to the satisfaction of the Director of Development.

Part 7 Natural Heritage

27. A 10m buffer from the dripline of the woodland will be provided with no part of the proposed lots within the required buffer. Tree hoarding fencing will be installed at the dripline of the woodland prior to any site alteration. Upon completion of adjacent construction, the buffer will be enhanced with native tree planting to the satisfaction of the Director of Development. All dwellings/units abutting the buffer will have permanent fencing installed at the property line with no opening for gates/access to the satisfaction of the Director of Development.

28. The Owner shall agree to provide the required municipal tree levy subject to the Town's Tree Preservation By-law.
- 29.

Part 8 Parks

30. Prior to registration of the draft plan, the Owner shall agree to convey parkland to the Town in accordance with any applicable Town By-law and the Planning Act, R.S.O. 1996 as amended.
31. The final design of Block 18 Village Square will be to the satisfaction of the Director of Development and consider:
- a) Toddler play areas located to maximize separation from adjoining roads;
 - b) Simplified design to support programming of the space;
 - c) Permeable/more opportunities for pedestrian access from park frontages;
 - d) Provision of canopy trees;
 - e) A park design that supports the Town's Urban Design Guidelines and Parks Masterplan.
32. The Owner shall prepare an operating and capital impact assessment of for the Village Square Park to inform the Town about the financial sustainability of the park design and inform the Town about whether future expenditures to sustain the park are in Town's interest pursuant to Section 2 of the Planning Act.

Part 10 Ministry of Transportation

33. That the owner provides a Traffic Impact Study to the satisfaction of the Ministry of Transportation.
34. That the owner provides a Stormwater Management Report to the satisfaction of the Ministry of Transportation.

Part 11 Canada Post

35. The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes as part of the Utility Coordination Plan. The developer will then indicate these locations on the appropriate servicing plans to the satisfaction of the Director of Development.
36. The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
37. The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
38. The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.
39. The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
- Any required walkway across the boulevard, per municipal standards;
 - Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications)
 - A Community Mailbox concrete base pad per Canada Post specifications.

Part 12 County of Northumberland

40. The Owner/Developer shall prepare a land use table, which identifies the proposed land uses and their respective lot areas in accordance with the final plan.
41. The Owner/Developer shall submit plans showing any development phasing to the County of Northumberland and the Town of Cobourg for review if this subdivision is to be developed by more than one registration.

42. The Owner/Developer shall submit to the satisfaction of the County of Northumberland and the Town of Cobourg either an updated Environmental Site Assessment or an updated letter to the Environmental Site Assessment report prepared by Golder Associates Limited dated December 21, 2020, revised September 24, 2021, to ensure that the current soil and/or groundwater conditions of this development phase meets the applicable Ministry of the Environment, Conservation and Parks; site condition standards for residential/parkland/institutional land use in accordance with Ontario Regulation 153/04, as amended.
43. The Owner/Developer shall carry out to the satisfaction of the County of Northumberland and the Town of Cobourg an archaeological assessment(s) for the subject site in accordance with the Ontario Heritage Act to mitigate and/or salvage excavate any significant heritage resources to the satisfaction of the Ministry of Tourism, Culture, and Sport. No grading or other soil disturbance shall take place on the subdivision lands prior to receipt of the Ministry's acknowledgement letter.
44. That the Owner/Developer ensures that the recommendations and warning clauses identified in YCA Engineering Limited's Environmental Noise Assessment report dated September 4, 2024 are included in the Town of Cobourg's Subdivision Agreement for this development phase.
45. That the Owner/Developer ensures that the pavement structure for the public roadways within the plan of subdivision shall be designed to accommodate highway vehicle loading for waste collection vehicles in accordance with the specifications of the County of Northumberland's Waste Management By-law. The owner may also be required to provide additional documents (plans and/or reports) to the satisfaction of the County of Northumberland to demonstrate compliance with these specifications, including, but not limited to common set out areas.
46. That the Owner/Developer acknowledges and agrees that waste collection services within the subdivision shall not be provided until such time as the public roads are assumed for maintenance by the Town of Cobourg and shall advise all purchasers within the subdivision with an appropriate statement in all Offers and Agreements of Purchase and Sale of this requirement.
47. The Owner/Developer shall enter into an agreement with the appropriate service providers for the installation of underground communication / telecommunication utility services for this land to enable, at a minimum, the effective delivery of broadband internet services and communication / telecommunication services for 911 Emergency Services.
48. The Owner/Developer shall submit a covering letter to the County of Northumberland which outlines how each County condition was addressed provide subdivision review and clearance fees in accordance with the County Fees and Charges By-law.

Part 13 Ganaraska Region Conservation Authority (GRCA)

49. That prior to the commencement of any on-site grading, construction or site preparation, or final approval of the draft plan, whichever occurs first, the owner shall submit to the Ganaraska Region Conservation Authority (GRCA) reports, plans and/or other documentation which describes and confirms the following to the satisfaction of the GRCA:
 - a) a detailed Stormwater Management Implementation Report supporting the detailed design which includes the following to the satisfaction of the GRCA;
 - b) an Erosion and Siltation Control Report and Plan detailing the means by which erosion and sedimentation and their effects will be minimized and contained on the site during and after construction in accordance with Provincial Guidelines;
 - c) the stormwater management pond outfall be proposed in a location satisfactory to the GRCA;
 - d) any other studies and/or drawings that the GRCA considers necessary to ensure the appropriate development of the subdivision lands in accordance with Provincial and GRCA policies and regulations;
 - e) the GRCA may recommend to the Town that specific conditions be changed and/or added to draft approval, including the possibility of draft plan 'red-line' revisions, and/or special provisions being inserted into the Subdivision Agreement, to reflect the outcome of the review of the required Studies and plans.
50. That prior to the final approval of the draft plan, the GRCA is to be satisfied that appropriate

clauses are contained within the Subdivision Agreement which require the owner to implement or cause to be implemented the recommendations and measures contained within the reports, and any addenda thereto, as required and approved by the GRCA.

51. That prior to the final approval of the draft plan, the GRCA is to be satisfied that appropriate clauses are contained within the Subdivision Agreement which require the owner to maintain all erosion and siltation control devices in good repair prior to and during the construction period in a manner satisfactory to the GRCA.
52. That the owner agrees to pay all GRCA detailed technical review fees in accordance with the current GRCA Fee Schedule on a per phase basis, and further agree to obtain all necessary GRCA permits required under the current Authority Ontario Regulation.

Part 14 Ministry of Citizenship and Multiculturalism

53. Prior to grading or any soil disturbance, the Owner shall:
 - a) Retain an archaeologist, licensed by the Ministry of Tourism, Culture, and Sport under the provisions of the *Ontario Heritage Act* (R.S.O. 1990 as amended) to carry out Archaeological Assessment(s) of the lands and any recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. The archaeological assessment must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists, Ministry of Citizenship and Multiculturalism.
 - b) Submit all archaeological assessment reports, in both hard copy format and as a PDF to the Town once the Ministry of Citizenship and Multiculturalism has accepted them into the Public Registry.

Part 15 Kawartha Pine Ridge District School Board

54. Prior to the final approval of the draft plan, Kawartha Pine Ridge District School Board (KRP) shall be satisfied that appropriate clauses are contained within the Subdivision Agreement as follows:
 - a) All offers of purchase and sale shall contain a statement advising all potential purchasers that, while an Elementary School site has been reserved within Phase 1 of the approved draft plan of subdivision for the Kawartha Pine Ridge District School Board, it may not be constructed and utilized as an Elementary School site.
 - b) All offers of purchase and sale shall contain a statement advising prospective purchaser(s) that accommodation within a public school in the community is not guaranteed and students may be accommodated in temporary facilities; including but not limited to accommodation in a portable classroom, a "holding school", an "overflow school" or in an alternate school within or outside of the community.
 - c) All offers of purchase and sale shall include a statement advising prospective purchasers that if school buses are required within the development in accordance with Kawartha Pine Ridge District School Board Transportation policies, as may be amended from time to time, school bus pick up points will generally be located on the through street at a location as determined by the Student Transportation Services of Central Ontario; and that additional pick-up points will not be located within the proposed developed until major construction activity has been completed.
 - d) That the Owner(s) shall agree to provide a pedestrian walkway or dedicated pedestrian use only area throughout the subdivision to accommodate and promote safe walking routes to the nearby school property, bus stops and / or elsewhere. To clear this condition, KPR staff will require a copy of the proposed plan and details for the pedestrian route prior to entering into the Subdivision Agreement. Any Subdivision Agreement shall reflect these proposed plans and details.

Part 16 Lakefront Utility Services Inc. (LUSI) and Lakefront Utilities Inc. (LUI)

55. Prior to the final approval of the draft plan, Lakefront Utility Services Inc. (LUSI) and Lakefront Utilities Inc. (LUI) shall confirm to the Town that satisfactory arrangements, financial and otherwise, have been made with LUSI and LUI for any facilities serving this draft plan of subdivision which are required to be installed.
56. The Owner shall enter into any required Agreements with LUSI and LUI detailing the terms and conditions under which the water and electrical distribution systems for the

Subdivision Lands will be designed, installed, inspected and maintained, including any easements and performance securities required by LUSI and LUI. In particular, prior to the construction of any electrical services on the Subdivision Lands, the Owner shall enter into a "Construction Agreement" with LUI, whereby an economic evaluation will be performed and evaluated to the satisfaction of LUI, and the Owner shall submit a Letter of Credit (LOC) to LUI in an amount and in a form satisfactory to LUI.

57. As part of the final design, the Owner will ensure that hydrant spacing is 150m in residential areas with a maximum hose length of 75m on the following Streets:

- a) Drawing D-1, September 2024: Streets N, O, P, Q
- b) Drawing D-2, September 2024: Streets A & R

Part 17 Clearances

- 58. That prior to final approval of the draft plan, the Town of Cobourg is to be advised in writing by Bell Canada how Condition 26 has been satisfied.
- 59. That prior to final approval of the draft plan, the Town of Cobourg is to be advised in writing by Canada Post how Conditions 25 to 39 inclusive have been satisfied.
- 60. That prior to final approval of the draft plan, the Town of Cobourg is to be advised in writing by the County of Northumberland how Conditions 40 to 48 inclusive have been satisfied.
- 61. That prior to final approval of the draft plan, the Town of Cobourg is to be advised in writing by the Ganaraska Region Conservation Authority how Conditions 48 to 52 inclusive have been satisfied.
- 62. That prior to final approval of the draft plan, the Town of Cobourg is to be advised in writing by the Ministry of Citizenship and Multiculturalism how Condition 53 has been satisfied.
- 63. That prior to final approval of the draft plan, the Town of Cobourg is to be satisfied in writing by the Kawartha Pine Ridge District School Board how Condition 54 has been satisfied.
- 64. That prior to final approval of the draft plan, the Town of Cobourg is to be satisfied in writing by the Lakefront Utility Services Inc. and Lakefront Utilities Inc. how Condition 55 to 57 inclusive have been satisfied.

Notes to Draft Approval

- 1. It is the Applicant's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the Municipality, quoting the File Numbers.
- 2. We suggest that the Applicant make themselves familiar with Section 144 of the *Land Titles Act* and Subsection 78(10) of the *Registry Act*.

Subsection 144(1) of the *Land Titles Act* requires that a plan of subdivision of land that is located in a land titles division be registered under the *Land Titles Act*. Exceptions to this provision are set out in Subsection 144(2).

Subsection 78(10) of the *Registry Act* requires that a plan of subdivision of land that is located only in a registry division cannot be registered under the *Registry Act* unless that title of the Owner of the land has been certified under the *Certification of Titles Act*. Exceptions to this provision are set out in clauses {b} and {c} of subsection 78(10).
- 3. The Subdivision Agreement should be registered under Subsection 51(26) of the *Planning Act*, R.S.O. 1990, c.P.13 against the land to which it applies as notice to prospective purchasers.
- 4. A permit will be required under the Ganaraska Region Conservation Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ont. Reg. 168/06) prior to any development or site alteration on the subject property.
- 5. The Ganaraska Region Conservation Authority notes that any temporary sediment control ponds must be capable of accommodating 125 cubic metres per hectare of contributing drainage area for a period of not less than 12 hours, or removing particle sizes down to 40 microns.
- 6. Prior to the commencement of any development or site alteration on the subject property (e.g.,

Permission to Enter and/or Permission to Open Cut/Bore etc.), all work within the County right-of-way requires an approved permit(s).

7. Prior to the construction of a vehicular entrance and/or buildings on the subject property, the Owner/Developer must receive approved Entrance and Setback Permits from the County of Northumberland.

8. Clearances are required from the following agencies:

Ken Thajer, Planning & Regulations Coordinator
Ganaraska Region Conservation Authority
P.O. Box 32
Port Hope, ON L1A 3W4

Denise Marshall, Director of Public Works
County of Northumberland
555 Courthouse Road
Cobourg, ON K9A 5J6

Ashley Yearwood, Senior Planner
County of Northumberland
555 Courthouse Road
Cobourg, ON K9A 5J6

Stephen McGraw, Delivery Planning Officer
Canada Post
PO Box 8037 Ottawa ON T CSC
Ottawa, ON K1G 3H6

Dereck Paul, President
Lakefront Utility Services Inc/Lakefront Utilities Inc.
207 Division Street
Cobourg, ON K9A 4L3

Ministry of Citizenship and Multiculturalism
Archaeology Program Unit
Heritage Branch
Citizenship, Inclusion and Heritage Division
5th Floor, 400 University Avenue
Toronto, ON M7A 2R9

Jeannette Thompson, Manager of Planning Services
Kawartha Pine Ridge District School Board
1994 Fisher Drive, P.O. Box 719
Peterborough, ON K9J 7A1

9. All measurements in subdivision plans and condominium final plans must be presented in metric units.
10. The final plan approved by the Town must be registered within 30 days or the Municipality may withdraw its approval under Subsection 51(59) of the *Planning Act*, R.S.O. c.P.13, 1990.
11. This draft approval shall be in force and effect until **MONTH DAY, 2027.**

Figure 1