

**Applicant:** 2020910 Ontario Inc. (LeBlanc Enterprises) **Date of Decision:** November 26, 2018  
**File No:** Z-11-14 SUB; 14T-140001 **Date of Notice:** November 30, 2018  
**Municipality:** Town of Cobourg **Last Date of Appeal:** December 20, 2018  
**Location:** D'Arcy Street extension (Nickerson)

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## NOTICE OF DECISION

On Application for Approval of Draft Plan of Subdivision  
Subsection 51(37) of the Planning Act

Approval of Draft Plan of Subdivision to the application in respect of the subject lands noted above, is proposed to be given by the Council of the Corporation of the Town of Cobourg. A copy of the draft conditions is attached.

*Note: Cobourg Municipal Council considered a number of submissions from area landowners regarding the land use planning amendments and the proposed Draft Plan of Subdivision. One (1) submission was generally in support but included a number of questions and comments with four (4) presentations in opposition. There were also two (2) additional written submissions in opposition and one (1) written submission with questions/comments. Most of the submissions and questions were technical in nature and are accommodated within the Draft Plan of Subdivision conditions and will be included in a subsequent Subdivision Agreement. The major questions and concerns of the submissions included but were not limited to such matters as: a public street vs. a private/condominium lane; site grading and drainage, including off-site drainage concerns; the design, construction, operation and maintenance of the stormwater management system; the environmental sensitivity of Nickerson's Woods, including a 30 m buffer from the edge of the watercourse and appropriate edge management treatments; landscaping, fencing and other buffering measures; open space areas and related facilities; tree protection/replanting; parking; and, the west-side infill lot.*

*Following the Public Meeting on June 25, 2018, a detailed response to the submissions was submitted from the applicant's planning consultant on behalf of its design team, as well as a Report from municipal Planning Department staff, both of which were presented to Council prior to the approval of the land use planning amendments and conditional approval of the Draft Plan of Subdivision. These follow-up responses described how each of the submissions were addressed via the existing background information and/or via conditions of Draft Plan of Subdivision approval and a future Subdivision Agreement, as applicable.*

*Therefore, based on all information available, Cobourg Municipal Council approved the Draft Plan of Subdivision with conditions as affixed hereto.*

### When and How to File an Appeal

Notice to appeal the decision to the Local Planning Appeal Tribunal (LPAT) must be filed with the Municipal Clerk of the Corporation of the Town of Cobourg no later than 20 days from the date of this notice as shown above as the last date of appeal.

The notice of appeal should be sent to the attention of the Municipal Clerk, at the address shown below and it must;

- 1) set out the reasons for the appeal; and
- 2) be accompanied by the prescribed fee under the Local Planning Appeal Tribunal Act in the amount of \$300.00, payable by certified cheque to the Minister of Finance, Province of Ontario.

### Who can File an Appeal

Only individuals, corporations or public bodies may appeal the decision in respect of a proposed Plan of Subdivision of the Town of Cobourg to the Local Planning Appeal Tribunal. An appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf. No person or public body shall be added as a party to the hearing of an appeal of the decision of the Town of Cobourg, including the lapsing provisions or the conditions, or changes to the

conditions, unless the person or public body, before the decision of the Town of Cobourg, made oral submissions at a public meeting or written submissions to the Town of Cobourg Municipal Council or, in the Local Planning Appeal Tribunal's opinion, there are reasonable grounds to do so.

### **Right of Applicant or Public Body to Appeal Conditions**

The applicant, the Minister of Municipal Affairs and Housing, or a public body that, before Cobourg Municipal Council made its decision, made oral submissions at a public meeting or written submissions to the Town of Cobourg, may, at any time before the final Plan of Subdivision is approved, appeal any of the conditions imposed by the Town to the LPAT by filing with the Clerk of the Town of Cobourg a notice of appeal.

### **How to Receive Notice of Changed Conditions**

The conditions of the approval of a Draft Plan of Subdivision may be changed at any time before the final approval is given. You will be entitled to receive notice of any changes to the conditions of draft approval of a Plan of Subdivision if you have made a written request to be notified of changes to the conditions of approval of the Draft Plan of Subdivision.

### **Other Related Application**

File number Z-11-14, OPA- 01-14 (approved)

### **Getting Additional Information**

Additional information about the application is available for public inspection during regular office hours at the Town of Cobourg Planning Department, Victoria Hall, 55 King Street West, Cobourg, (905) 372-1005.

### **Mailing Address for Filing a Notice of Appeal**

The Corporation of the Town of Cobourg  
55 King Street West  
Cobourg ON K9A 2M2

Attention: Brent Larmer, Municipal Clerk  
[blarmer@cobourg.ca](mailto:blarmer@cobourg.ca)