



THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE

SITE PLAN APPROVAL APPLICATION
(under Section 41 of the Planning Act)

For Township Use Only				
Township File Number :	Date of Receipt:	Payment of Required Fees:	Completion Initial Evaluation:	Date Circulated (if application deemed complete):

PLEASE TYPE OR USE BLACK INK FOR REPRODUCTION PURPOSES. WHERE ADDITIONAL SPACE IS REQUIRED PLEASE ADD PAGES AT THE BACK OF THE APPLICATION IDENTIFIED BY THE SECTION NUMBER.

PART A: GENERAL REQUIRED INFORMATION

1. Specify (x) the type of application being submitted:

Minor site plan application
(single building commercial or industrial proposal on a single lot exclusive of a plaza, department store or supermarket proposal)

Major site plan application
 Site Plan Amendment

2. Date of Application Submission: June 13, 2019

3. Name of Owner: Miller Paving Limited
Address: 505 Miller Ave., Markham, ON
Postal Code: L6G 1B2

Tel No.: 905-475-6660
Fax No.: 905-475-3852
Email: George.antonik@millergroup.ca

4. Name of Applicant: Miller Paving Limited
Address: P.O. Box 4080, Markham, ON
Postal Code: L3R 9R8

Tel No.: _____
Fax No.: _____
Email: george.antonik@millergroup.ca

5. **Name of Authorized Agent (if any):** Skelton Brumwell & Associates Inc.
Address: 93 Bell Farm Road, Suite 107, Barrie, ON Tel No.: 705-726-1141
Postal Code: L4M 5G1 Fax No.: _____
Email: aguiot@skeltonbrumwell.ca

6. **Please specify (x) to whom all communication should be sent:**
Owner Applicant Agent

7. **Names and Addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject property (if known):**

	Name	Address
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____

8. **Description of land for which application is being made.**

(a) **Legal description (Lot, Concession, Registered Plan and/or Reference Plan):**
Part Lot 18, Concession 7

(b) **Municipal Address (Street and Number):**
4419 Concession Road 7

(c) **Roll Number** _____

(d) **Frontage** 507.9m m **Depth** 726.7 m **Area** 36.9 ha

(d) **Are there any easements, rights-of-way or restrictive covenants affecting the subject lands?**
Yes No

If yes, describe the purpose/effect and identify the name and address of the persons or corporations who benefit from the easement, right-of-way or covenant.

Bell Easement

9. Planning Status

(a) What is the existing Official Plan designation for the subject site?

Oak Ridges Moraine Areas - Region of Durham OP

Does the proposed development comply with the current Official Plan requirements and uses for the subject site?

Yes No

If no, has an application for Official Plan amendment been applied for?

File #: _____ status of application: _____

(b) What is the existing zoning for the subject site?

M3-1 and M5-1 and M3

Does the proposed development comply with the current zoning regulations requirements and uses for the subject site?

Yes No

If no, has an application for zoning by-law amendment been applied for?

File #: _____ status of application: _____

10. Existing land use:

(a) What are the existing use(s) of the subject land?

Licensed Aggregate Pit including asphalt plant

(b) Are there any existing buildings or structures on the subject lands?

Yes No

If yes:

Type of Building / Structure	Date Constructed	Setbacks (metric)			Height (metric)	Dimensions or Floor Area (metric)
		Front Lot Line	Rear Lot Line	Side Lot Line		
asphalt plant	unknown	325m	1580m	155m	4.8m	80
dwelling (3)	unknown	10m	1895m	95m	2.4m	98
ancillary buildings (4)	unknown	325m	1575m	145m	6m	270

(c) What is planned for the existing buildings and structures? Please describe:

no change

11. Proposed Changes

(a) The uses proposed for the subject lands

Storage building and fill importation

(b) Is the proposal an addition or modification to the existing buildings and structures on the site?

Yes No

If yes, please describe, including relevant statistics (e.g. building addition area)

(c) Are there any new buildings or structures proposed to be built on the subject lands?

Yes No

If yes:

	Proposed	Office Use Only Zone Requirements
Building Area (Ground Floor Area)	3716m ²	
Gross Floor Area (Total All Floors)	3716m ²	
Number of Standard Parking Spaces (Minimum)	106	
Number of Handicapped Parking Spaces (Minimum)	4	
Number of Loading Bays	20	
Parking Area Coverage (including lanes and drives)		
Building Height (Maximum)	9.2	
Number of Storeys (Maximum)	1	
Number of Residential Units (Maximum)	0	
Landscaped/Open Space Area (Minimum)	10.5ha	
Open/Outdoor Storage Area (Maximum)	14.8ha	

Lot Coverage Ratio (ground floor area divided by lot area)		
Floor Area Ratio (gross floor area divided by lot area)		
Front Yard Setback (Minimum)	158m	
Side Yard Setback (Minimum)	279m	
Rear Yard Setback (Minimum)	1680m	

(d) If the proposed development includes residential uses, please complete the following:

Housing Type Owner Occupied Residential Care Facility
 Rental Condominium

For a Condominium: Have you filed an application for Condominium Approval?

Yes No

Type and Number of Units: Townhouse Apartments

Bachelor 1 Bedroom 2 Bedroom

3 Bedroom Other (describe) _____

Is all or part of the building geared to seniors? Yes No

If yes, please describe (e.g. number of units by type, or floors etc.)?

12. Previous Applications

(a) If known, whether the subject land has ever been the subject of an application under the Planning Act for approval of a plan of subdivision or for a consent:

Yes No

If yes, File #: _____ status of application: _____

(b) If known, whether the subject land has ever been the subject of an application under Section 34 of the Planning Act for a zoning by-law amendment:

Yes No

If yes, File #: By-Law 99-030 status of application: Adopted

(c) Have there been any previous Site Plan or Development Agreements registered against these lands?

Yes No

If yes, File #: _____ Year _____

Other particulars

13. Proposed Servicing

Complete the following in full, including whether all identified technical information requirements are attached. Before undertaking any action consult with appropriate authorities to determine details.

(a) Water Supply

Service Type	Development Proposed	Yes/No	Studies Required Now	Attached
Municipal piped water system	Any development on municipal services	no	Confirmation of service capacity will be required during processing	
Municipal/Private communal water system	More than 5 lots/units and non residential where water used for human consumption	no	Servicing options statement and hydrogeological report	
	5 or less lots/units and non residential where water used for human consumption	no	Hydrogeological sensitivity certification	
Individual private wells	More than 5 lots/units and non residential where water used for human consumption	no	Servicing options statement and hydrogeological report	
	5 or less lots/units and non residential where water used for human consumption	no	Hydrogeological sensitivity certification	
Other	To be described by applicant		To be determined	

(b) **Sewage Disposal**

Service Type	Development Proposed	Yes/No	Studies Required Now	Attached
Municipal piped sewage system	Any development on municipal service	no	Confirmation of service capacity will be required during processing	
Municipal/Private communal sewage system	More than 5 lots/units or more than 4500 litres per day effluent	no	Servicing options statement and hydrogeological report	
	5 or less lots/units or less than 4500 litres per day effluent	no	Hydrogeological sensitivity certification	
Individual private septic systems	More than 5 lots/units or more than 4500 litres per day effluent	no	Servicing options statement and hydrogeological report	
	5 or less lots/units or less than 4500 litres per day effluent	no	Hydrogeological sensitivity certification	
Other	To be described by applicant		To be determined	

(c) **Storm Drainage**

Service Type	Development Proposed	Yes/No	Studies Required Now	Attached
Piped Sewers	Any development or piped service	no	Preliminary stormwater management plan. Stormwater management study may be required during application processing.	
Ditches	Any development or non-piped service	no		Yes
Swales	Any development or non-piped service	no		
Other				

14. **Property Access**

Is access provided by: Provincial Highway Municipal Road
 Regional Road Private Road Water

If access to the subject land is by water only, describe the parking and docking facilities used or to be used and the approximate distance of these facilities from the subject land and the nearest public road:

15. **Provincial Policy**

(a) Is the requested approval(s) consistent with policy statements issued under subsection 3(1) of the Planning Act? (explain)

Please refer to accompanying planning letter for the answers to Questions 15a)b)c)

- (b) Are the subject lands within an area of land designated under any provincial plan or plans? (explain)

- (c) If **yes** to (b), does the application conform to or not conflict with the applicable provincial plan or plans? (explain)

PART B: PLANS AND MATERIALS REQUIRED TO SATISFY SECTION 41(4)(1) and (2) OF THE PLANNING ACT

Pursuant to Section 41(4) of the Planning Act, the Site Plan Approval Application must include the following detailed, scalable plans (in metric units) and related materials showing the listed information (in some cases it may be appropriate to combine with a survey plan or some of the information from the survey plan). Wherever possible, a digital file as well as a paper copy of the plan is required.:

1. Survey

Two (2) copies of a plan of survey prepared by an Ontario Land Surveyor (OLS) showing:


- (a) property boundaries, dimensions and bearings;
- (b) topographical contours and existing grading;
- (c) the location, size and type of all existing buildings, structures, facilities and works on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
- (c) the location of all natural and artificial features (*for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks, utility poles, storm and sanitary sewers, watermains and hydrants, driveways, curbs and sidewalks*) that,
 - i) are located on the subject land; and,
 - ii) on land that is adjacent to it where, in the applicant's opinion, they may affect the application;
- (d) the current uses of land that is adjacent to the subject land;
- (e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
- (f) if access to the subject land will be by water only, the location of the parking and docking facilities to be used; and,
- (g) the location and nature of any easement affecting the subject land.

2. Site and Related Plans

Ten (10) copies of the Site Plan and related plans, one (1) reduced copy measuring 8 ½" by 11", and one electronic PDF copy on a memory stick, based on the Plan of Survey, showing the required information and any other pertinent data:

2.1 Site Plan Requirements

- (a) key plan showing the relationship of the proposal to the surrounding area including the surrounding buildings, roads and natural features;
- (b) property boundaries and dimensions;
- (c) the location, size and type of all proposed and existing retained buildings, structures, facilities and works on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines and the relationship of the proposed buildings to adjacent buildings, streets, and exterior areas to which members of the public have access;
- (d) site statistics including building coverage and percentage of landscape area;
- (e) location, type and height of all exterior lighting;
- (f) location and dimensions of loading spaces and fire access routes;
- (g) location and dimensions of garbage storage/collection facilities;
- (h) on-site servicing facilities including:
 - i) above ground utilities;
 - ii) stormwater catchbasins and other required stormwater management controls and facilities;
 - iii) servicing easements;
 - iv) fire hydrants;
 - v) final grading plan (showing relationship to abutting properties); and,
 - vi) an estimate of the cost for construction of all services on/off site resulting from the development;
- (i) location, type and height of all fencing and screening;
- (j) layout of parking areas, including:
 - i) parking stall size;
 - ii) aisle width;
 - iii) curbing materials;
 - iv) handicapped parking stalls;
 - v) road access points (dimensioned); and,
 - vi) curb radii.
- (k) location, size and materials for all signs;
- (l) location and materials for all existing or proposed walkways;
- (m) existing and proposed retaining walls (with top and bottom of wall elevations);
- (n) location of all exterior recreation facilities, where provided;
- (o) road widening and intersection requirements;

- (o) sustainable design elements, where required, on any adjoining highway under the Township's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities and,
- (p) facilities designed to have regard for accessibility for persons with disabilities 

2.2 Landscape Plan Requirements

- (a) location of existing natural features and other vegetation which are to be retained or removed;
- (b) location and type of protection measures for natural features and vegetation to be retained;
- (c) location of all proposed plant material, planting beds and sodded areas;
- (d) plant list showing index, type, size (height and calliper at time of planting) and quantity;
- (e) location, height and material of all fences, screen walls and retaining walls;
- (f) proposed grades, finished first floor elevations and elevations to the base of trees to be retained; and.
- (g) sustainable design elements, where required, on any adjoining highway under the Township's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities.

2.3 Elevations

Five (5) copies of elevation drawings and one (1) reduced copy measuring 8 ½" by 11", showing elevation and cross-section views for all sides of each building to be erected, except a building to be used for residential purposes containing less than twenty-five dwelling units, which drawings are sufficient to display,

- (a) the massing and conceptual design of the proposed building(s);
- (b) matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design;
- (c) proposed building materials;
- (d) roof top mechanical equipment and related screening;
- (e) all exterior building lighting;
- (f) all entry points to the building(s) including handicapped access;

Further information and/or plans may be required after the application has been given a preliminary review by the Township staff and consultants.

PART C: AFFIDAVITS REQUIRED AS PART OF THE REQUIRED INFORMATION

1. CERTIFICATE - (to be signed by Owner, if Agent has been appointed)

As of the date of this application, I am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the application is correct insofar as I have knowledge of these facts, and I concur with the submission of this application by Charles F. Burgess of Skelton Brumwell & Associates who I have appointed as my Agent.

Date: June 11 / 2019

Signed: 
Signature of Owner

2. AFFIDAVIT

I, _____ of the _____ in the Region of _____ solemnly declare that all the above statements contained herein and in all exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the "The Canada Evidence Act".

DECLARED BEFORE ME AT _____

In the _____ this _____ day of _____, 20 _____

Registered Owner(s) or Agent

A Commissioner, etc.

**NOTICE OF COLLECTION
MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT**

Personal information collected on this form is collected under the authority of the *Planning Act* as amended, and will be used to assist in making a decision on this matter. All names, addresses, opinions and comments will be made available for public disclosure. Questions regarding this collection should be forwarded to The Manager, Development Services, Township of Uxbridge, 51 Toronto Street South, P.O. Box 190, Uxbridge, Ontario L9P 1T1, telephone 905-852-9181.

PART D: BACKGROUND INFORMATION

In accordance with Township Official Plan, a number of materials, plans and studies may be required to be submitted to constitute a complete application, depending on the nature of the application. Some of these requirements may have already been met, if this application is being submitted in conjunction with or follows another application under the Planning Act. These requirements are set out in Parts E of this application. The precise requirements for each application will be determined at the Pre-consultation meeting, however, to assist the Township in determining the exact information requirements the applicant is requested to provide the following information.

1. Does the site or adjacent lands include any significant trees or other natural features?

Yes. Significant woodland located to the west of the site

2. Is the site adjacent to any significant source of noise or vibration (e.g. railway, major road, major industrial use)?

Yes. Existing Licenced Aggregate Pit to the north and east

3. Does the site include a building or structure designated under the Ontario Heritage Act?

No.

4. Are there any indications that the subject lands include any archaeological features?

No.

5. Potentially Contaminated Land

5.1 Has there been an industrial or commercial use of the site?

Yes No Last Year of Use existing

5.2 Has there been filling on the site or subject land?

Yes No Last Year of Use current

5.3 Is there reason to believe that the site may have been contaminated by former uses on the site or adjacent sites? (i.e. gas stations, petroleum or other fuel stored on site or adjacent site)?

Yes No Last Year of Use _____

If **YES**, then an environmental investigation including all former uses of the site, and if appropriate the adjacent site is required. The study must be prepared by a qualified consultant.

Report attached? Yes

If **NO**, on what basis was this determined?

Phase 1 ESA Completed

PART E: POTENTIAL ADDITIONAL REQUIRED BACKGROUND INFORMATION

The following materials, plans and studies identified in the Township Official Plan may be required to be submitted by the Township. A determination will be made at the Pre-Consultation meeting. Where materials, plans and/or studies are required, an application will only be considered complete upon their submission.

The following information and studies prepared at the applicant's expense, and carried out by a qualified professional as determined by the Township, and, at the Township's discretion, unless required by this Plan, retained by the Township, shall generally be submitted as a basis for evaluation of development applications in the Uxbridge Urban and Coppins Corners Secondary Plan areas:

i) **Background Information**

A plan of survey of the subject site identifying all existing significant trees, other significant landscape features, existing buildings and structures and contours.

ii) **Plans**

Plans, including, where applicable, site grading and landscaping plans, elevations, and other documentation: demonstrating how the development will be integrated with the Natural Heritage System established in Section 2.3 of this Plan.

iii) **Natural Heritage System**

Where the site includes or directly abuts lands designated on Schedule "B" to the Uxbridge Urban Area as part of the Natural Heritage System, proposals shall be evaluated in accordance with the information submission requirements of Section 2.3 of the Plan.

iv) **Tree Analysis**

Where new development is to occur on a piece of land which the Township identifies as having trees which may warrant preservation or replacement, a tree preservation and planting plan shall be developed either at the time of application or as a condition of approval at the direction of the Township.

Such a plan shall:

- (a) address the nature and condition of the tree resources potentially affected by the development;
- (b) provide recommendations for tree retention and removal based on the quality of the trees, species tolerance, proposed development impacts and opportunities for mitigation, as well as a program for replanting and vegetation enhancements for new development which impacts on tree stand; and,

- (c) address the impact of the development on any abutting lands in the Environmental Constraint Area and Forest Area designations, and the woodlot management and edge/interior protection measures required to protect such areas during and after the initiation of construction.

Based on this analysis, controls will be placed on the trees to be removed, the amount and type of new landscaping to be provided on the site and related management and construction procedures through the Subdivision, Condominium or Site Plan Control Agreements.

- v) Noise Impact Study

A noise impact study shall be carried out where residential uses or other sensitive uses, as defined by Ministry of the Environment guidelines, are proposed and the site is adjacent to a major noise source such as an arterial road, railway or industrial use.

Further, the requirements of the Ministry of the Environment guidelines, "Noise Assessment Criteria in Land Use Planning, October, 1995" or any successor thereto, with respect to the need for noise impact studies shall apply to new commercial, industrial or institutional development which is a potential major noise source, such as, but not limited to, uses which have associated with them on-going construction activity, outdoor heat rejection systems (including cooling towers) and outdoor exhaust fans, or other stationary noise sources such as railway yards, major truck stops, major hydro transformers, or natural gas compressors. Where required by the guidelines, a noise impact study shall be carried out to the satisfaction of the Township.

- vi) Vibration Study

A vibration study shall be required at the request of the Region, the Township or the applicable railway where the site is within 75 metres (246 feet) of a railway right-of-way or an arterial road. Such a study shall be carried out to the satisfaction of the Township, in consultation with the appropriate government agency or railway.

Further, where new industrial development, which is a potential major source of vibration, such as metal forming industries including punch presses or drop forges, is proposed within 75 metres (246 feet) of existing residential development, a vibration study shall be carried out to the satisfaction of the Township.

- vii) Heritage Impact Statement

Where the site includes a building of architectural and/or historical merit designated under the Heritage Act or is located in a designated Heritage District, a heritage impact statement, prepared by recognized professional(s) in the field, shall be required to be submitted to the Township. Such a study shall demonstrate to the satisfaction of the Township that:

- (a) the proposal will not adversely impact the heritage significance of the property or the area in which it is located; or,
- (b) demonstrate that it is not physically feasible to maintain the heritage building or structure.

viii) **Archaeological Resource Assessment**

Where there may be archaeological remains of prehistoric and historic habitation, or areas containing archaeological potential within a site, an archaeological assessment conducted by archaeologists licensed under the Ontario heritage Act shall be required. In addition, the provisions of the Cemeteries Act and its regulations shall be applied when marked and unmarked cemeteries or burial places are encountered during development, assessment or any activity.

ix) **Land Use Compatibility**

Where applicable, information or necessary studies shall be provided to assist in the establishment of a separation distance, having regard for the Ministry of the Environment guidelines "Compatibility Between Industrial Facilities and Sensitive Uses", between proposed development and potentially incompatible uses.

x) **Stormwater Management**

Where applicable, in accordance with Ministry of the Environment guidelines, a Master Drainage Plan shall be prepared, or the Township shall require a stormwater study.

xi) **Soil Quality**

The applicant must demonstrate that on-site soil quality is suitable for the proposed use. Where site remediation is required the Township shall be satisfied with respect to the implementation of remediation prior to development approval. Specifically, where the Township, other public body, or the applicant has identified potential site contamination, the Township shall require the applicant to complete a Phase 1 assessment, in accordance with the Ministry of the Environment's Guidelines for Use at Contaminated Sites in Ontario. The Phase 1 assessment will be reviewed by the Township to ensure there is no contamination prior to the granting of any development approvals. If there is evidence of contamination, the applicant will be required to submit a Phase 2 assessment in accordance with the Ministry of the Environment's Guidelines. If the site is found to be contaminated, the Township shall require the applicant to submit a Ministry of the Environment acknowledged Record of Site Condition to the Township to verify site clean-up prior to the granting of a building permit.

xii) **Traffic Impact Analysis**

Where the Township has identified concerns with traffic impacts, a traffic impact analysis carried out by a qualified transportation engineer shall be required.

xiii) **Air Quality**

Where the Township identifies concerns with impacts on air quality, appropriate studies by qualified professional(s) shall be required.

In addition, the following studies may be required to be submitted in the Uxbridge Urban Area as set out in Section 2 of the Official Plan:

Functional Servicing Study	Section 2.2.3.2
Market Impact	Section 2.5.17.3.1 i)
Corridor Commercial Area Development	Section 2.5.17.3.6
Employment Area Development	Section 2.3.19.5.2 (up to end of first ii)
Recreational Mixed Use Development	Section 2.5.24.3.1 ii)
Brock St. Mixed Use Area	Section 2.5.26.4.1 iii), iv), v) & Section 2.5.26.4.2

Coppins Corners Secondary Plan

In addition to other requirements of the Secondary Plan, Section 5.2 Servicing Strategy includes detailed submission requirements as does Section 5.7.3 xiv) and urban design guidelines are required in accordance with Section 5.7.3 xv).

PLANNING FEES AGREEMENT

THIS AGREEMENT made this 13 day of June, 2019.

B E T W E E N:

THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE

(the "Township")

OF THE FIRST PART

- and -

Miller Paving Limited

(the "Applicant")

OF THE SECOND PART

WHEREAS the Applicant has applied to the Township for Site Plan Approval (the "Application") pertaining to certain lands more particularly described in Schedule "A" hereto (the "Lands");

AND WHEREAS the Applicant is the owner of the Lands.

AND WHEREAS all the costs, charges, fees and disbursements incurred by the Township in relation to the Application will be charged as a fee to the Applicant pursuant to Township By-law No. 2016-149, as will be amended from time to time (the "Fees By-law");

AND WHEREAS the Township requires the Applicant to enter into an agreement with the Township pursuant to the Fees By-law, which Agreement will provide that the Applicant reimburse the Township for all of its costs, charges, fees, and disbursements in connection with the processing of the Application including, but not limited to, its legal, engineering, planning, consulting and other costs, whether by staff, retained consultant or otherwise, incurred by the Township in connection with the Application, and any other proceedings involving the Application before the Courts or any tribunal ("Township Costs");

AND WHEREAS the Applicant represents and warrants that it has all the necessary authorizations and permissions to enter into this Agreement and that may be required for any purpose in connection with this Agreement and the Application, and the Applicant acknowledges and agrees that the Township relies on this representation and warranty in entering into this Agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto hereby covenant and agree as follows:

1. **Commencement of Proceeding:** Thirty (30) days prior to the commencement of any court, Ontario Municipal Board or other tribunal proceeding in connection with the Application, the Applicant and the Owners shall pay a Security Deposit above which shall be determined based on the expected duration of the hearing and complexity of the file and shall keep this security posted with the Township until all Township accounts have been paid in full following completion of the proceeding and until any and all Court, or tribunal hearings, pre-hearings, conferences or proceedings in connection with the Application are finally disposed of and a final decision has been rendered, or are fully and completely withdrawn, and all appeal periods with respect to same have expired.

2. **Township Accounts:** The Township will render monthly invoices to the Applicant for Township Costs incurred. Such accounts shall be due and payable within thirty (30) days after same are rendered by the Township and failure to pay such accounts within thirty (30) days from the date thereof shall result in interest being added thereto at the rate of 1¼ percent (1.25%) per month (fifteen percent per annum), until such time as payment in full is received by the Township. Nothing in this Agreement shall be interpreted to remove the right of the Applicant or the Owners to dispute an account rendered by the Township in connection with the Township Costs. Failure to pay Township accounts may result in such amounts being added to the tax roll pursuant to the Municipal Act. Notwithstanding the above, the Treasurer of the Township of Uxbridge reserves the right to add accounts outstanding to the tax roll, if in their opinion it is warranted, at any-time and without notice.
3. **Obligation to Pay Township Costs:** Notwithstanding the posting of deposits pursuant to this Agreement, the obligation of the Applicant and the Owners to pay Township Costs to the Township pursuant to the Fees By-law and this Agreement shall continue in full force and effect. For the purposes of this section only, "fulfilled all its obligations" shall mean that all Township Costs required to be paid pursuant to this Agreement and the Fees By-law have been paid in full to the satisfaction of the Township, and that no further costs, charges, fees, disbursements and/or Township Costs for which this Agreement or the Fees By-law may apply are expected to be incurred by the Township in connection with the Application.
4. **Termination of Agreement:** The Applicant's and the Owners' obligations under this Agreement, including the Applicant's obligations with respect to Township Costs, shall continue until such time as an appeal, if any, including an appeal to the Ontario Municipal Board, is filed with respect to any planning approvals related to the Application, following which, the Applicant's obligations under this Agreement, including the Applicant's obligations with respect to Township Costs, shall continue only in the event that the Township supports the position of the Applicant at such appeal or appeals. In the event that the Township opposes the position of the Applicant at such appeal or appeals, the Applicant's obligations under this Agreement, including the Applicant's obligations with respect to Township Costs, shall cease and this Agreement shall be terminated, except that the Applicant shall make all payments owing as of the date of said termination until such time as all amounts owing have been paid to the Township in full to the satisfaction of the Township following which, any security posted by the Applicant under this Agreement shall be returned to the Applicant.
5. **Agreement Default:** The Applicant acknowledges and agrees that if, in the opinion of the Township, at any time, the Applicant is in default of this Agreement, all Township staff and consultants shall immediately cease processing the Application including attendance at any Court or tribunal hearing, prehearings, conferences or proceedings in connection with the Application. No future development agreements related to the Application will be executed by the Township unless all accounts and this Agreement are in good standing.
6. **Successors and Assigns:** This Agreement shall enure to the benefit of, and be binding upon, the respective heirs, executors, successors and assigns of each of the parties hereto. For greater certainty, and without limiting the generality of the foregoing, it is acknowledged, understood and agreed that upon a change of ownership of the Lands, or any part thereof, the new registered owner thereof, from the date of registration, shall become bound by the provisions of this Agreement.

7. **Parties to Act Reasonably:** Notwithstanding anything else in this Agreement, wherever in this Agreement any decision action or fee is to be made, taken or charged by or on behalf of any party hereto, this Agreement requires that the parties and their respective agents, servants, consultants or contractors shall act reasonably, expeditiously and in good faith in respect thereof.
8. **Notice of Change in Ownership:** In the event of a change in ownership of the Lands or any portion thereof, the Applicant shall immediately advise the Township of the name and address of the new owner.
9. **Fees Collected as Taxes:** The Applicant agrees that, in addition to any means process or recourse available to the Township, including any means process or recourse provided by this Agreement and/or the Fees By-law, the Township's Costs may be collected in a like manner as taxes.
10. **Township Lien:** The Applicant and the Owners acknowledge and agree to, in addition to any means, process or recourse available to the Township, including any means process or recourse provided by this Agreement and/or the Fees By-law, hereby grant the Township a lien on the Lands in the amount of the outstanding Township Costs, from time to time, plus any other amount or amounts otherwise payable and owing under the Fees By-law. For greater certainty, the Applicant and the Owners acknowledge and agree that:
 - a. The lien will attach to the Lands; and
 - b. The effect of such a lien is that the Township may compel payment of and/or recover Township Costs, from time to time, plus any other amount or amounts otherwise payable and owing under the Fees By-law, as a lien against the Lands.
11. **Agreement Registration:** The Applicant and the Owners agree that this Agreement may be registered on title to the Lands.

IN WITNESS WHEREOF the parties have affixed their corporate seals, duly attested by the hands of their proper signing officers in that respect.

SIGNED, SEALED AND DELIVERED in the presence of
Authorized to be executed by By-law No. _____, passed on the ___ day of _____, 20__.

) THE CORPORATION OF THE
) TOWNSHIP OF UXBRIDGE
)
) Per: _____
) Name: Pat Molloy, Mayor
)
) Per: _____
) Name: Debbie Leroux, Clerk
)
)
) xxxxxx
)
) Per: _____
) Name: *FRANCOIS VAUGHAN*
) Title: *PRASIDENT*
)
) Per: _____
) Name:
) Title:
) I/We have authority to bind the Corporation.
)
)

SCHEDULE "A"

Legal Description of the Lands Subject to the Application

ALL AND SINGULAR that certain parcel or tract of land situate, lying and being in the Township of Uxbridge, Region of Durham and being composed of:

APPENDIX C

**FEE SCHEDULE FOR SITE PLAN APPROVAL APPLICATION
(made payable to the Township of Uxbridge except where noted)**

(a)	Minor Site Plan arising from minor variance approval	\$700.00 plus all external costs
(b)	Single building commercial or industrial A single lot exclusive of a plaza, department Supermarket proposal	\$3,500.00 plus all external costs
(c)	Major site plan, not classified above	\$7,040.00 plus all external costs
(d)	Site plan amendment	\$700.00 plus all external costs
(e)	Conservation Authority	In accordance with their fee schedule
(f)	Durham Region Health Department Review. (required only for a lot with existing or proposed Private services)	In accordance with their fee schedule
(g)	Fire Department Review	\$250.00

**Regional Municipality of Durham
Works Department**

SITE DEVELOPMENT

Basic Requirements for Site Servicing Plans

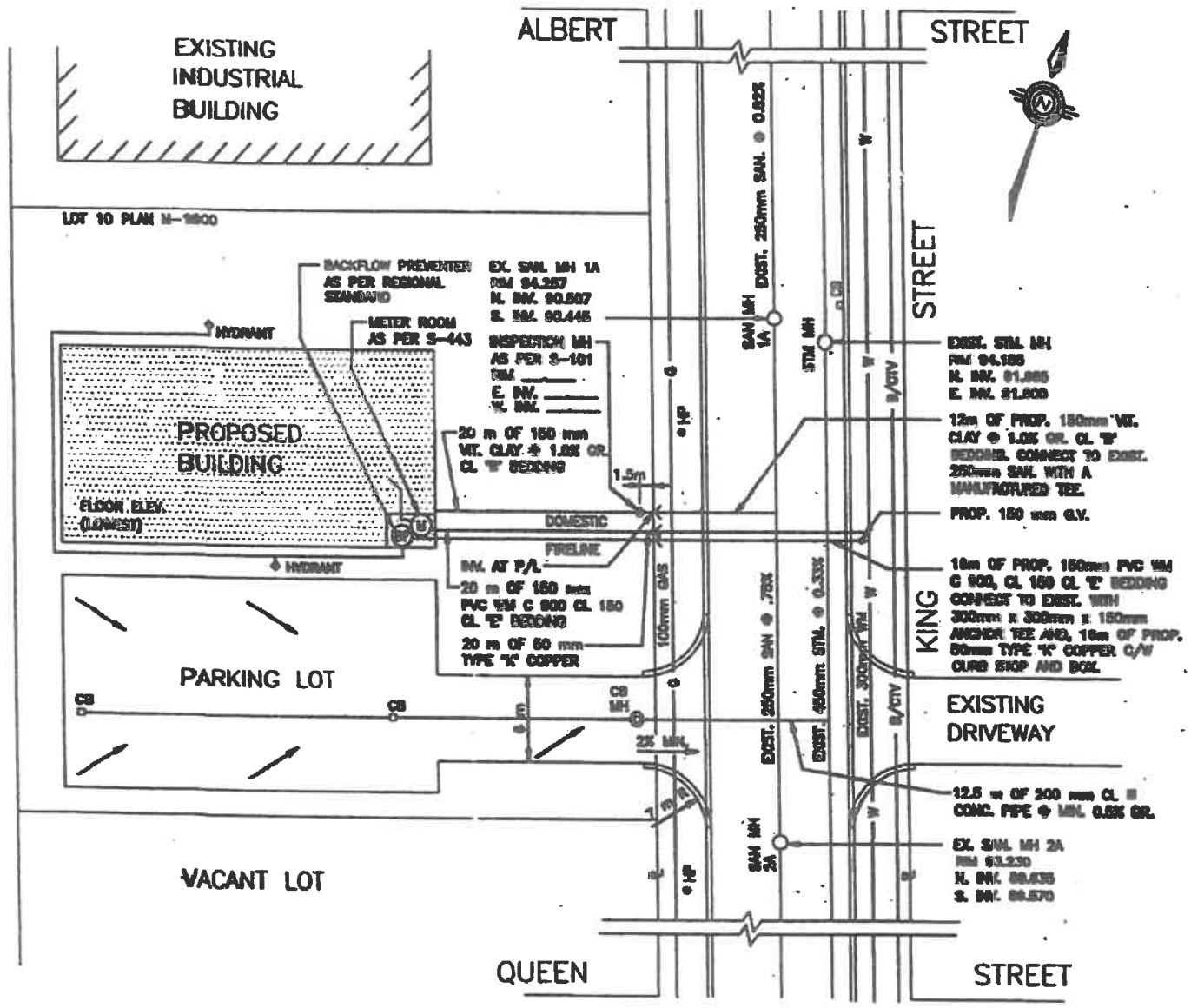
The following outline is intended to assist the applicant in preparing site servicing plans for service connection and entrance permits for all developments other than single family or semi detached dwellings. If further information is required please contact the Region of Durham Works Department (905-668-7711).

General

- The applicant must submit six (6) prints of the detailed site servicing plan to the Region of Durham Works Department for approval prior to the issuance of service connection and entrance permits.
- The applicant must submit a detailed cost estimate covering all Regional services (including road works if the site fronts a Regional Road) within the right-of-way and/or easement, based on the approved site servicing plan.
- **For estimated cost of works less than \$100,000, the developer has the option of having the Region of Durham construct the works through the quotation contract process or entering into a Servicing Agreement. If the developer chooses to proceed through the quotation process the developer must provide a cheque covering the estimated cost of works including administration and contingencies to the Region of Durham Works Department prior to the project being tendered. If the deposit is less than the accepted bid plus Region of Durham administration and engineering fees after tendering, the Region of Durham reserves the right to request the additional funds from the applicant prior to awarding the contract. Once the final accounting has been completed for the project and if the actual cost of the work differs from the estimate the applicant will be either invoiced or reimbursed in accordance with Region of Durham policy.**
- If the estimated cost of Regional Services is greater than \$100,000 the applicant must enter into a servicing agreement with the Region of Durham to construct the works.
- The applicant must complete the applicable Development Charge Form for the site and must pay all applicable development charges prior to the issuance of a building permit (development charge forms are available and applicable development charges must be paid at the local authority office).

Drawing Requirements

- See Appendices for sample Site Servicing Plan.
- Geodetic datum (benchmarks), north arrow and key plan.
- Drawing size shall be A1 (594 mm x 841 mm)
- Property lines, lot and plan numbers, street lines, names and municipal address.
- Title block including drawing scale, date, drawing number and the applicant's name, address and phone number.
- On site and surrounding land uses (water course, culverts, railways, pipelines, easements, other).
- Location of all existing utilities such as hydro, gas, bell, other.
- Location, type and size of all existing municipal services.
- Location, size, length, grade, material and bedding of all proposed services (service connection profile must be provided).
- Invert elevations, rim elevations and lowest floor elevation.
- Meter room location.
- Flange elevations shall be specified on the contract drawings.
- Location of existing and proposed entrances.
- Location, length and size of culverts.
- Entranceway geometrics.
- Backflow preventers size, type and location



KEY PLAN

- ASPHALT ENTRANCE**
- 50 mm HL B
 - 40 mm HL J
 - 230 mm GRAN. B
 - 150 mm GRAN. A
- CONCRETE CURB ON ROAD TO BE O.P.S.D. 600.06**

BENCHMARK (OF GEODETIC ORIGIN)
WATER FLOW RATES (I.G.P.M.)

DEVELOPER
ADDRESS
PHONE

SAMPLE ONLY

SCALE : METRIC

BY-LAW NUMBER 2000-071

**TO REQUIRE A PARK DEDICATION AS A
CONDITION OF DEVELOPMENT OR
REDEVELOPMENT OF LAND.**

The Council of The Corporation of the Township of Uxbridge HEREBY ENACTS as follows:

1. In this by-law,
 - a. "Development or Redevelopment" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof; and
 - b. "Dwelling Unit" means any property that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals.
 - c. "Township" means The Corporation of the Township of Uxbridge.
2. This by-law applies to all land located within the geographic boundaries of the Township of Uxbridge.
3. As a condition of Development or Redevelopment of land for residential purposes, the owner of such land shall convey or cause to be conveyed to the Township, free and clear of all liens and encumbrances, land for park or other public recreation purposes in the amount of five percent (5%) of the land proposed for such Development. Notwithstanding the above, no land or payment in lieu thereof, as hereinafter set out, shall be required in any application for Development or Redevelopment on land for residential purposes which does not result in an increase in the number of residential Dwelling Units erected on the land beyond the number of such unit or units lawfully in existence up to six (6) months prior to such Development or Redevelopment.
4. As a condition of Development or Redevelopment of land for any purpose other than residential purposes, the owner of such land shall convey or cause to be conveyed to the Township, free and clear of all liens and encumbrances, land for park or other public recreation purposes in the amount of two percent (2%) of the land proposed for such Development.
5. The location and configuration of land required to be conveyed pursuant to Sections 3 and 4 shall be determined by the Township.
6. Notwithstanding Sections 3 and 4, unless the Township requires the conveyance of land by

✓

resolution of Township Council, the payment of money in the form of cash-in-lieu of parkland, to the value of the land otherwise required to be conveyed by this by-law shall be required. The value of the land shall be determined as of the day before the issuance of the building permit, or where more than one building permit is required, as of the day before the issuance of the first building permit.

7. Any payment of money or conveyance of land required to be made to the Township pursuant to the provisions of this by-law shall be made prior to the issuance of a building permit in respect of the Development or Redevelopment or, where more than one building permit is required for the Development or Redevelopment, prior to the issuance of the first permit.
8. Where a conveyance of land or a payment in lieu of land has been made to the Township for park or other public recreation purposes pursuant to a condition imposed under Sections 42, 51.1 or 53 of the Planning Act, R.S.O. 1990, c. P.13, no additional conveyance or payment in respect to the land subject to the earlier conveyance or payment shall be required in respect of the subsequent Development or Redevelopment unless:
 - a. there is a change in the proposed Development or Redevelopment which would increase the density of development; or
 - b. land originally proposed for Development or Redevelopment for commercial or industrial purposes is now proposed for Development or Redevelopment for residential purposes.
9. If there is a change under subsection 8(a) or (b), the land that has been conveyed or is required to be conveyed or the payment of money that has been received or that is owing, as the case may be, shall be included in determining the amount of land or payment of money in lieu of it that may subsequently be required under this section on the Development, further Development or Redevelopment of the lands or part of them in respect of which the original conveyance or payment was made.
10. This by-law shall apply to mixed use Developments or Redevelopments which contain residential components. In such cases, the land to be conveyed or the payment to be made in lieu thereof shall be calculated on that portion of the mixed use Development or Redevelopment which will consist of residential uses, in accordance with Section 3 and on that portion of the mixed use Development or Redevelopment which will consist of other than residential uses in accordance with Section 4.
11. For the purposes of determining the amount of the cash-in-lieu of parkland payable pursuant to Section 6 above, the lands shall be valued by a qualified appraiser, acceptable to the Township and by the submission of a qualified appraisal, also acceptable to the Township, to be undertaken at the sole expense of the owner, except that in the case of Development or

Redevelopment which results in the creation of only one additional residential Dwelling Unit, the Chief Building Official may accept a value based on the recent sale of similar lots in the vicinity, where same exist.

12. The provisions of this by-law shall not apply in respect of any Development or Redevelopment of land where an application for a building permit for such Development or Redevelopment was accepted by the Township's Chief Building Official pursuant to the Building Code Act prior to the date that this by-law comes into effect and where the Development or Redevelopment had all planning approvals in place and in effect before the date this by-law comes into effect.
13. By-law No. 94-019, as amended from time to time, and Resolutions No. 5-96 and 98-071 are hereby repealed.
14. This by-law shall come into force and effect on the date of its enactment.

READ a FIRST, SECOND and THIRD time and finally passed this 12th day of June, 2000.

Gerri Lynn O'Connor (signed)

Mayor

**Walter E. Taylor
(signed)
Clerk**

CASH-IN-LIEU OF PARKING POLICY

RESOLUTION NO. 3-96

DATED: JANUARY 8, 1996

"THAT the Council of the Corporation of the Township of Uxbridge hereby adopts the following policy with regard to cash-in-lieu of parking spaces:

- 1. THAT where an owner or occupant of a building enters into an Agreement with the Township of Uxbridge exempting the owner or occupant from the requirement to provide and maintain parking facilities on land, pursuant to section 40 of the Planning Act, R.S.O. 1990, c.P. 13, such agreement shall set out the amount of the payment being made, and shall, at the option of Council require one of the following:**
 - a. A payment to the Township in the amount of \$2,500 as consideration for each parking space, or part thereof, exempted from the requirements of the by-law; or**
 - b. A combination of a payment of money and other facilities, matters or things, the total value of which is equal to or greater than the payments which would have been required pursuant to clause a) above.**
- 2. THAT Resolution No. 30/87 passed on the 27th day of May, 1987 be rescinded in its entirety."**

CASH-IN-LIEU OF PARKLAND POLICY

RESOLUTION NO. 2000-055

DATED: JUNE 12TH, 2000

WHEREAS Sections 51 and 53 of the Planning Act, R.S.O. 1990, c. P.13, as amended from time to time, provide that a condition may be imposed upon the approval of a plan of subdivision and upon the granting of a consent, requiring the conveyance of land to the local municipality for park or other public recreational purposes, or cash-in-lieu thereof.

NOW THEREFORE, BE IT RESOLVED that for all approvals of plans of subdivisions for other than residential purposes and for the granting of all consents pursuant to the Planning Act, R.S.O. 1990, c. P.13, as amended from time to time, within the Township of Uxbridge, it shall be the policy of The Corporation of the Township of Uxbridge that:

- 1. As a condition of the granting of a consent or approval of a plan of subdivision for non-residential purposes or passing a by-law deeming part lot control not to apply for lands other than those proposed for residential purposes, the cash-in-lieu conveyance of land or cash-in-lieu of parkland payable pursuant to By-law No. 2000-071 shall be payable:**
 - (b) in the case of all consents, prior to the stamping of the deed or the granting of the certificate for the consent and in such case, shall be valued as of the day prior to the granting of the consent; and**
 - (c) in the case of the approval of a draft plan of subdivision for nonresidential purposes and in the case of the passing of a by-law deeming part lot control not to apply for non-residential purposes, prior to the giving of final approval to the said draft plan of subdivision or prior to the passage of the said part lot control exemption by-law, as may be the case and in such case, the land or the cash-in-lieu shall be valued as of the day prior to the giving of draft plan approval or the day prior to the enactment of the said by-law;**

and not at the building permit stage. In all other respects, By-law No. 2000-071 shall apply to all such consents, draft plan of subdivision approvals and part lot control exemption by-laws.

- 2. Where an application for a consent involves the severance of a form into two 100 acre (or greater) parcels, the maximum cash-in-lieu of parkland payable pursuant to By-law No. 2000-071 or the Planning Act shall be \$10,000.00.**