

Site Plan Approval Procedures

A Guide for Applicants



The Corporation of the Town of Cobourg
Building and Planning Department
55 King Street West
Cobourg, ON
K9A 2M2

(905) 372-1005



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1.0 INTRODUCTION

The Official Plan of the Town of Cobourg provides that certain areas of the Town of Cobourg be designated as areas of Site Plan Control in accordance with the provisions of Section 41(2) of the Planning Act, R.S.O. 1990, c.P. 13. The Official Plan policies also indicate that Cobourg Municipal Council may require an owner of property within a site plan control area to enter into an agreement as a condition of approval of the plans or drawings for a proposed development or redevelopment of the land.

On October 14, 1986, Cobourg Municipal Council adopted By-law No.140-86 designating the following as areas subject to site plan control:

- i. all lands designated as Environmental Constraint and/or Special Policy areas;
- ii. all lands designated as Recreational Open Space;
- iii. all lands designated as Medium Density or High Density Residential;
- iv. all lands designated as Institutional;
- v. all lands designated within a Commercial designation and those lands designated as Main Central Area;
- vi. all lands designated as Industrial; and,
- vii. all lands to be developed for the purposes of a building or structure associated with a public use or utility.

Any proposed development or redevelopment of land in these areas is subject to the approval procedures outlined below.

This document is intended to provide the applicant with information on the Site Plan approval process in the Town of Cobourg. It is intended to provide an overview of the steps taken to submit an application and obtain a decision on a specific proposal.

Site Plan Approval process is the technical examination of a development proposal to determine compliance with relevant policies and regulations under the jurisdiction of the Town of Cobourg. Please refer to attached APPENDIX 'A' depicting the site plan process in Flow Chart format. The Site Plan Committee (SPC) is comprised of Departments within the Town of Cobourg and relevant agencies; Planning Department; Public Works Department; Public Utilities Commission; Building Department; Tax Department; Local Architectural Conservation Advisory Committee; Ganaraska Region Conservation Authority; Community Services Department; and Legislative Services Department.

A Sample Site Plan Application is attached to this document as Appendix 'B'. Copies of the application can be obtained in the Building and Planning Department.

NOTE: This is not a legal document. It is a resource document prepared to assist municipal staff and Site Plan applicants. If specific information is required, direct reference to the noted documents should be made.



2.0 THE APPLICATION

The Manager of Planning Services will receive the application and evaluate the information to determine if the information is complete. If the information is determined incomplete, the application will be returned to the applicant for completion, correction or clarification prior to processing. The rationale for this requirement is to ensure that commenting agencies have adequate information on which to base their comments and to avoid undue delay in the approval process.

It is the responsibility of the applicant to research and evaluate the proposal to ensure that the development will conform to the interests of the health, welfare and safety of the community. Sufficient studies for the proper consideration of the application should be carried out prior to making a formal application, and these should be included with the application. If further studies/calculations/reports are needed to properly review the application, the applicant will be promptly notified by the Building and Planning Department to have this work completed and submitted.

2.1 REQUIRED INFORMATION

Three (3) copies of the site plan application are required for submission to the Building and Planning Department. The application must be completed by the property owner or an authorized agent. If an agent is to represent the owner, written authorization from the property owner must accompany the application. An 'Agent Authorization Certificate' is available with the application form.

The following information **must** be included with the application (**1 copy of each**):

- a) copy of the owner's **title deed**;
- b) copy of all **encumbrances** (easement(s), mortgage(s), etc.);
- c) letter addressed to the Town from the **Owner's solicitor certifying title of the land**;
- d) copy of a **certified survey** illustrating the description of the land;
- e) typed copy of **Appendix 'A'** on legal size paper with metes and bounds description of lands;
- f) **drawing of proposed sign**;
- g) completed **Appendix 'E'** showing preliminary costs of site works. A copy of Schedule 'E' is attached to the application form;
- h) letter as required by **Appendix 'D'** outlining insurance coverage for the site.
- i) **Key Map** that is north-oriented and at a scale not smaller than 1:500 showing the development site as related to surrounding street system and existing land uses. May be included with plot plan (i.e. drawn on same sheet).
- j) completed Application Deposit Agreement. A copy of **Schedule 'F'** is attached to the application form.



2.2 APPLICATION FEES

The application must be accompanied by the submission of the prescribed fee as per the attached **Schedule of Approved Planning Application Fees** - see Appendix 'B'. The purpose of the fee is to recover part of the administrative costs associated with processing applications. An additional **\$2,000.00** deposit is required on top of the fee to cover any expenses incurred by the Municipality (ie. legal, engineering, peer review, etc.) – see Appendix 'F'.

2.3 INSURANCE POLICY - APPENDIX 'D'

A letter from the Insurance Company insuring the project must be submitted prior to execution of the agreement to indicate that the Town has been covered in the insurance policy (please refer to attached Appendix 'D').

The policy or policies of insurance shall be issued jointly in the names of the Owner and the Municipality and shall provide a minimum coverage of Five Million Dollars (\$5,000,000.00) per occurrence for bodily injury, sickness, disease, death, and damage to property including the loss thereof. The issuance of such policy or policies of insurance shall not be construed to relieve the Owner from responsibility for other or larger claims for which it may be held responsible.

3.0 APPLICATION DRAWINGS

The following plans are mandatory for submission with the application in order for the application to be considered complete:

- (I) **ONE** copy of a Certified Survey;
- (II) **TWELVE** copies each of the Site Plan, Site Servicing Plan, and Architectural Plan;
- (III) **SIX** copies of the Landscape Plan, Tree Protection Plan;
- (IV) **TWO** photo reduced copies of each plan suitable for further reproduction.
- (V) Supporting information - OBC Data Matrix, stormwater report, traffic report, etc - confirm with staff.

The applicant will be advised if additional copies of plans are required.

3.1 INFORMATION REQUIRED ON ALL PLANS:

The following information is required to be depicted in a 'Title Block' on all submitted plans:

1. State the project name (e.g. Daisy Day Care). Applicant's name and address is optional;
2. North arrow oriented to the top of page;
3. Date of preparation of plans;
4. Scale of drawings, not smaller than 1:400. A bar scale in metric should be incorporated into the title block.



5. A 'Revision Block' with area for the sequence number, date of revisions and initials of who completed the revisions.

It is requested that drawings be delivered folded in a format to fit into a legal size folder.

3.2 SITE PLAN DRAWINGS:

The following information is to be depicted on the site plan drawing for the proposed development:

A. EXISTING CONDITIONS

1. Legal Description

Lot, Block and Registered Plan Numbers of the property and those adjacent thereto in detail sufficient for registration purposes.

2. Dimensions

Length of each boundary, also showing future streets; property and division lines; area of property, in both square metres and hectares proposed or planned division of property; exact location and description of existing buildings and structures on abutting properties.

3. Rights-of-Way

All streets with both sides and centre line shown; street widenings with curblines (existing and proposed); 0.3 metre reserves; type and extent of all easements, etc., both on and adjacent to the property with their dimensions.

4. Utilities

Such as overhead power and telephone lines, all fire hydrants, watermain, storm and sanitary sewers, either on or adjacent to the property.

5. Natural Features

Such as springs, water courses, and rock outcroppings with their exact locations.

6. Trees

Tree stand delineation with a general description of tree cover. Individual trees showing trunk location, size and canopy. Information needs to be shown for immediately adjacent trees as well.

7. Grades

Over the entire property by a) contour lines at 1.5 metre intervals on steep sites - less on relatively flat sites and the contours of a reasonable portion of the adjacent properties, or b) the equivalent in spot elevations; also, the location of the crown of adjacent roads, curbs and public sidewalks - all shown in geodetic levels. c) grades of adjacent property (within 3m).

8. Scale

To be 1:250 to 1:500.



B. PROPOSED DEVELOPMENT

1. Buildings

Locating dimensions and overall dimensions; identification by type of each building and number of floors. The Building Code classification for each building should be included.

2. Parking Areas

Designated as to garages, carports or open parking; with capacity (breakdown and totals) and dimensions of access-ways and all parking spaces, truck loading bays, etc.

3. Driveways and Ramps

With dimensions, indicating grades of ramps, vehicular circulation and one-way traffic and curbs (double line). Show curve radii of curbs at all street access and driveway intersections and show driveway setback from lot line.

4. Communal Services

Including sanitary, storm, access, water, electrical services, other. The location of all fire hydrants and the sizes of all watermains should be shown on the servicing plan.

5. Other Features

With dimensions, main as well as accessory buildings; garden and retaining walls; protective railings; walks, areas for recreation, playlots, landscaped areas; service and delivery access; extent of underground garage and location of ramps, stairwells; garbage depots; fencing; etc.

6. Fire Access

All fire access routes, as required by Div. B - 3.2.5.5 and 3.2.5.6 of the 2006 Ontario Building Code (OBC) must be shown on site plan drawings.

7. Finished Ground Grades

First floor elevations of all buildings; proposed finished ground grades shown in geodetic levels - sufficient to show steepness, drainage and direction of all slopes and extent of deviation from original (natural) grades.

8. Site Statistics (in chart form)

Showing areas - the following expressed both in square metres and as a percentage of the total lot area:

- a) main building(s)
- b) accessory building(s) (if any)
- c) parking (paved)
- d) other paved areas (drives, bays, loading areas, etc.)
- e) landscaped areas (remainder)

9. O.B.C. Information (in chart form)

Show details from Building Code applicable to proposed buildings.



3.3 ARCHITECTURAL DRAWINGS

12 copies of the Architectural Drawings are required for submission. The following is required information on the drawings:

1. **Elevations**
Elevation drawings depicting all sides of all main and accessory buildings, showing all roof structures (penthouses, chimneys, vents, etc.) in full and their measurements indicated. They should be good quality, coloured presentation drawings uncluttered with dimensional or structural references, with north point indicated. The scale should not be smaller than 1:100.
2. **Exterior Materials and Colour Schedule**
The types of materials and their colours should be specified and preferably separate from the elevation drawings. A colour elevation depicting the building and materials will be required prior to staff attending council with the requested application.
3. **Floor Plans**
For all buildings, main and accessory, of entire basement, ground floor, second floor, typical upper floor and one cross section.
4. **Signs**
Drawings of all identification signs in their intended locations, facial, ground or roof, showing dimensions.

3.4 LANDSCAPE PLANS

6 copies of the Landscape Plan are required for submission. The following is required information on the drawings:

1. **Main Features of the Landscape Plan**
All buildings, parking areas and driveways, together with physical features of the site for the purpose of establishing the location and relationship of planting and related construction (ramps, underground garages, stairwells, easements, walks, sitting out areas, garden walls, etc.).
2. **Distribution of Plantings**
Location and identification of all plant materials (using symbols), outline of planting beds, existing trees to be preserved, transplanted or removed, including preservation details and fencing if required.
3. **Plant Materials List** (in explanation of the symbols used)
Specify plant material size, quantity and quality or other pertinent description common to the trade. Standardized botanical plant names preferred.
4. **Recreational Facilities**
Such as play areas, equipped play lots, tennis courts, swimming pools, etc.



5. **Other Items**

These should include any patios; earth mounds; walks, steps; benches; all paved areas; location and type of light standards; garbage collection stations; fences; free-standing screen or garden walls; retaining walls, ornamental pools; guardrails; free-standing sculpture and other exterior constructions.

NOTE: It is strongly recommended that for larger projects, particularly those in which extensive landscaping or regrading is contemplated, that a professionally qualified OLA (Ontario Landscape Architect) be engaged to design and oversee the supervision of the project.

3.5 **NET FLOOR AREA CALCULATIONS:**

Floor Area calculations are to be included in chart format either on the site plan drawing or as a separate chart to be submitted with the application form. This does not apply to Development Charges.

Multiple Housing and Commercial Projects

a) **Multiple Dwelling Statistics** (in chart form)

1. Net area of lot (in square metres and hectares) excluding public roads and road widenings to be dedicated to the Town.
2. The lot area (in square metres) per suite.
3. Number of suites: bachelor, 1 BR, 2 BR, 3 BR, etc. and a list by floor total.

b) **Commercial Project Statistics** (in chart form)

1. Net area of the lot (in square metres and hectares) excluding public land and public roads.
2. Ground floor area - measured from the outside walls of the building(s) (for land coverage purposes).
3. Gross floor space - measured from the outside walls - of all floors of building(s) designed for commercial purposes, less, area used for heating equipment, the storage or parking of vehicles, storage facilities or common areas such as washrooms, stairways, elevators, waste deposit etc.
4. Commercial floor space of all building of the project

Less:	1. Business floor	m ²
	2. Professional office area	m ²



3.6 SITE SERVICING PLAN

12 copies of the Site Servicing Plan are required for submission as per Town Engineering Standards.

4.0 SUPPORTING DOCUMENTATION

4.1 Fire Department Info

As supporting information for the site plan application, show on all drawings the required Fire Protection and Water Supply Information. This requirement is defined under Part 3 of the Ontario Building Code (OBC) for the subject development as per requirements under the Ontario Fire Marshall's (OFM) Guidelines (OFM-TG-03-1999).

4.2 Lakefront Utilities Services Inc (LUSI)

Electrical Services:

- * Service(s) size - amperage
- * Secondary voltage
- * Single phase/poly phase
- * Load Calculation

Water Services:

- * Service size
- * Sprinkler size
- * Estimate on usage

5.0 SITE PLAN SIGNS:

A sign is required to be posted on lands subject to a site plan application within **5 working days** of submission of an application for site plan review to the Town of Cobourg, Planning Department. Wording must be approved by the Planning Department of the Town of Cobourg prior to the sign being placed. A drawing depicting details must be submitted with attached application.

1. Location:

The sign must be posted in plain, visible sight, approximately in the center of the front property line of the lands subject to proposed development. The sign shall be situated 3m from the front property line and a minimum of 6 m from any side lot line.

2. Signage:

- a) The following is required information on all signs:

"An application for development of (type/units/lot details) on this site has been submitted to the Town of Cobourg. For further information, please contact (Owner's name and phone #) or the Town of Cobourg, Planning Department (905-372-1005)."



- b) The complete sign should be approximately 1 m (height) x 1.8 m (wide).
- c) The sign should be made of durable material to withstand the elements during site plan review process. Maintenance of the sign is the sole responsibility of the land owner. Failure to maintain a visible, legible sign, in the sole opinion of the Town of Cobourg, will result in the application under review being placed on hold until the sign is repaired/reconstructed.
- d) The applicant is encouraged to hold a neighbourhood meeting on the intended development of the site, at the owner's sole expense. (Meeting information should be included on the sign, where feasible).
- e) Lettering on the sign should be black and approximately 12 cm in height.
- f) The background of the sign should be white.

EXAMPLE:

AN APPLICATION FOR DEVELOPMENT OF A 3 STOREY,
15 UNIT APARTMENT BUILDING ON THIS SITE HAS
BEEN SUBMITTED TO THE TOWN OF COBOURG.
FOR FURTHER INFORMATION, PLEASE CONTACT
JACK DEVELOPER (555-1212) OR THE TOWN OF
COBOURG, PLANNING DEPARTMENT (905-372-1005).

6.0 REFERENCE DOCUMENTS

- 1) Ontario Building Code Act, S.O. 1992, c.23, as amended;
- 2) Ontario Building Code 2006 - containing the Building Code Act and Regulations, as amended;
- 3) Ontario Planning Act, R.S.O. 1990, c.P. 13;
- 4) Town of Cobourg Official Plan;
- 5) Town of Cobourg Comprehensive Zoning By-law 85-2003;
- 6) Town of Cobourg Heritage District By-law & Heritage District Guidelines;
- 7) Town of Cobourg Site Plan Control By-law;
- 8) Town of Cobourg Sign By-law;



- 9) Town of Cobourg Street Tree Planting - Design Criteria;
- 10) Town of Cobourg Tree Preservation Policy By-law 020-2006;
- 11) Ontario Fire Marshall, "Fire Protection Water Supply Guidelines for Part 3 in the Ontario Building Code".

7.0 SITE PLAN APPROVAL PROCEDURES:

The following information provides an overview of the Site Plan approval process. APPENDIX 'A' graphically depicts the process undertaken with a site plan application and in general terms, the time frame of the review.

7.1 PRE-CONSULTATION

Pre-consultation to discuss the development concept with municipal staff, relevant agencies and neighbouring property owners is strongly recommended. Discussion and preliminary review has significant benefit in identifying issues at an early stage and highlighting information/studies/ calculations required as background information for a complete application. Pre-consultation will also familiarize the applicant with the scope of review and will assist in ensuring an accuracy of submissions. All these elements are critical for a successful, streamlined review process.

Attached to this document and available as part of the Site Plan Application is a 'PRE-CONSULTATION FORM' to be used by the applicant or applicant's agent. The form lists all relevant departments and agencies that will be involved in the Site Plan Review process. The form will be best utilized as a check list during pre-consultation discussions with each department. The submission of the form with the site plan application will assist in the streamlining of the review process.

7.2 SITE PLAN APPLICATION

The application form, all drawings, supporting documents, fees, and required reports/studies are to be submitted to:

Planner I - Development
Corporation of the Town of Cobourg
Victoria Hall
55 King Street West,
Cobourg, ON K9A 2M2

The information collected on this application form is considered to be public information and is available for public viewing. Questions regarding this collection should be directed to the Corporation's Manager of Legislative Services, 55 King Street West, Cobourg (905-372-4301).



7.3 SITE PLAN MEETING

Once an application is deemed complete and the file is opened, application particulars will be forwarded to Council for information purposes and referral of the file to staff.

The site plan application and supporting information is circulated to relevant departments for their technical review. A meeting date for discussion of the development proposal is identified in the circulated package to staff. The applicant and their representatives (e.g. architects, engineers, etc) are invited to attend the Development Review Team Meeting to discuss the proposal. Attendance at this meeting is crucial for both the applicant and staff to assist in the clarification of information and address concerns.

7.4 NOTIFICATION AND DISCUSSION OF CONDITIONS

An itemized list of comments of the Development Review Team meeting will be relayed to the applicant as expeditiously as possible after the review meeting. It is necessary for the applicant to return a letter of understanding specifying agreement/disagreement with each item outlined in the letter from the DRT. This process fast tracks the review of only those areas of concern for both staff and the applicant.

During the review process, particular equipment/services may be identified as required equipment for the proposed development (i.e fire hydrants, hydro transformers, etc.). The applicant is responsible for obtaining these items for the site development. The applicant will want to order these items early to ensure their availability for the development as the items may require time for shipping/receiving (e.g. a hydro transformer is shipped in from a supplier and may take 3-4 months to obtain for the development).

In addition, the Town is authorized through the Planning Act, R.S.O. 1990 c.P.13, Official Plan and Zoning By-law to require the applicant/owner provide road allowance, dedications, easements, and/or parkland dedications (cash-in-lieu) to the Municipality, but at no expense to the Municipality. The extent of these and other conditions is dependent on the nature and scale of each application.

A second meeting between the applicant and the Team may be necessary to discuss the outstanding areas of concern over conditions or special provisions to be applied to the proposed development. The applicant is advised to make changes to his drawings in accordance with the Team's comments prior to his second meeting with the Team. The Development Review Team, or independent departments, will meet on a needs basis with the applicant to resolve any outstanding concerns.

If agreement cannot be reached between the applicant and municipal staff on one or more conditions/issues, the applicant may approach Council for a ruling at any time prior to approval.

7.5 AGREEMENT PROCESSING

Once both parties, Town Staff and the applicant, have come to a mutual agreement on the proposed development, levies, special conditions, site details, etc. Staff will direct the



Town Solicitor to prepare a draft Development Agreement (approximately two weeks). Once prepared, the agreement will be forwarded to the applicant for their review and approval. It is recommended that the applicant review the document with their solicitor to ensure that they are aware of their responsibilities under the agreement. A standard form of agreement is available in the Building and Planning Department at any time for review.

7.6 COUNCIL DECISION

Once the final revisions have been made to the site plan drawings and Development Agreement, Staff will approach Council with a recommendation for support and authorization of the agreement. It is recommended that the applicant attend Council in the chance there is a question addressed to the applicant.

With Council endorsement, three copies of the agreement must be signed and a corporate seal affixed by the applicant and submitted back to the Town. Any outstanding monies, levies, road allowance deeds, Cash-in-Lieu of Parking, Cash-in-Lieu of Parkland, performance bonds etc. will be required with the submission of the signed agreement to the Town prior to the execution of the Development Agreement.

As the final step, Council's representatives will sign and affix the Corporate seal on the documents and return the agreement to the applicant to be registered on title by the applicant's solicitor.

7.7 FULFILLMENT OF AGREEMENT PROVISIONS

A building permit can only be issued for the proposed development once the Development Agreement is registered on title and all provisions under the Building Code Act have been satisfied. In order to expedite the building permit stage, architectural plans and a building permit application may be submitted to the Building Department for review prior to final approval of the site plan.

The applicant will be held responsible for all provisions under the registered Development Agreement. Regular inspections and monitoring of the development will occur throughout the development stage. The registered site plan agreement is a legal document and compliance is enforceable by the Corporation of the Town of Cobourg.

7.8 PERFORMANCE SECURITIES

Performance Securities - Upon the substantial completion of works outlined in the Development Agreement, the municipality will entertain written requests for a reduction in the security. Upon receipt of such a request, the municipality will establish a final inspection date which will serve as a commencement date for a twelve month guarantee period. During this period, 15% of the original security will be retained by the municipality. Should any deficiencies in the site or service works be discovered at the time of the final inspection date, the municipality will retain an additional percentage of the security to cover the deficiencies.



8.0 ASSISTANCE AND CONTACTS

Key Departments

Contacts:

Building and Planning Department

Town of Cobourg
Victoria Hall, Second Floor
55 King Street West
Cobourg ON K9A 2M2
(905) 372-1005

Glenn McGlashon
Director of Planning & Development
gmcglashon@cobourg.ca

Rob Franklin
Manager of Planning Services
rfranklin@cobourg.ca

Amanda Warren
Planner 1 – Development
awarren@cobourg.ca

Frank Lukes, Chief Building Official
flukes@cobourg.ca

Public Works Department

390 King Street West
Cobourg ON K9A 2N7
(905) 372-9971

Bill Watson
Director of Public Works
bwatson@cobourg.ca

Clerk's Department

Town of Cobourg
Victoria Hall, Main Floor
55 King Street West
Cobourg ON K9A 2M2
(905) 372-4301

Lorraine Brace
Municipal Clerk
lbrace@cobourg.ca

Fire Department

Town of Cobourg
111 Elgin Street East
Cobourg ON K9A 1A1
(905) 372-9789

Chief M. Vilneff
Fire Chief
mvilneff@cobourg.ca

Lakefront Utilities Services Inc

207 Division Street
P.O. Box 577
Cobourg, ON K9A 4L3
(905) 372-2193

Paul Dereck, President

Ron Little, VP Operations
rlittle@lusi.on.ca

Steve Jackson
Electric Distribution Supervisor

Craig Brooks
Manager of Water Distribution



SITE PLAN APPROVAL PROCEDURES

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Key Agencies

Contacts:

Ganaraska Region Conservation Authority

County Rd. # 28 and Hwy #401
P.O. Box 328
Port Hope, ON L1A 3W4
(905) 885-8173

Greg Wells
gwells@grca.on.ca

County of Northumberland

860 William Street
(905) 372-3329

Steve White, Plumbing Inspector

Ministry of Transportation

Attn: District Engineer
Bancroft District Office
P.O. Box 300
64 Monck Road
Bancroft ON K0L 1C0
(613) 332-3220



TOWN OF COBOURG DEVELOPMENT CHARGES

Effective January 1, 2016

EXISTING URBAN SERVICE AREA

RESIDENTIAL

DESCRIPTION	TOWN	LUSI	TOTAL
Single-Detached & Semi-Detached Dwellings	\$10'784.00	\$1,014.00	\$11'798.00
Multiples & Apartments (2 Bedrooms +)	\$6'744.00	\$634.00	\$7'378.00
Multiples & Apartments (1 Bedroom & Bachelor)	\$4'913.00	\$462.00	\$5'375.00
Special Care	\$3'983.00	\$374.00	\$4'357.00

COMMERCIAL & INSTITUTIONAL

(per square foot of gross floor area)

TOWN	LUSI	TOTAL	Developments of equal to or less than 4,000 square feet of gross floor area are exempt.
\$4.99	\$0.46	\$5.45	

Note: Development charges shall not be imposed with respect to Industrial developments within the Existing Urban Service Area.

COBOURG EAST COMMUNITY SERVICE AREA (Area 'C')

RESIDENTIAL

DESCRIPTION	TOWN	LUSI	COUNTY	TOTAL
Single-Detached & Semi-Detached Dwellings	\$16'256.00	\$2'560.00	\$1'547.00	\$20'363.00
Multiples & Apartments (2 Bedrooms +)	\$10'166.00	\$1'601.00	\$968.00	\$12'735.00
Multiples & Apartments (1 Bedroom & Bachelor)	\$7'409.00	\$1'167.00	\$704.00	\$9'280.00
Special Care	\$6'004.00	\$946.00	\$571.00	\$7'521.00

COMMERCIAL & INSTITUTIONAL

(per square foot of gross floor area)

TOWN	LUSI	COUNTY	TOTAL	Developments of equal to or less than 4,000 square feet of gross floor area are exempt.
\$7.84	\$1.31	\$0.93	\$10.08	

INDUSTRIAL

(per square foot of gross floor area)

TOWN	LUSI	COUNTY	TOTAL	1. Enlargements of less than 50% of the gross floor area of an existing industrial building are exempt from payment of development charges. 2. Enlargements of more than 50% of the gross floor area of an existing building must pay development charges on that portion of the enlargement that exceeds 50% of the gross floor area of the existing industrial building.
\$7.84	\$1.31	\$0.93	\$10.08	

PLUMBING PERMIT FEES

BASE FEE	ADDITIONAL PER FIXTURE	UNDERGROUND SERVICES (/m)
**\$100 - \$200	**\$15	**\$1

**Plumbing permit fees are set by the County of Northumberland and subject to change without notice.

Refer to relevant County fee by-law for current plumbing fees.

***Septic permit fees are paid directly to the County of Northumberland based on the relevant fee schedule.



BUILDING PERMIT FEE SCHEDULE – 2016

RESIDENTIAL GROUP 'C'		NON-RESIDENTIAL GROUP 'A' 'B' 'D' 'E' 'F'	
NEW CONSTRUCTION (<i>FINISHED AREA</i>)		NEW CONSTRUCTION (<i>FINISHED AREA</i>)	
< 1200 sq ft	> 1200 sq ft	< 1200 sq ft	> 1200 sq ft
\$1900.00	\$1.57/sq ft	\$2000.00	\$1.66/sq ft
ADDITION (<i>FINISHED AREA</i>)		ADDITION (<i>FINISHED AREA</i>)	
< 400 sq ft	> 400 sq ft	< 750 sq ft	> 750 sq ft
\$650.00	\$1.57/sq ft	\$1275.00	\$1.66/sq ft
NEW CONSTRUCTION/ADDITION (<i>UNFINISHED AREA</i>) *ACCESSORY STRUCTURE		NEW CONSTRUCTION/ADDITION (<i>UNFINISHED AREA</i>) *ACCESSORY STRUCTURE	
< 300 sq ft	> 300 sq ft	< 500 sq ft	> 500 sq ft
\$300.00	\$0.99/sq ft	\$500.00	\$0.93/sq ft
BASIC RENOVATION - ALL GROUPS (INTERIOR LAYOUT CHANGES ONLY)		COMPLEX RENOVATIONS - ALL GROUPS (LIFE SAFETY SYSTEMS/HVAC/FIRE SEPERATION)	
< 500 sq ft	> 500 sq ft	< 500 sq ft	> 500 sq ft
\$200.00	\$0.40 / sq ft	\$500.00	\$0.93 / sq ft
DECKS – ALL GROUPS <24" ABOVE GRADE		DECKS – ALL GROUPS > 24" Above Grade	
< 300 sq ft	> 300 sq ft	<300 sq ft	> 300 sq ft
\$150.00	\$0.99 / sq ft	\$250.00	\$0.99 / sq ft
DEMOLITION PART 9 (NO CONSTRUCTION)		DEMOLITION, PART 3 (NO CONSTRUCTION)	
< 500 sq ft	> 500 sq ft	< 750 sq ft	> 750 sq ft
\$200.00	\$0.44/sq ft	\$350.50	\$0.47/sq ft
CHANGE OF USE TO GROUP 'C' 'D' 'E' 'F'		CHANGE OF USE TO GROUP 'A' 'B'	
< 500 sq ft	> 500 sq ft	< 750 sq ft	> 750 sq ft
\$200.00	\$0.44/sq ft	\$350.00	\$0.47/sq ft
ALTERNATIVE SOLUTIONS (REVIEW SUBMISSIONS AS PER O.B.C 2.1.1.1. DIV. C. PART 2)		ADMINISTRATIVE FEE (IE: TRANSFER OF PERMIT, RE-INSPECTION AFTER HOURS)	
FLAT FEE \$500.00		FLAT FEE \$100.00	

Note: Construction without permit is subject to double the permit fee.

** The fee for roof mounted solar projects shall be calculated per panel in lieu of per sq ft.*

Note: This information guide is for general reference purposes only. For accurate reference, the actual text of the Development Charges By-law No. 076-2011 and By-law to Establish Building Permit Fees, By-law No. 103-2015 should be consulted. Enquiries regarding applicable Development Charges payable and/or specific interpretations of any of the terms related to the By-law must be made in writing to the Manager of Finance of the Corporation of the Town of Cobourg. Where there is a conflict between the information contained within this guide and the By-laws mentioned above, the By-law shall take precedence. The above guide refers only to Development Charges - other municipal and/or agency fees and charges may also apply (see the Building & Planning Department for details).



APPENDIX 'A'

Site Plan Application

FOR OFFICE USE ONLY

File Number _____

Date Application Received _____ Date File Opened _____

Application Fee Submitted _____ Checked by _____

Site Plan Agreement required pursuant to:

1. Site Plan Control Sec. 41 of the Planning Act _____
2. Committee of Adjustment Decision _____
3. Municipal Council of the Town of Cobourg Decision _____
4. Rezoning _____
5. Amended Agreement _____

APPLICATION FOR A SITE PLAN AGREEMENT

OWNER _____

Address _____

Telephone Number _____ Fax Number _____

E-mail Address _____

MORTGAGEE _____

Address _____

Telephone Number _____ Fax Number _____

E-mail Address _____

AGENT _____

Address _____

Telephone Number _____ Fax Number _____

E-mail Address _____

Note: Unless otherwise requested, all communication will be directed to the Agent, if any appointed.



LOCATION OF PROPERTY:

Municipal Address _____

Legal Description (Parts, Plan #) _____

DIMENSIONS OF LAND AFFECTED (In Metric)

Frontage _____ Average Width _____ Average Depth _____

Area (m²) _____ (Hectares) _____

LAND USE

Existing Uses (if any) _____

Existing Buildings (if any) _____

Proposed Use _____

Adjacent Land Uses _____

PROPOSED DEVELOPMENT

1. Residential Information (if applicable)

a) Number of Units _____

b) Number of Storeys _____

c) Ground Floor Area _____

d) Type & No. of Units: Bachelor____ 1 Bedroom____ 2 Bedroom____ 3 Bedroom____

e) Number of Parking Spaces: Underground _____ Surface _____

2. Commercial & Industrial Information (if applicable)

a) Dimensions of Building _____

b) Total Floor Area _____

c) Number of Parking Spaces _____

3. Official Plan:

a) O.P. Designation _____

b) Proposal in Compliance - YES _____ NO _____

c) Amendment Required - YES _____ NO _____

d) Amendment Applied For - YES _____ NO _____



SITE PLAN APPROVAL PROCEDURES

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4. Zoning:

- a) Zoning Designation _____
- b) Proposal in Compliance YES _____ NO _____
- c) Amendment Required YES _____ NO _____
- d) Amendment Applied For YES _____ NO _____

5. General:

- a) Has the property been subject to a site plan agreement previously? YES ____ NO ____
If YES, when? _____
- b) Services: Water: YES/NO Sanitary Sewer: YES/NO Storm Sewer: YES/NO
Hydro: YES/NO
- c) Has the property been subject to a Plan of Subdivision within the meaning of the Planning Act? YES/NO If YES, when? _____
- d) Has the property been subject to a Land Severance? YES/NO
If YES, when? _____
APPROVED: YES _____ NO _____

6. Attach the following:

- a) Copy of owner's title deed;
- b) Copy of all encumbrances;
- c) Letter addressed to the Town from the owner's solicitor certifying the title of the land;
- d) Copy of a certified survey illustrating the description of the land;
- e) Typed copy of Schedule 'A' on legal size paper describing the lands;
- f) Drawing of proposed sign, including dimensions, colour and location;
- g) Completed Cost Estimates of Site Works;
- h) Completed Insurance Coverage; and
- i) Key map;
- j) A completed pre-consultation form (Appendix 'E');
- k) A completed Application Deposit Agreement (Appendix 'F').



SITE PLAN APPROVAL PROCEDURES

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OWNER'S CERTIFICATE

I, _____ of the _____
(Owner's Name) (Town, City Name)
in the _____ solemnly declare that:
(County and Province)

All above statements and the statements contained in all of the 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.

In consideration of the processing of this application by the Municipality, I acknowledge that additional costs may be incurred by the Municipality during the processing of this application (without limiting the generality of the foregoing, these may include legal, planning, engineering, surveying, peer review, notification (newspaper or other) and other expenses including all expenses relating to any legal proceedings involving the OMB and/or the courts), and I hereby covenant and agree to pay these costs forthwith upon demand by the Municipality in addition to the applicable Tariff of Fees as approved by the Municipality.

Declared before me at the _____ of _____
(Town or City) (Town, City Name)
in the _____ this _____ day of _____, 200 ____.
(County and Province) (Day) (Month)

Signature of Owner/Authorized Agent

A Commissioner, etc.



SITE PLAN APPROVAL PROCEDURES

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AUTHORIZATION CERTIFICATE (to be signed by Owner to appoint Agent)

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:

_____ OF _____
(Agent's Name) (Agent's Company Name)

who I have appointed as my Agent.

DATE _____ SIGNED _____

(Signature of Owner)



SITE PLAN APPROVAL PROCEDURES

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SCHEDULE OF APPROVED PLANNING APPLICATION FEES

Appendix 'B'

pursuant to Section 69(1) of the Planning Act, R.S.O., c.P. 13, as amended

Type of Application/Service	Former Fee	Approved Fee ¹	Notes
Official Plan Amendment (OPA)	\$2,000.00	\$5,000.00 \$7,500.00 \$3,500.00	Major Residential ² Major Commercial ³ Other
Zoning By-law Amendment (ZBA)	\$1,500.00	\$3,500.00 \$3,500.00 \$2,500.00	Major Residential Major Commercial Other
Combined OPA/ZBA	\$3,500.00	OPA fee + 50% of ZBA	Accounts for some overlap in service rendered
Draft Plan Review of a Plan of Subdivision/Condominium Conversion	\$3,000.00 \$1,500.00	\$3,000.00 + \$30.00 per lot/block or unit (in the case of a condominium conversion) to a maximum of \$7,500.00 (based on 150 lots/blocks or units)	Includes general processing of the draft plan, application and reports, review, discussions, preparation of memoranda, report(s) and notices, attendance at meetings, and formulation of draft conditions
Changes to Draft Plan/Conditions	No Fee	\$500.00 \$2,000.00	Minor 'redline' adjustments and/or small changes to a condition(s) Major draft plan re-design changes and/or significant changes to a condition(s) requiring re-circulation and/or notice
Clearance of Draft Conditions and Final Approval of a Plan of Subdivision	\$100.00 (final approval only)	\$1,500.00 + \$30.00 per lot/block or unit to a maximum of \$6,000.00 (based on 150 lots/blocks or units)	Includes general processing of the detailed engineering drawings, plans and reports, review, discussions, preparation of memoranda and/or reports, attendance at meetings, review of draft conditions, compilation of clearances, preparation of Subdivision Agreement, review of M-Plan and execute final Plan
Condominium Exemption and Final Approval	\$100.00 (final approval only)	\$500.00 + \$30.00 per unit to a maximum of \$2,000.00	Includes processing of written request, review of draft and final condominium plans and documents, attendance at meetings, and signatures
Part Lot Control By-law Exemptions	No Fee	\$500.00 + \$30.00 per Part lot	Includes processing of Block and/or R-Plans, review, discussions, preparation of memoranda and/or reports, attendance at meetings, and registration of by-law

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Additional costs incurred by the Municipality due to the processing of planning applications, including such matters as but not limited to: services rendered by the Development Review Co-ordinator, Municipal Engineer, Town Solicitor, and/or external consultants; external agency fees; surveying costs; newspaper advertising; and, OMB Record and Hearing Preparation/attendance, are not included in the planning fee noted herein but are development-related expenses and are charged back to the proponent/applicant at cost plus 15% admin.

² Major Residential consists of development in excess of 25 dwelling units

³ Major Commercial consists of development in excess of 1,400 sq m GFA



SITE PLAN APPROVAL PROCEDURES

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Removal of Holding (H) Symbol	No Fee	\$500.00	Includes preparation of notices, by-laws, and circulation thereof, attendance at meetings
Site Plan Approval	\$1,500.00 \$750.00 (for industrial developments and site plan amendments)	\$1,500.00 + \$30.00 per unit \$3,500.00 \$750.00 \$1,000.00 \$2,000.00	Major Residential Major Commercial Industrial Site Plan Amendment (excluding Major Commercial) Other
Consents for Severance	\$1,000.00 per new lot \$200.00 (easements, rights-of-way, long term leases, lot line adjustments, etc.)	\$1,000.00 per new lot \$500.00	Reflects anticipated costs
Minor Variance	\$500.00	\$700.00	Reflects anticipated costs
Compliance Letters (building, zoning, vehicle inspection, chip trucks, etc.)	\$50.00	\$75.00	Reflects anticipated costs

SCHEDULE FOR REFUNDS TO PLANNING APPLICATION FEES 2008

pursuant to Section 69(2) of the Planning Act, R.S.O. 1990, c.P. 13, as amended

Type of Application	Service Rendered	Applicable Refund
Official Plan Amendments, Zoning By-law Amendments, Plans of Subdivision, and Site Plan Approval	If an application has been submitted to the Planning Department but no administrative functions have been performed	90%
	If a report has been prepared and/or other administrative functions have been performed on an application, but the application has not been considered by the Planning Advisory Committee	50%
	If the application and report have been considered by the Planning Advisory Committee	40%
	If the application and report have been considered by the Executive Committee of Council or a public meeting has been held	25%
	If Council has passed an implementing by-law	No refund
Consents, Minor Variances	If an application has been submitted but no administrative functions have been performed	90%
	If a report has been prepared and/or other administrative functions have been performed, but the application has not been considered by the Committee of Adjustment	50%
	If the application and report have been considered by the Committee of Adjustment	No refund



SITE PLAN APPROVAL PROCEDURES

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ENGINEERING APPLICATIONS

Sanitary Sewer Connection Permit	-	variable (contact Engineering)
Curb Cut/Culvert Permit	-	Cost + Administration (\$100.00 minimum)
Lot Grading Security	-	\$2,500.00/lot

MISCELLANEOUS APPLICATIONS

Ganaraska Region Conservation Authority (GRCA)	-	Variable (contact GRCA)
Ministry of Transportation - Ontario (MTO)	-	Variable (contact MTO)
County of Northumberland		
*Plumbing Permit		See Above
*Entrance Permit (County Roads)	-	\$ 750.00 deposit
-residential	-	\$ 250.00 + deposit
-commercial	-	\$ 500.00 + deposit
*Setback Permit (County Roads)	-	\$ 750.00 + deposit
-new residential and additions	-	\$ 250.00 + deposit
-structures > 18.6 m ²	-	\$ 250.00 + deposit
-structures < 18.6 m ²		
with two site visits	-	\$ 150.00
with one site visit	-	\$ 100.00
with no site visit	-	\$ 50.00
*Entrance/Setback Permit		
-residential	-	\$ 300.00 + deposit
-commercial	-	\$ 600.00 + deposit
*County Installations	-	Material, Equipment and Labour (contact County)

Note: There may be other miscellaneous permits and/or approvals related to the proposal, depending on the nature and extent of the development type (ie. health inspections, licenses, etc.). These requirements can be confirmed through discussions with Planning staff.

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APPENDIX 'D'

INSURANCE POLICY REQUIRED

1. TYPES OF COVERAGE REQUIRED

Without restricting the scope of the indemnities required by the Agreement, the Owner shall obtain and maintain insurance of the character commonly referred to as public liability and property damage with an insurance company duly authorized by law to underwrite such insurance. Such policy or policies of insurance shall indemnify the Municipality against all claims, for loss, damage, bodily injury, sickness, disease or death directly or indirectly arising from or as a consequence of or in any way relating to the Owner undertaking the development of the Subject Lands including without limiting the generality of the foregoing:

- (a) any loss or damage that shall or may happen to any of the Public Services or to any part or parts thereof; and
- (b) any loss or damage that shall or may happen to any of the materials or any of the equipment or vehicles or any other things used in the development of the Subject Lands and/or Public Services; and
- (c) any injury, sickness, disease or death, directly or indirectly arising from or as a consequence of or in any way relating to the Owner undertaking the development of the Subject Lands, to any person or persons including workmen and the public; and
- (d) any loss or damage whatsoever that shall or may result from the storage, use or handling of explosives and/or other hazardous substances; and
- (e) any loss or damage that shall or may result from the drainage or surface waters on or from the Subject Lands; and
- (f) any loss or damage that shall or may happen to any public road or to any other property of the Municipality or to the property of any other person.

2. AMOUNTS OF COVERAGE REQUIRED

The policy or policies of insurance shall be issued jointly in the names of the Owner and the Municipality and shall provide a minimum coverage of Five Million Dollars (\$5,000,000.00) per occurrence for bodily injury, sickness, disease, death, and damage to property including the loss thereof.

The issuance of such policy or policies of insurance shall not be construed to relieve the Owner from responsibility for other or larger claims for which it may be held responsible.



3. **EXEMPTIONS OF COVERAGE PROHIBITED**

The policy or policies of insurance shall contain no coverage exemptions or limitations for:

- (a) any pile driving or caisson work; or
- (b) any collapse or subsidence of any building, structure or land from any cause; or
- (c) any storage, handling or use of explosives and/or other hazardous substances.

4. **OTHER CONDITIONS REQUIRED**

The policy or policies of insurance shall be endorsed to provide that the policy will not be altered, canceled or allowed to lapse without thirty (30) days prior written notice to the Municipality and the Owner.

5. **MISCELLANEOUS**

The said policy or policies of insurance shall be maintained at least until the Certificate of Assumption has been issued by the Municipality.

The said policy or policies of insurance shall have no exclusion for blasting.

The said policy or policies must contain a "Completed Operations" clause.

**APPENDIX 'E'
PRE-CONSULTATION FORM**

Staff Signature

1) Planning Department:

(A)	Official Plan Review	_____	_____
	Amendment Req'd?	Yes/No	_____
(B)	Zoning By-law Review	_____	_____
	Amendment Req'd?	Yes/No	_____
(C)	Amending Agreement	Yes/No	_____
(D)	New Agreement	Yes/No	_____
(E)	Parkland/Cash-in-lieu	Yes/No	_____
(F)	Road Widening Req'd	Yes/No	_____
(G)	Curb Cut Req'd	Yes/No	_____
(H)	Consent Req'd	Yes/No	_____
(I)	Minor Variance Req'd	Yes/No	_____
(J)	Landscaping Plans	Yes/No	_____
(K)	Sign Details	Yes/No	_____
(L)	Title Details	Yes/No	_____
(M)	Construction Insurance	Yes/No	_____
(N)	Letter of Credit Req'd	_____	_____
(O)	Other	_____	_____

Comment: _____

Lakefront Utilities Services Inc (LUSI):

(A)	Water Services		
	(i) existing service size	_____	_____
	(ii) sprinkler size	_____	_____
	(iii) estimate on usage	_____	_____
	(iv) hydrant location	_____	_____



SITE PLAN APPROVAL PROCEDURES

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Comments: _____

(B) **Hydro Services**

(i) existing service size	_____	_____
(ii) secondary voltage	_____	_____
(iii) single phase/poly phase	_____	_____
(iv) load calculation	_____	_____
(v) transformer location	_____	_____

Comments: _____

3) **Fire Department:**

(A) OBC Classification	_____	_____
(B) Services Review	_____	_____

Comments: _____

4) **Building Department:**

(A) OBC Classification	_____	_____
(B) Permanent Sign Details	_____	_____
(C) Architectural drawings	_____	_____
(D) OBC calculations req'd	Yes/No	_____

Comments: _____



SITE PLAN APPROVAL PROCEDURES

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5) **Public Works Department:**

- | | | |
|-----------------------------|-------|-------|
| (A) Service Location | _____ | _____ |
| (B) Sewer Availability | _____ | _____ |
| (C) Municipal Road frontage | _____ | _____ |

Comments: _____

6) **LACAC:** Yes/No _____

7) **Ganaraska Region Con. Auth.:** Yes/No _____

8) **Finance Department:** _____

General Comments:



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APPENDIX 'F' APPLICATION DEPOSIT AGREEMENT

THIS AGREEMENT made in duplicate this _____ day of _____, 20____.

BETWEEN:

THE CORPORATION OF THE TOWN OF COBOURG

(hereinafter called the "Municipality")

PARTY OF THE FIRST PART

(hereinafter called the "Developer")

PARTY OF THE SECOND PART

WHEREAS the Developer proposes to amend the Municipality's Official Plan, Municipality's Zoning By-law, seek site plan approval and/or subdivide certain lands in the Municipality (herein referred to as "the Application(s)");

AND WHEREAS the Municipality may incur additional development related expenses which are not included in the Application fee associated with the processing of the Application(s), including but not limited to: services rendered by the Development Review Co-ordinator, Municipal Engineer, Town Solicitor and/or external consultants; external agency fees; surveying costs; additional public meetings; newspaper advertising; and, expenses arising out of or related to complying with statutory requirements and/or preparing for and attending any and all tribunal and/or court proceedings.

NOW THEREFORE in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties hereto, the parties hereto agree as follows:

- 1) In consideration of the other provisions of this Agreement, the Director of Planning and Development for the Municipality shall instruct such of the Municipality's staff, solicitor, planning, engineering and other consultants as the Director of Planning and Development deems necessary or advisable to:
 - a) review on behalf of the Municipality the Application(s) and to undertake such studies, investigations, analysis, research as may be reasonably necessary to properly advise the Municipality, including, without limitation, the provision of written reports and opinions; and
 - b) provide representation/appearances at any and all meetings and/or proceedings relating to the Application(s).
- 2) The Developer hereby covenants and agrees to reimburse the Municipality forthwith on demand for all fees, costs or other expenses whatsoever incurred by the Municipality relating to or arising out of the Developer's Application(s).
- 3) The Developer hereby agrees to deposit with the Municipality, at the time of signing this Agreement, a certified cheque in the amount of \$ 2,000.00 payable to the Municipality as an advance on all fees, costs and other expenses that may be incurred by the Municipality. The said sum of \$2,000.00 shall hereinafter be referred to as the "Deposit". As accounts, invoices, statements, etc. are received by the Municipality, they shall be paid by the Municipality and the Municipality shall be entitled to deduct the amounts so paid from the Deposit. The



SITE PLAN APPROVAL PROCEDURES

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Municipality shall then submit to the Developer a statement of all monies paid and the Developer shall pay to the Municipality forthwith a sufficient sum to reinstate the Deposit to the initial sum of \$2,000.00 in order that the full sum of \$2,000.00 is available for subsequent accounts, statements, invoices, etc. Neither the Deposit nor anything in this Agreement shall limit or be deemed to limit the obligation of the Developer to reimburse the Municipality in full for all fees, costs and other expenses incurred by the Municipality relating to or arising out of the Developer's Application(s) and/or this Agreement.

- 4) In the event that the Developer fails to reimburse the Municipality within thirty (30) days of demand so as to fully reinstate the Deposit as contemplated by this Agreement, the Municipality, may, in its sole and absolute discretion, direct its staff, planner, solicitor, engineer and any other consultants to cease all work on or relating to the Developer's Application(s) and the Municipality shall be entitled to apply the balance of the Deposit towards all outstanding accounts.
- 5) The Deposit or any portion thereof shall be retained by the Municipality until all accounts, statements, invoices, etc., submitted or to be submitted to the Municipality and relating to the Developer's Application(s) have been paid in full and all matters relating to the Developer's Application(s) have been completed. In the event that Developer indicates that it desires to cease all work relating to the Developer's Application(s), then the balance, if any, of the Deposit shall be returned by the Municipality to the Developer after the payment of all accounts, statements, invoices, etc., submitted or to be submitted to the Municipality and relating to the Developer's Application(s) have been paid in full.
- 6) In the event that any matter relating to the Developer's Application(s) is appealed to the Ontario Municipal Board, other tribunal and/or Court, and the Municipality, in its sole and absolute discretion, determines it necessary or appropriate to attend at the hearing or proceeding to defend Council's decision to support the Developer's Application(s), then in such case the provisions of this Agreement shall also apply to all costs incurred by the Municipality with respect to such hearing and/or proceeding, including without limitation, legal, planning and engineering costs and disbursements.
- 7) Interest and municipal administrative fees shall be payable by the Developer to the Municipality on all sums of money payable by the Developer to the Municipality which are not paid in full within thirty (30) days of demand or otherwise satisfied from the Deposit, which interest and municipal administration fees shall be calculated from the date of such demand at the rate established from time to time by the Municipality for overdue accounts.
- 8) The failure of the Municipality to insist on strict performance of any of the terms, provisions, covenants or obligations herein shall not be deemed to be a waiver of any rights or remedies that the Municipality may have, and shall not be deemed to be a waiver of any subsequent breach or default of the terms, provisions, covenants and obligations herein contained.
- 9) The Developer shall not call into question, directly or indirectly, in any proceedings whatsoever in law or in equity or before any administrative tribunal, the right of the Municipality to enter into this Agreement and to enforce each and every term, covenant and condition herein contained, and this clause may be pleaded as an estoppel against the Developer in any such proceedings.

