

SCHEDULE "A"

TO

BY-LAW 3991

AGREEMENT

for the provision of

Planning Advisory and Administrative Services by

The County of Oxford Community and Strategic Planning Office

to

The Corporation of the Town of Tillsonburg

A. Purpose:

The purpose of this Agreement is to set out the general terms regarding Planning Advisory and Administrative Services to the Corporation of the Town of Tillsonburg pursuant to Section 15 of the Planning Act, R.S.O. 1990, as amended.

B. Terms and Definitions:

- a) "County Clerk" shall mean the person duly appointed to hold the position of the Clerk of the County of Oxford, or his/her duly appointed delegate.
- b) "County Council" means the Council of the County of Oxford.
- c) "County Planning Office" means the Community and Strategic Planning Office of the County of Oxford, or other similarly constituted office or department of the County having the mandate and responsibility for reviewing matters related to land use planning under the Planning Act, R.S.O. 1990, as amended.
- d) "Director of Planning" means the person duly appointed to hold the position of the Director of Planning of the County Planning Office, or a person appointed by the Director as his/her delegate.
- e) "Local Area Council" means the Council of the Town of Tillsonburg.
- f) "Local Area Municipality" means The Corporation of the Town of Tillsonburg.
- g) "Municipal Clerk" means the person, duly appointed to hold the position of the Clerk of the Local Area Municipality, or his/her duly appointed delegate.
- h) "County of Oxford" or "County" means the County of Oxford.

C. Development Review Services:

The County Planning Office will provide professional planning advisory and administrative services to the Local Area Municipality as follows:

- 1. Provide information and advice to the general public, developers, agents, etc., municipal staff and other departments, boards and/or committees of the Local Area Municipality regarding land use planning matters within the Local Area Municipality. This may include attendance at meetings of said departments, boards and/or committees as may be necessary from time to time.
- 2. Maintain office hours in the Local Area Municipality to meet the needs of the municipality as is deemed by the Director of Planning, in consultation with the Local Area Municipality, to be appropriate and within the resources and capabilities of the County Planning Office. Where it is agreed that on-site service is appropriate, the Local Area Municipality shall be responsible for providing adequate work space for County Planning staff, to the satisfaction of the Director of Planning.
- 3. Serve as liaison between the Local Area Municipality and the County of Oxford's Geographic Information Systems (GIS) Department with respect to matters pertaining to the collection and use of GIS and related data.
- 4. Assist and advise applicants and/or their agents regarding the completion and submission of applications for amendments to the Local Area Municipality's Zoning By-law (including applications for Minor Variance) and applications for Site Plan Approval.

5. Undertake administrative activities and provide professional planning advisory services associated with development applications as follows:

i) Zoning By-laws / Amendments

- a) Undertake pre-consultation with respect to applications as may be requested by an applicant/agent and/or the Local Area Municipality.
- b) Receive applications filed directly with the County Planning Office or with the Local Area Municipality and review same for completeness. The completeness of an application will be determined by the County Planning Office in accordance with the applicable policies of the Oxford County Official Plan and/or as prescribed in the Planning Act, R.S.O. 1990, as amended. The County Planning Office will issue the required notice(s) regarding the completeness of an application in accordance with the applicable provisions and regulations of the Planning Act and will, as necessary, contact the applicant to obtain such additional information as may be required to deem an application to be complete. The determination of the completeness of an application, or the information necessary for an application to be considered complete, will be at the discretion of the County Planning Office.
- c) Circulate applications to prescribed persons and public bodies and prepare and circulate public notices in accordance with the applicable provisions and regulations of the Planning Act, R.S.O. 1990, as amended, or in accordance with the relevant modified or alternative notification policies contained in the County Official Plan and where such modified or alternative provisions have been adopted by the Local Area Municipality.
- d) Prepare reports for presentation to the Local Area Council based on a detailed review of the application and related information. Such reports will provide the details of the application; the comments received from agency circulation and public consultation; an overview of the relevant Provincial and Official Plan policies and other planning considerations; and the County Planning Office's professional planning opinion(s) and recommendation(s) with respect to the application. Reports will be provided to the Municipal Clerk prior to the Local Area Council meeting in a format suitable for publishing in the Local Area Council's agenda.
- e) Prepare Zoning By-law amendments, including all text and schedules, for consideration by the Local Area Council, as required.
- f) Attend Local Area Council meetings for the purpose of presenting the planning report and professional planning opinion(s) and recommendation(s) of the County Planning Office with respect to the application. The County Planning Office will respond to all relevant questions of the Local Area Council, the public and any other interested stakeholders during the Local Area Council's public meeting(s) at which the application is considered.
- g) The responsibilities of the Local Area Municipality regarding Zoning By-laws / Amendments are as follows:
 1. The Local Area Municipality shall provide to the County Planning Office a mailing list of all neighbouring properties to be notified of a complete application and any public meetings related to a development application, as prescribed by the Planning Act, R.S.O. 1990, as amended and/or the alternative notification policies contained in the County Official Plan where such alternative policies have been adopted by the Local Area Municipality.

2. The Local Area Municipality shall provide to the County Planning Office, in a timely manner and as prescribed by the Planning Act, R.S. O. 1990, as amended, all documents related to the decision(s) of the Local Area Council in respect of a development application.

ii) Minor Variance Applications

- a) Prepare reports for presentation to the Local Area Committee of Adjustment providing the details of the application, the comments received from agency and public circulation, the County Planning Office's professional planning opinion(s) and recommendation(s) with respect to the application. Reports will be provided to the Municipal Clerk prior to the Local Area Committee of Adjustment meeting in a format suitable for publishing in the Local Area Municipality's agenda.
- b) Attend Local Area Committee of Adjustment meetings for the purpose of presenting the planning report and related information and the professional planning opinion(s) and recommendation(s) of the County Planning Office. The County Planning Office will respond to all relevant questions of the Local Area Committee of Adjustment, the public and any other interested stakeholders during the Local Area Committee's public meeting(s) at which the application is considered.

iii) Site Plan Applications / Amendments

- a) Provide comments to the Local Area Municipality regarding applications for site plan approval or applications to amend an existing site plan approval and/or prepare reports for presentation to the Local Area Council, where requested. Where a report is prepared, said report will provide the details of the application; comments received from agency circulation; an overview of the relevant planning considerations; and the County Planning Office's recommendation(s) with respect to the application. Reports will be provided to the Municipal Clerk prior to the Local Area Council meeting in a format suitable for publishing in the Local Area Council's agenda.

iv) Appeals

- a) Where a decision of the Local Area Council regarding a Zoning By-law / Amendment, Minor Variance or Site Plan Approval / Amendment application is appealed to the Ontario Municipal Board (OMB) or other body having jurisdiction to hear an appeal, the County Planning Office may, at the discretion of the Director of Planning, provide professional planning evidence at any hearing(s) convened with respect to the appeal.

6. Prepare planning reports for Local Area Council consideration with respect to applications for Official Plan amendment or Draft Plan of Subdivision or Condominium where the lands subject to such applications are located within the Local Area Municipality. Planning reports for the purposes of this Section will be prepared and presented to Local Area Council as per subsection 5 i) d).
7. Prepare planning reports for Local Area Council consideration with respect to applications for Consent where the lands subject to such applications are located within the Local Area Municipality and where the Local Area Municipality has requested such reports be prepared. Planning reports for the purposes of this Section will be prepared and presented to Local Area Council as per subsection 5 i) d).
8. Regularly consolidate the Local Area Municipality's Zoning By-law, to reflect recent amendments and distribute said consolidations.
9. Prepare an annual year-end report of the development and other planning activities within the Local Area Municipality for the previous year.

D. Land Use Planning Related Studies and Projects:

1. The County Planning Office will provide professional planning advice, project management services and/or otherwise assist the Local Area Municipality in identifying and completing land use planning related studies and projects that are within the resources and capabilities of the County Planning Office.
2. The determination of what constitutes a land use planning related study or project and the ability and/or capacity of the County Planning Office to assist with such study or project, taking into consideration the Office's resources and capabilities, will be at the discretion of the Director of Planning.
3. The costs associated with any land use planning related study or project undertaken by the County Planning Office will be shared between the Local Area Municipality and the County in a manner determined by the respective Councils to be appropriate for the scope of the study or project.

E. Minor Variances Directly Related to Consent Applications:

1. The Local Area Council hereby transfers the administration and approval authority powers of the Local Area Council (as a "lower-tier municipality") under Sections 44 and 45 of the Planning Act, R.S.O. 1990, as amended, to the County of Oxford for those applications for Minor Variance from the Local Area Municipality's Zoning By-law that are directly related to any application for Consent submitted to the County under Section 53 of the Planning Act, R.S.O. 1990, as amended, subject to the following conditions:
 - a) that the application is for Minor Variance from the provisions of the Local Area Municipality's Zoning By-law that are deemed to be required as the direct result of the approval of an application filed with the County of Oxford for Consent pursuant to Section 53 of the Planning Act, R.S.O. 1990, as amended;
 - b) the determination as to whether a Minor Variance is the direct result of the approval of an application for Consent will be at the discretion of the Director of Planning;
 - c) the County of Oxford may delegate the approval authority for Minor Variances as described in a), above, to a duly appointed committee of the County of Oxford as constituted under Section 51.2 of the Planning Act, R.S.O. 1990, as amended.

F. Fees:

1. The fee for professional and administrative staff services outlined in this agreement will be covered by the annual levy paid by the Local Area Municipality to the County of Oxford, or as determined otherwise by resolution of the respective Councils.
2. All disbursements incidental to the provision of the Local Area Municipality's planning services by the County of Oxford, as outlined in this agreement, will be recorded separately and charged directly, at cost, to the Local Area Municipality. All such disbursements shall be invoiced and paid quarterly.
3. All fees collected by the County of Oxford on behalf of the Local Area Municipality (i.e. zoning by-law amendment application fees) will be remitted to the Local Area Municipality by the County of Oxford in a timely manner, as they are collected.

G. Duration of Agreement:

1. This Agreement shall remain in force and effect until terminated by either party.

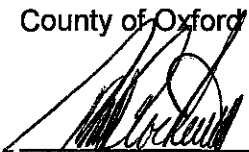
2. This Agreement may be terminated by either party upon thirty (30) days written notice to the County Clerk or the Municipal Clerk.


H. Review:

1. The terms and conditions of this agreement shall be reviewed by the parties every five (5) years.

The terms and conditions of this agreement are hereby accepted.

County of Oxford



Peter M. Crockett, P. Eng.
Chief Administrative Officer

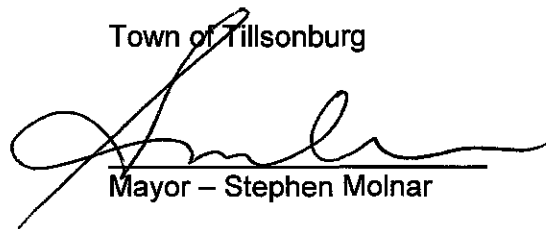
Gordon K. Hough, RPP
Director, Community and Strategic Planning

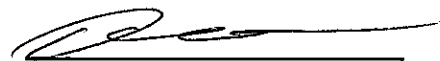
2016/02/25

Date

(SEAL)

Town of Tillsonburg



Mayor – Stephen Molnar

Town Clerk – Donna Wilson

Feb 10/16

Date

(SEAL)