

Consent and/or Rezoning Application

INSTRUCTION SHEET FOR APPLICANTS

Submit:

In Person:	County of Prince Edward Planning Services 280 Picton Main Street, Suite 201 Picton, Ontario K0K 2T0	By Mail:	County of Prince Edward Planning Services 332 Picton Main Street Picton, Ontario K0K 2T0
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Phone: 613.476.2148 x 2020

1. Application Form:

Each Application must be filled out completely and clearly. We would encourage the applicant to discuss the proposed applications with planning staff. Each application must be accompanied by:

1: Cost Acknowledgement Agreement:

The cost acknowledgement agreement must be completed and signed. The deposit fee must be a certified cheque made payable to The County of Prince Edward.

2: Application Sketch:

Each Application **MUST** be accompanied by a **Surveyor's Sketch**, prepared by an Ontario Land Surveyor (OLS) (assessment mapping and hand drawn sketches are not suitable).

3: Parcel Register:

Each Application **MUST** be accompanied by a current **Parcel Register (PIN Page)** for each subject property.

4: Required Fees

See chart on Page 3.

The surveyor's sketch should show the following:

- i. The parcel of land that is the subject of the application, its boundaries and dimensions.
- ii. If you are applying for a consent for severance of new lot, easement or right-of-way, the boundaries of each of the part of the parcel that is to be severed and the part that is to be retained.
- iii. The boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land.
- iv. The **location, size and type** of all existing buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines.
- v. The **location, size and type** of all proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines.
- vi. The distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing.
- vii. The location of all land previously severed from the parcel by the current owner.
- viii. The approximate location of all natural and man-made features on the subject land (e.g. buildings, railways, driveways/laneways, watercourses, drainage ditches, top and bottom of banks/escarpments, wetlands, wooded areas, wells and septic tanks), and the location of any of these features on adjacent lands that may affect this application.
- ix. The existing uses on adjoining land (e.g. residential, agricultural, commercial, institutional, etc.).
- x. The location, width, and name of all road allowances, easements, right-of-ways, streets, or highways within or abutting the property and indicating whether they are public travelled roads, private roads, rights of way, or unopened road allowances and, boat docking and parking facilities on mainland where access to the subject land is by water only.
- xi. The location and size of all **barns (empty or not), livestock operations, and manure storage areas within 500 metres** of the proposed lot.

IF ANY OF THE ABOVE INFORMATION IS FOUND TO BE MISSING AND REQUIRED FOR PROCESSING, THE APPLICATION MAY BE DEEMED TO BE INCOMPLETE AND DELAYS MAY BE ENCOUNTERED.

THE APPLICATION SKETCH AND FEES CONSTITUTES PART OF THE COMPLETE APPLICATION.

2. Posting of Development Application Signs:

It is the responsibility of the applicant to pick up, install and maintain their on-site development application sign. The sign shall be installed within one week of being notified that the sign is available. The applicant is to install the sign at the midpoint of the frontage, in a location that is visible to the public. After installation, the applicant shall take a photo of the installed sign and forward the photo to the Planner assigned to the file. The sign may be installed using the supplied H-frame or can be posted by other means as long as it is visible to the public and the information on the sign is legible. The sign is to remain visible to the public until the file is formally closed and the Decision of the County Council becomes final and binding. Once the file is closed the owner shall remove the sign.

If the card is not posted as required, delays in processing your application(s) may be encountered. Please check frequently to ensure the cards are in place.

3. Consent Conditions:

Please be advised that when applying for a consent application that certain conditions may be required to finalize your file. **Prior to submitting your application and attending the Planning Meeting, please understand what is being asked and required of you in order to finalize your consent file.** Listed below are **some** possible conditions:

- rezoning of the severed and retained parcels
- a well condition requiring proof of water
- consent agreement registered on title
- confirm ownership of forced roads
- road widening on the severed and retained parcels
- encroachment agreements
- lot drainage plans
- entrance permits
- parkland dedication fee
- merging lands with adjacent lands (lot additions)
- archaeological studies

Every application for consent is unique and conditions are required depending on the situation. The conditions required could result in extra costs in finalizing your consent application.

4. Ontario Land Tribunal (OLT) (formerly LPAT/OMB) and Peer Review Costs

Applicants are responsible for all costs associated with third party OLT appeals and municipal peer reviews of background reports. Deposits are required upon receipt of an appeal and/or the request for peer review in accordance with the County's planning fees.

5. Quinte Conservation*

Application Type	Fee
Property Clearance - Planning	\$173
Consent to Sever	\$341
Zoning Amendment / Minor Variance	\$341
Official Plan Amendment	\$620
Standard Site Plan Review	\$3,148
Minor Site Plan Review	\$758
Subdivision Review	\$7,027
Subdivision Phase Review - Minor	\$1,220
Subdivision Phase Review - Complex	\$3,148

* Notes:

1. Quinte Conservation will directly invoice **all** applicants the applicable fee from the Fee Schedule above for **all** applications they receive (Fees are subject to change as per Quinte Conservation).
2. Quinte Conservation will charge, at minimum, the 'property clearance' fee for all applications they receive. Quinte Conservation will inform the Owner/Agent of the applicable fee that is to be paid.
3. Where several applications are applied for concurrently from the same parent parcel (i.e. two severed lots from one parcel; or consent and rezoning applications for the same severed parcel), only the higher applicable fee will be charged.
4. Subdivision and site plan reviews include any pre-consultation meeting, site investigations, draft plan comments, peer reviews of environmental impact, hydrogeological and stormwater management studies, Ontario Regulation 319/09 permits and clearance of draft conditions.

*Personal information on this form is collected under the Planning Act for the purpose of processing a consent and/or rezoning application. **All information on this form is considered to be part of the public record.** Questions related to the collection of this information should be referred to the Manager of Planning (613.476.2148).*

Revised January 2023

FOR OFFICE USE ONLY				
Consent File No(s). _____		Zoning File No. _____		
	One New Lot	Technical Consent	Rezoning	Temporary Use By-Law or Removal of 'H'
Pre-Consultation Fee	N/A	N/A	\$510.00	\$510.00
Advertising Fee	\$153.00	\$153.00	\$153.00	\$153.00
Consent	\$1,938.00	\$1,768.68	N/A	N/A
Septic	\$100.00 ¹	N/A	N/A	N/A
Zoning By-Law Amendment	\$2,184.84 ¹	\$2,184.84 ¹	\$2,397.00	\$1,129.14
Total Fees	\$4,375.84	\$4,106.52	\$3,060.00	\$1,792.14
Agreement Deposit	\$4,080.00 ²	\$4,080.00 ²	\$2,040.00	\$2,040.00
Total Due:	\$8,455.84	\$8,186.52	\$5,100.00	\$3,832.14

1. "If required". If it is not required, subtract amount from "Total Due"
 2. Deposit will be \$2,000 if rezoning is not required.

Consent and/or Rezoning Application Form

This form is designed for Consent Applications and Rezoning Applications. If applying for both, please note they are two separate processes under the Planning Act.

Please check which Application you are applying for:

<input type="checkbox"/> CONSENT ONLY (Complete Pages 1-6, 8-13)	<input checked="" type="checkbox"/> REZONING ONLY (Complete Pages 1-5, 7-13)
<input type="checkbox"/> BOTH CONSENT AND REZONING (Complete Entire Application)	

GENERAL INFORMATION

1.a) Registered Property Owner:

Name: Spike Capital Corp. c/o Jonathan Kearns
 Address: 9 Coulson Ave, Toronto ON
 Postal Code: M4V1Y3 Phone No. (647) 274-1616 Fax No. _____
 E-mail Address: jonathankearns@kmai.com Cell Phone No. _____

1.b) Agent: (if applicable)

Name: RFA Planning Consultant Inc. c/o Ruth Ferguson Aulhouse
 Address: 211 Dundas Street East, Suite 202, Belleville ON
 Postal Code: K8N 1E2 Phone No.: 613-966-9070 Fax No.: _____
 E-mail Address: ruth@rfaplanningconsultant.ca Cell Phone No.: _____

Please specify who should be contacted if more information is needed. (✓)

Owner Agent

Please specify who should be contacted to post the identification card. (✓)

Owner Agent

1.c) Pre-Consultation (if applicable)

Please list the names of any Staff members you have spoken to regarding your application.

Michael Michaud

2. Location of Property:

Civic Address (911 Street Number): 347 Picton Main Street
 Ward: Picton Assessment Roll No. 1350- 02002507100
 Lot: _____ Concession: _____
 Registered Plan No.: _____ Lot/Block: _____
 Reference Plan No.: 47R- 8757 Part No.: Part 1 Except Part 1 of 47R1282 and Part 1 of 47R7842

3. Total Lot Area of Subject Land 5,548.6 sq. m.

Total Lot Frontage of Subject Land 42.3m

4. What is the existing Official Plan designation(s) of the subject land?
 (Proposed **Severed & Retained**)

Town Corridor Area

5. What is the Zoning of the subject land?

"Institutional (I) Zone"

6. Are there any existing buildings or structures on the subject land?

Yes No ****If Yes Answer Question No. 7**

7. For each existing building or structure (including houses, barns, sheds, etc.) on the subject lands please provide the following information:

	Description of Buildings/Structures on Subject Lands		
	Building No. 1	Building No. 2	Building No. 3
Type of Building/Structure			
Dimensions of Building (gross floor area)			
Floor Area use	Please refer to Site Plan prepared by Kearns Mancini Architects.		
Height of Building			
# of Parking provided			
Date of Building construction			

8. **TYPE OF ACCESS** (please provide name of highway, road, etc.)

Provincial Highway _____
 County Road (Specify Number) _____
 Municipal Road (maintained year round) Picton Main Street, Johnson Street
 Municipal Road (seasonally maintained) _____

Private Right-of-Way or Road _____
 Water Access Only** _____

** Specify what boat docking and parking facilities are available on the mainland for lots with water access.

9. **TYPE OF WATER SUPPLY** (please check appropriate box)

Existing Proposed

Municipally owned and operated piped water system
 Dug or Blasted Well
 Drilled Well
 Shore Well
 Other (**Please Specify**)

10. **TYPE OF SEWAGE DISPOSAL** (please check appropriate box) Existing Proposed
- Municipally owned and operated sanitary sewers
- Septic System (specify whether **individual** or **communal**)
- Other (**Please Specify**)

11. **LAND USE FEATURES ON OR ADJACENT TO THE SUBJECT PROPERTY**

Please check (<input type="checkbox"/>) the appropriate box	On Subject Property		Within 500 metres of Property	
	Yes	No	Yes	No
Active Landfill Site	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Closed Landfill Site	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Agricultural (e.g. barn, livestock, etc.) (If yes, please complete page 8)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Flood Plain	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Aggregate Extraction Operation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rail Line Right-of-way	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Provincial Park	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Provincially Significant Wetland on or within 40 metres of the subject property	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
A Previous Industrial use, Orchard or Contaminated Site	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Utility Corridor, electricity generating station, transformer (etc.), natural gas pipeline	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Known Cultural Heritage or Archaeological sites	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Sewer or Water facility	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

12. Are the subject lands presently the subject of any other applications under the Planning Act (e.g. Official Plan Amendment, Consent, Minor Variance, Approval of a Plan of Subdivision?)

Yes No

If you checked Yes, please state the file numbers of the applications and their status:

CONSENT INFORMATION (if applicable)

1. **Type & Purpose of Proposed Consent Transaction (Check appropriate box)**

One New Lot () Addition to Lot () Easement ()
 Right-of-Way () Correction of Title()
 Mortgage () Lease ()

2. Name of person(s) (purchaser, lessee, mortgagee, etc.) to whom land or interest in land is intended to be conveyed, leased or mortgaged:

3. Please provide the following information for the proposed severed and retained parcels of land (including easements and right-of-ways):

DESCRIPTION OF LAND

	Total Holding	Proposed Severed Lot	Retained Lot
Road Frontage / Width			
Lot Area			
Lot Depth			

4. Is this a resubmission of a previous consent application? **Yes** () **No** ()
 If the answer is **Yes**, is it **Identical** () or **Changed** ().

Provide previous File No(s). _____

5. To the best of your knowledge, has the parcel intended to be severed ever been, or is it now, the subject of an application for a plan of subdivision or other consent under the Planning Act or its Predecessors since 1998:

Yes () **No** () **Unknown** ()

If **Yes**, please complete the following:

File No. _____

Name of Applicant: _____

Was the Plan of Subdivision/Consent Approved? _____

Was the Consent Deeded? _____

What is the Use of the Transferred Parcel? _____

6. Are there any easements or restrictive covenants affecting the subject lands? If yes, please show on the application sketch and describe below.

7. If this consent relates directly to an Official Plan Amendment currently under review by the County of Prince Edward, please indicate the amendment number and file number(s).

8. Please provide any other planning information or justification that you think may be useful to the County of Prince Edward Planning Committee, or to any person/agency who may be reviewing this application. If you require more space, please attach a separate written page(s) to your completed application.

REZONING INFORMATION (if applicable)

1. The Undersigned hereby applies to the Corporation of the County of Prince Edward for an amendment to By-law No. 1816-2006 for the County of Prince Edward, as amended, in respect to the lands hereinafter described.

2. Give a detailed description of the use(s) proposed for the subject property.

 Please refer to Planning Justification Report prepared by RFA Planning
 Consultant Inc.

3. When were the subject lands purchased by the current owner? 2017

4. How long have the existing uses been carried on for? 2018

5. Are any buildings/structures proposed to be built on the subject lands?
 Yes No ****If Yes Answer Question No. 6.**

6. For each proposed building or structure on the subject lands please provide the following information.

		Description of Proposed Buildings/Structures on Subject Lands (if known)	
		Building No. 1	Building No. 2
Type of Building/Structure (e.g. Single family dwelling)			
Dimensions (area)	Please refer to Site Plan prepared by Kearns Mancini Architects.		
Floor Area (one use)			
Height of Building			
# of Parking provided			

7. Have the subject lands ever been the subject of a rezoning application under Section 34 of the *Planning Act* or a Site Plan Control Approval application under Section 41 of the *Planning Act*, as amended?
 Yes No

Is the property subject to a Site Plan Control or Subdivision Agreement?
 Yes No

If you checked Yes, please state the file numbers of the applications:
 Site Plan Control to be submitted subsequent to the approval of the rezoning application

8. Please provide any other planning information or justification that you think may be useful to the County of Prince Edward Planning Committee, or to any person/agency who may be reviewing this application. If you require more space, please attach a separate written page(s) to your completed application. **(If you have completed No. 8 on the Consent page, proceed to the next section).**

 Please refer to Planning Justification Report, prepared by RFA Planning
 Consultant Inc.

Minimum Distance Separation Information (MDSI)

This is to be completed and attached to the application when applying for a new non-farm lot within 500 metres of an existing livestock facility.

Complete one sheet for each set of farm buildings.

Size of Barn _____ sq. m / sq. ft
 Closest distance from the livestock facility to the new use _____ metres / feet
 Closest distance from the manure storage to the new use _____ metres / feet
 Tillable Hectares where livestock facility located _____ hectares

Type of Livestock	Maximum Housing Capacity #	Manure System (Check one box)			
		Covered Tank	Open Solid Storage	Open Liquid Tank	Earthen Manure Storage
DAIRY <input type="checkbox"/> Milking Cows <input type="checkbox"/> Heifers					
BEEF <input type="checkbox"/> Cows (Barn confinement) <input type="checkbox"/> Cows (Barn with yard) <input type="checkbox"/> Feeders (Barn confinement) <input type="checkbox"/> Feeders (Barn with yard)					
SWINE <input type="checkbox"/> Sows <input type="checkbox"/> Weaners <input type="checkbox"/> Feeder Hogs					
POULTRY <input type="checkbox"/> Chicken Broiler/Roasters <input type="checkbox"/> Caged Layers <input type="checkbox"/> Chicken Breeder Layers <input type="checkbox"/> Pullets <input type="checkbox"/> Meat Turkeys (> 10 kg) <input type="checkbox"/> Meat Turkeys (5-10 kg) <input type="checkbox"/> Meat Turkeys (< 5 kg) <input type="checkbox"/> Turkeys Breeder Layers					
HORSES					
SHEEP <input type="checkbox"/> Adult Sheep <input type="checkbox"/> Feeder Lambs					
MINK – Adults					
WHITE VEAL					
GOATS <input type="checkbox"/> Adult Goats <input type="checkbox"/> Feeder Goats					
OTHER					

Name of farmer: _____

Phone Number of farmer: _____

DECLARATION

This must be completed by the Owner.

NOTE: If more than one owner is listed in item #1 of this application, then all owners must sign this application form and the affidavit section in the presence of the Commissioner of Oaths.

I, (We), Spike Capital Corp. c/o Jonathan Kearns of the City Of Toronto in the County/Region of _____ solemnly declare that all of the statements contained in this application for consent and/or rezoning for (property description) 347 Picton Main Street and all the supporting documents are true, and I, (we), make this solemn declaration conscientiously believing it to be true and complete, and knowing that it is of the same force and effect as if made under oath, by virtue of the CANADA EVIDENCE ACT. I agree to allow the Municipality, its employees and agents to enter upon the subject land for the purpose of conducting a site inspection that may be necessary to process this application.

DECLARED before me at the
City of Belleville
in the County
of Hastings
this 10th day of November 2023

Jonathan M. Kearns
Owner/Applicant

Owner/Applicant

Owner/Applicant*

Owner/Applicant*

Lorna Brenda Brown
Commissioner of Oaths

Commissioner's Stamp
**Lorna Brenda Brown, a
Commissioner, etc., Province
of Ontario, for RFA Planning
Consultant Inc.
Expires May 31, 2024**

*** When applying for a lot addition, signatures of the owner(s) of the benefiting property are required in addition to that of the subject property.**

OWNER'S AUTHORIZATION IF THE OWNER IS USING AN AGENT FOR REPRESENTATION

I, (We), Spike Capital Corp. c/o Jonathan Kearns of the City Of Toronto in the County/Region of _____ solemnly declare that RFA Planning Consultant Inc. is authorized to submit an application for consent and/or rezoning for the lands that I/We own, located in (property description) 347 Picton Main Street to act as our agent in the completion of the matters related to the processing thereof.

DECLARED before me at the
City of Belleville
in the County
of Hastings
this 10th day of November 2023

Jonathan M. Kearns
*Owner/Applicant

Owner/Applicant

Lorna Brenda Brown
Commissioner of Oaths

Commissioner's Stamp
**Lorna Brenda Brown, a
Commissioner, etc., Province
of Ontario, for RFA Planning
Consultant Inc.
Expires May 31, 2024**

Cost Acknowledgement Agreement

THIS AGREEMENT made in duplicate this 10th day of November, 2023

BETWEEN:

THE CORPORATION OF THE COUNTY OF PRINCE EDWARD

(hereinafter called the "Municipality")

PARTY OF THE FIRST PART

- AND -

Spike Capital Corp. c/o Jonathan Kearns

(hereinafter called the "Owner")

PARTY OF THE SECOND PART

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

AND WHEREAS the Municipality may incur expenses for services or activities which are not covered by the initial fee for the basic processing of the Application(s) as described on Schedule "A" hereto;

AND WHEREAS the Municipality has authorized the entering into of this Agreement by By-law 3903-2016 being a by-law to establish a tariff of fees for the processing of applications made in respect of planning matters pursuant to Section 69 of the *Planning Act*, as amended;

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 Commissioner of Planning for the Municipality shall instruct such of the Municipality's staff, solicitor, planning, engineering and other consultants as the Commissioner of Planning 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.
 - (a) The Owner hereby covenants and agrees to reimburse the Municipality forthwith on demand for all expenses whatsoever incurred by the Municipality relating to or arising out of the Application(s).
 - (b) In this Agreement, the word "expenses" includes:
 - (i) fees, costs, expenses, and disbursements incurred by or on behalf of the Municipality for services or activities related to or arising out of the Application(s) but not described in Schedule "A" hereto, including but not limited to fees, costs, expenses, and disbursements for items such as: additional public meetings, notices of public meetings, external agency fees, extensions or amendments to Application(s), plans or the conditions of approval, peer reviews, additional studies and/or evaluations, site inspections, meetings, and all attendances and preparation related to any and all appeal(s) to any tribunal and/or court, including without limitation all legal and consultant fees and disbursements.

- (c) For purposes of this Agreement, the Owner acknowledges and agrees that the "processing" of the Application(s) includes any additional public meetings, notices of public meetings, extensions or amendments to Application(s), plans or the conditions of approval, peer reviews, additional studies and/or evaluations, site inspections, meetings, and all representation, attendances and preparation related to any and all appeal(s) to any tribunal and/or court.
3. The Owner hereby agrees to deposit with the Municipality, at the time of signing this Agreement, a certified cheque in the amount of \$ 2040 payable to the Municipality as an advance on all expenses that may be incurred by the Municipality. The said sum of \$ 2040 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 Municipality shall then submit to the Owner a statement of all monies paid and the Owner shall pay to the Municipality forthwith a sufficient sum to reinstate the Deposit to the initial sum of \$ 2040 in order that the full sum of \$ 2040 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 Owner to reimburse the Municipality in full for all expenses incurred by the Municipality.
 4. In the event that the Owner 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's Commissioner of Planning may, in his or her sole and absolute discretion, direct municipal staff, planner, solicitor, engineer and any other consultants to cease all work on or relating to the 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 Owner's Application(s) have been paid in full and all matters relating to the Owner's Application(s) have been completed. Upon completion or in the event the Owner indicates that it desires to cease all work relating to the Owner's Application(s), then the balance, if any, of the Deposit shall be returned by the Municipality to the Owner after the payment of all accounts, statements, invoices, etc., submitted or to be submitted to the Municipality and relating to the Owner's Application(s) have been paid in full.
 6. In the event that any matter relating to the Owner'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 [whether the decision is to support or refuse the Owner's Application(s)], then in such case the provisions of this Agreement shall also apply to all expenses 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 Owner to the Municipality on all sums of money payable by the Owner 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. Any and all expenses that may remain unpaid to the Municipality constitute a debt of the Owner to the Municipality. The Owner agrees that the Municipality in its sole and absolute discretion shall be entitled to add such expenses to the tax roll for the property of the Owner and collect them in the same manner as municipal taxes.
 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 Owner 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 Owner in any such proceedings.
 10. This Agreement shall not be construed as acceptance or approval by the Municipality of the Application(s).
 11. This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals attested to by the hands of their proper officers authorized in that behalf.

SIGNED, SEALED AND DELIVERED
In the presence of:

) THE CORPORATION OF THE
) COUNTY OF PRINCE EDWARD
)
) Jonathan M. Kears
) PER: _____
)
) NAME OF OWNER
)
) _____
) PER: _____
)
) NAME OF OWNER
)
) _____
) PER: _____

Schedule 'A' to Cost Acknowledgement Agreement
Basic Processing of Application(s)

File Intake and Acceptance:

- initial acceptance and review of application for completeness, consistency, conformity, and technical correctness

Reporting and Review:

- agency circulation and consultation (1)
- correspondence related to consultation
- site plan reviews (2) – initial plan plus 1 revised plan
- site plan agreement review (1) – after initial agreement preparation

Documents:

- preparation of one report (including mapping) and consultation with Owner, municipal departments, and any other party necessary respecting the Application(s) and any associated conditions
- notice of decision
- administration and notice (including draft official plan amendment and zoning by-law amendment document)

Meetings:

- preparation for and attendance of one (1) public meeting
- preparation of initial notices of public meetings
- presentation and discussion at Committee/Council
- internal meetings and consultation
- consultation prior to municipal decision

Other Expenses:

- one site inspection by a development planner
- general inquiries

Final Approval:

- clearance administration
- final review, signing, and registration

Administration:

- general administration
- postage (two (2) agency circulations), courier/fax