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COUNCIL MEETING

Monday, September 25, 2017

6:00 PM

Council Chambers

200 Broadway, 2nd Floor

AGENDA

1. Call to Order

2. Closed Session

Proposed Resolution #1

Moved By:

Seconded By:

THAT Council move into Closed Session to consider:

1. labour relations or employee negotiations (labour relations); and
2. a proposed or pending acquisition or disposition of land by the municipality or local board (Training Centre).

3. Adoption of Agenda

Proposed Resolution #2

Moved By:

Seconded By:

THAT the Agenda as prepared for the Council meeting of Monday, September 25, 2017, be adopted.

4. Moment of Silence

5. Disclosures of Pecuniary Interest and the General Nature Thereof

6. Adoption of Council Minutes of Previous Meeting

6.1. Minutes of the Meeting of September 11, 2017

[170911 Council Minutes](#)

Proposed Resolution #3

Moved By:

Seconded By:

THAT the Minutes of the Council Meeting of September 11, 2017, be approved.

7. Delegations and Presentations

7.1. Volunteer Achievement Award Presentation to Anne Stancek

Presented by: Councillor Stephenson

8. Committee Reports & Presentations

9. Public Meetings

9.1. Application for Zone Change - ZN 7-17-10 - 2412374 Ontario Limited, 3 John Pound Road

[Application ZN 7-17-10](#)

[ZN 7-17-10 Report](#)

[Report Attachments](#)

Proposed Resolution #4

Moved By:

Seconded By:

THAT Tillsonburg Town Council approves the Zone Change Application submitted by 2412374 Ontario Limited, whereby the lands described as Part Lots 1463 & 1464, Plan 500, Part 2 of Reference Plan 41R-7261, known municipally as 3 John Pound Road, are to be rezoned from 'Special Low Density Residential Type 3 Zone (R3-6)' to 'Special Medium Density Zone (RM-4)' to facilitate the development of a four storey apartment building consisting of 33 apartment dwelling units.

10. Planning Applications

10.1. Application for Consent - B17-30-7 - 2228166 Ontario Inc, 15 Harvest Lane

[B17-30-7 Report](#)

[Report Attachments](#)

[Application B17-30-7](#)

Proposed Resolution #5

Moved By:

Seconded By:

THAT Tillsonburg Town Council advise the Land Division Committee that Council supports the proposal to sever the subject lands described as Part Lot 24, Plan 1653,

subject to the condition that the Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial and otherwise, have been complied with.

10.2. CP 2017-262, Deeming By-Law- Broadway Estates Subdivision

[Deeming ByLaw Report](#)

[Report Attachments](#)

Proposed Resolution #6

Moved By:

Seconded By:

THAT Tillsonburg Town Council approves the deeming by-law request submitted by Broadway Estates Inc., whereby the lands described as Lots 68-73 (inclusive) of Registered Plan 41M-218, Town of Tillsonburg, are to be deemed not to be within a registered plan of subdivision to ensure that they merge with the adjacent residential lots in identical ownership to satisfy an obligation arising from an existing subdivision agreement.

11. Information Items

11.1. LPRCA Correspondence requesting support for the National Disaster Mitigation Funding Program

[2017 NDMP App - municipal support](#)

Proposed Resolution #7

Moved By:

Seconded By:

THAT Council receives the correspondence dated September 15, 2017 from the LPRCA;

AND THAT Council supports the application by the Long Point Region Conservation Authority for National Disaster Mitigation Program Funding.

11.2. Tillsonburg Police Services Board - Emergency Shelter Stand-Alone Generator

[PSB](#)

Proposed Resolution #8

Moved By:

Seconded By:

THAT Council receives the correspondence dated September 18, 2017 from the Tillsonburg Police Services Board, regarding an Emergency Shelter Stand-Alone Generator, as information.

11.3. Tillsonburg & Area Optimist Club - 2017 Santa Claus Parade

[Optimist Club](#)

Proposed Resolution #9

Moved By:

Seconded By:

THAT Council receives the correspondence dated September 18, 2017 from the Tillsonburg & Area Optimist Club, regarding the 2017 Santa Claus Parade scheduled for November 18, as information.

11.4. Ontario Honours and Awards Secretariat - June Callwood Outstanding Achievement Award for Voluntarism

[June Callwood Award](#)

Proposed Resolution #10

Moved By:

Seconded By:

THAT Council receives the correspondence from the Ontario Honours and Awards Secretariat, regarding the June Callwood Outstanding Achievement Award for Voluntarism, as information.

12. Mayor

13. Quarterly Reports

14. Reports from Departments

14.1. Chief Administrative Officer

14.2. Clerk's Office

14.2.1. CL 17-19 - Internet/telephone Voting Contract

[CL 17-19 Internet & Telephone Voting Vendor](#)

[2018 MUNICIPAL VOTING CONTRACT - Tillsonburg DRAFT](#)

[CL 17-08 Internet & Telephone Voting Vendor](#)

Proposed Resolution #11

Moved By:

Seconded By:

THAT Council receives Report CL 17-19 Internet/telephone Voting Contract;

AND THAT the Mayor and Clerk be and are hereby authorized to execute the Contract between IntelliVote Systems Inc. and the Corporation of the Town of Tillsonburg.

14.3. Development and Communication Services

14.3.1. DCS 17-30 - Funding Application to the Rural Economic Development Program

[Report DCS 17-30](#)

Proposed Resolution #12

Moved By:

Seconded By:

THAT Council receives Report DCS 17-30, Funding Application to the Rural Economic Development Program;

AND THAT staff be authorized to submit an application to the Ontario Rural Economic Development Program as detailed in this report.

14.4. Finance

14.4.1. FIN 17- 29 - Customer Service Delivery Model Update

[CUSTOMER SERVICE DELIVERY MODEL UPDATE](#)

[CUSTOMER SERVICE DELIVERY MODEL OUTLINE](#)

Proposed Resolution #13

Moved By:

Seconded By:

THAT Council receives Report FIN 17- 29, Customer Service Delivery Model Update, as information.

14.5. Fire and Emergency Services

14.6. Operations

14.7. Recreation, Culture & Park Services

15. Unfinished Business

16. Staff Information Reports

17. Committee Minutes & Reports

17.1. Committee Minutes

[170620 Parks and Rec MIN](#)

[170724 Memorial Park MIN](#)

[170905 Canada 150 MIN](#)

[170907 HBC Committee MIN](#)

Proposed Resolution #14

Moved By:

Seconded By:

THAT Council receives the Minutes of the Parks and Rec Committee dated June 20, 2017; the Memorial Park Revitalization Committee dated July 24, 2017; the Canada 150 Committee dated September 5, 2017; and the Heritage, Beautification & Cemetery Advisory Committee dated September 7, 2017, as information.

17.2. Physician Recruitment and Retention Committee - Verbal Update by Chair

17.3. Long Point Region Conservation Authority Board of Directors Minutes dated August 2, 2017

[170802 LPRCA MIN](#)

Proposed Resolution #15

Moved By:

Seconded By:

THAT Council receives the Minutes of the Long Point Region Conservation Authority dated August 2, 2017, as information.

18. Notice of Motions

19. Resolutions

20. Resolutions Resulting from Closed Session

21. By-Laws

By-Laws from the Meeting of Monday, September 25, 2017

Proposed Resolution #16

Moved By:

Seconded By:

- 21.1. THAT [By-Law 4137](#), To Deem Lots 68-73 of 41M-218, Not to be Within a Registered Plan of Subdivision
[Schedule A](#);
[By-Law 4138](#), To Amend Zoning By-Law 3295 (ZN 7-17-10)
[Schedule A](#)
[Explanatory Note](#)
[Key Map](#); and
[By-Law 4139](#), To Appoint Lana White as Deputy Clerk
be read for a first, second, third and final reading and that the Mayor and the Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

Proposed Resolution #17

Moved By:

Seconded By:

- 21.2. THAT [By-Law 4140](#), To Confirm the Proceedings of the Council Meeting of September 25, 2017 be read for a first, second, third and final reading and that the Mayor and the Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

22. Items of Public Interest

23. Adjournment

Proposed Resolution #18

Moved By:

Seconded By:

THAT the Council Meeting of Monday, September 25, 2017 be adjourned at _____ p.m.



COUNCIL MEETING

Monday, September 11, 2017

6:00 PM

Council Chambers

200 Broadway, 2nd Floor

MINUTES

ATTENDANCE

Mayor Stephen Molnar
Deputy Mayor Dave Beres
Councillor Maxwell Adam
Councillor Penny Esseltine
Councillor Jim Hayes
Councillor Chris Rosehart
Councillor Brian Stephenson

Staff:

David Calder, CAO
Donna Wilson, Town Clerk
Dave Rushton, Director of Finance/Treasurer
Kevin DeLeebeeck, Director of Operations
Rick Cox, Director of Recreation, Culture & Parks
Lana White, Corporate Executive Assistant

1. Call to Order

The meeting was called to order at 6:00pm.

2. Closed Session

Resolution #1

Moved By: Councillor Rosehart

Seconded By: Councillor Hayes

THAT Council move into Closed Session to consider:

1. personal matters about an identifiable individual, including municipal or local board employees (CAO Performance Appraisal).

Carried

3. Adoption of Agenda

Resolution #2

Moved By: Deputy Mayor Beres

Seconded By: Councillor Adam

THAT the Agenda as prepared for the Council meeting of Monday, September 11, 2017, be adopted.

Carried

4. Moment of Silence

5. Disclosures of Pecuniary Interest and the General Nature Thereof

6. Adoption of Council Minutes of Previous Meeting

6.1. Minutes of the Meeting of August 21, 2017

[170821 Council MIN](#)

Resolution #3

Moved By: Councillor Adam

Seconded By: Deputy Mayor Beres

THAT the Minutes of the Council Meeting of August 21, 2017, be approved.

Carried

7. Delegations and Presentations

7.1. Volunteer Achievement Award to Carol DeDecker and Cathy Palmer

Presented by: Mayor Molnar and Councillor Stephenson

7.2. Annandale Ball Diamonds

Presentation By: Chris Parker, President, Men's Slo-Pitch League

[Delegation Request - Chris Parker](#)

Chris Parker, President of the Tillsonburg Men's Slo-Pitch League appeared before Council.

League history and information were provided as background, followed by concerns the league has in regards to various issues experienced throughout the 2017 slo-pitch season.

A powerpoint presentation was distributed to Council and the Senior Leadership Team, as attached herein.

Mr. Parker noted that the League is willing to donate \$5000 towards ball diamond improvements over the next 5 years.

The Director of Recreation, Culture & Parks provided additional information regarding the process to determine diamond allocation, training of Town staff for diamond maintenance/grooming, safety issues in regards to Diamond 3, long-term plans, etc.

Further communication between the League and Town staff was encouraged. Mr. Parker confirmed that the League would be pleased to participate in discussions.

Resolution #4

Moved By: Councillor Adam

Seconded By: Deputy Mayor Beres

THAT Council receives the presentation regarding the Annandale Ball Diamonds, as information.

Carried

8. Committee Reports & Presentations

9. Public Meetings

Resolution #5

Moved By: Councillor Esseltine

Seconded By: Councillor Stephenson

THAT Council move into the Committee of Adjustment to hear applications for Minor Variance.

Carried

9.1. Application for Minor Variance - A-07/17 - Jason & Deb Herman - 131 Concession St W

[A-07/17 Report](#)

[Report Attachments](#)

[Application A-07/17](#)

Eric Gilbert, Development Planner, County of Oxford, appeared before Council and presented Report 2017-240, File A-07/17.

Opportunity was given for comments and questions.

Mr. Gilbert clarified that some of the vegetation at the rear of the property will be removed, some will stay.

The applicants, Jason and Deb Herman, were present.

Mr. Herman provided clarification with respect driveway access. There will be a green/grass access, and the proposed building will be for personal use only. No members of the public appeared in support of, or in opposition to, the application. It was noted that an additional building was on the property. Mr. Gilbert advised that if the building is greater than 10 ft. x 10 ft. the application would need to be amended. The applicant confirmed it would be removed if required. Council passed the following resolution.

Resolution #6

Moved By: Councillor Esseltine

Seconded By: Councillor Stephenson

THAT the Tillsonburg Committee of Adjustment approves Application File A-07/17, submitted by Jason and Deb Herman, for lands described as Lot 16, Plan 714, Town of Tillsonburg, as it relates to:

1. Relief from Section 5 – General Provisions, Table 5.1.1.4 – Regulations for Accessory Buildings and Structures, to increase the maximum permitted lot coverage from 50 m² (538 ft²) to 89.2 m² (960 ft²) to permit an enlarged accessory structure; and
2. Relief from Section 5 – General Provisions, Table 5.1.1.4 – Regulations for Accessory Buildings and Structures, to increase the maximum permitted structure height from 3.7 m (12.1 ft) to 4.5 m (14.8 ft),

subject to the following conditions:

- i. A building permit for the proposed accessory building shall be issued within one year of the date of the Committee's decision; and
- ii. The proposed accessory building shall only be used for non-commercial repairs and maintenance of vehicles for personal purposes.

Carried

9.2. Application for Minor Variance - A-08/17- Gary Eymann - 175 Weston Drive

[A-08/17 Report](#)

[Report Attachments](#)

[Application A08/17](#)

Eric Gilbert, Development Planner, County of Oxford, appeared before Council and presented Report 2017-241, File A-08/17.

Opportunity was given for comments and questions.

The applicant was in attendance and confirmed support of the Planner's Report.
No members of the public appeared in support of, or in opposition to, the application.
Council passed the following resolution.

Resolution #7

Moved By: Councillor Stephenson Seconded By: Councillor Esseltine

THAT the Tillsonburg Committee of Adjustment approves Application File A-08/17, submitted by Gary Eymann, for lands described as Lot 74, Plan 41M-182, and Parts 14 and 15 of 41R-8228, Town of Tillsonburg, as it relates to Section 7.5.5.2.12.1 – Rear Yard – Zone Provisions (R2-5), to increase the maximum permitted projection into the required rear yard from 2.5 m (8.2 ft) to 3.5 m (11.5 ft), subject to the condition that a building permit for the proposed uncovered deck shall be issued within one year of the date of the Committee's decision.

Carried

Resolution #8

Moved By: Councillor Stephenson Seconded By: Councillor Esseltine

THAT Council move out of the Committee of Adjustment and move back into regular Council session.

Carried

10. Planning Applications

- 10.1. Application for Zone Change - ZN 7-17-11- Performance Communities Realty Inc. - Removal of Holding Provision for Andrews Crossing

[ZN 7-17-11 Report](#)

[Report Attachments](#)

Eric Gilbert, Development Planner, County of Oxford, appeared before Council and presented Report CP 2017-256.

Opportunity was given for comments and questions.

The applicant was not in attendance.

No members of the public appeared in support of, or in opposition to, the application.

Council passed the following resolution.

Resolution #9

Moved By: Councillor Stephenson

Seconded By: Councillor Esseltine

THAT Council approves Zone Change Application, File ZN 7-17-11, as submitted by Performance Communities Realty Inc., for lands described as Part of Lot 7, Concession 12 (Dereham), Parts 1-4 of 41R-9418, in the Town of Tillsonburg, to rezone the subject lands to remove the Holding Provision from properties within Phase 1 of Andrews Crossing.

Carried

11. Information Items

- 11.1. Big Brothers Big Sisters of Ingersoll, Tillsonburg & Area - 2017 Municipal Grant
[Big Brothers Big Sisters - 2017 Municipal Grant](#)

Resolution #10

Moved By: Councillor Rosehart

Seconded By: Councillor Hayes

THAT Council receives the correspondence from Big Brothers Big Sisters of Ingersoll, Tillsonburg & Area, dated July 29, 2017, expressing appreciation for the 2017 Municipal Grant, as information.

Carried

12. Mayor**13. Quarterly Reports**

- 13.1. RCP 17-40 - 2017 Second Quarter Financial Results (Deferred from August 21, 2017 meeting)

[RCP 17-40 - Recreation Culture and Parks 2017 Q2 Results](#)

[RCP Q2 2017 Financial Summaries](#)

The Director of Recreation, Culture & Parks provided additional information and clarification. The CAO confirmed that staff will amend the notes as requested, and bring back additional information for Council.

Discussion was held in regards to project prioritizing, specifically the auditorium kitchen renovation and the dog park.

Resolution #11 (Deferred motion from August 21, 2017 Council Meeting)

Moved By: Councillor Hayes Seconded By: Councillor Rosehart

THAT Council receives Report RCP 17-40, 2017 Second Quarter Recreation, Culture & Parks Financial Results, as information.

Carried

Reports from Departments

13.2. Chief Administrative Officer

13.3. Clerk's Office

13.4. Development and Communication Services

13.4.1. DCS 17-27 - Appointment of Building Inspector

[DCS 17-27 - Appointment of Building Inspector](#)

The CAO advised that fluctuating hours may be required. Police may also be called for after-hours issues which require immediate attention, such as parking, noise, etc.

Resolution #12

Moved By: Councillor Hayes Seconded By: Councillor Rosehart

THAT Council receives Report DCS 17-27 – Appointment of Building Inspector as information.

AND THAT a By-Law to appoint Jennie Schmitt as a Building Official, Property Standards Officer and Provincial Offences Officer for the Town of Tillsonburg be brought forward for Council consideration.

Carried

13.4.2. DCS 17-28 - Request for Funding Support – Tillsonburg Hub Consortium

[Report DCS 17-28](#)

Resolution #13

Moved By: Deputy Mayor Beres Seconded By: Councillor Adam

THAT Council receives Report DCS 17-28 Request for Funding Support – Tillsonburg Hub Consortium;
AND THAT \$4,000 in funding from the Economic Development Reserve be granted to the Tillsonburg Hub Consortium conditional on the Tillsonburg Hub Consortium being approved for funding for the remaining amount.
Carried

13.5. Finance

13.5.1. FIN 17-28 Debt Management Policy

[FIN 17- 28 Debt Management Policy](#)

[5-007 Debt Management Policy](#)

Resolution #14

Moved By: Deputy Mayor Beres Seconded By: Councillor Adam

THAT Council receives report FIN 17- 28 Debt Management Policy;

AND THAT By-Law 4135, 5 – 007 Debt Management Policy, be brought forward for Council consideration.

Carried

13.6. Fire and Emergency Services

13.7. Operations

13.7.1. OPS 17-22 - Results for RFP 2017-006 Sidewalk Machine

[OPS 17-22 Results for RFP 2017-006 Sidewalk Machine](#)

Resolution #15

Moved By: Councillor Adam Seconded By: Deputy Mayor Beres

THAT Council receives Report OPS 17-22 Results for RFP 2017-006 Sidewalk Machine;

AND THAT Council awards RFP 2017-006 to Work Equipment Ltd. of Courtland, Ontario at a cost of \$158,440.32 (net HST included), the highest scoring proposal received;

AND FURTHER THAT Council authorizes the reallocation of \$8,440.32 in tax supported debt proceeds to fund the remaining project cost.

Carried

13.7.2. OPS 17-23 - Transfer Station Update

[OPS 17-23 Transfer Station Update](#)

[OPS 17-23 Attachment 1 - Site Signage Renderings](#)

Resolution #16

Moved By: Councillor Adam Seconded By: Deputy Mayor Beres

THAT Council receives Report OPS 17-23 Transfer Station Update;

AND THAT Council authorizes a \$25.00 per load cost recovery fee solely for the disposal of Construction and Demolition material collected at the Transfer Station facility;

AND THAT the cost recovery program be implemented, effective January 1, 2018.

Carried

13.8. Recreation, Culture & Park Services

13.8.1. RCP 17-41 - Use of Surplus from Joy Mausoleum Restoration

[RCP 17-41 - Use of Surplus from Joy Mausoleum Restoration](#)

Resolution #17

Moved By: Councillor Esseltine Seconded By: Councillor Stephenson

THAT Report RCP 17-41 - Use of Surplus from Joy Mausoleum Restoration be received for information;

AND THAT the budget surplus in the Joy Mausoleum restoration capital project be utilized for façade restorations of the Tribe and Teall Mausoleums.

Carried

13.8.2. RCP 17-42 - Wheeled Footwear Update

[RCP 17-42 Wheeled Footwear](#)

[RCP 17-42 - ATT 02 - ORFA Alert Heelies November 2005](#)

[RCP 17-42 - ATT 01 - ORFA Alert Heelies January 2016](#)

Resolution #18

Moved By: Councillor Esseltine Seconded By: Councillor Stephenson

THAT Council receives Report RCP 17-42 – Wheeled Footwear Update for information.

Carried

14. Unfinished Business

15. Staff Information Reports

16. Committee Minutes & Reports

16.1. Committee Minutes

[170406 HBC MIN](#)

Resolution #19

Moved By: Councillor Stephenson Seconded By: Councillor Esseltine

THAT Council receives the Minutes of the June 1, 2017 meeting of the Heritage, Beautification & Cemetery Advisory Committee, as information.

Carried

17. Notice of Motions

18. Resolutions

19. Resolutions Resulting from Closed Session

19.1. MYR 17-05 - CAO Performance Appraisal

[MAYOR17-05CAOopen2017](#)

Resolution #20

Moved By: Councillor Rosehart Seconded By: Councillor Hayes

THAT Council receives Report MYR 17-05;

AND THAT Council endorses the recommendations for the 2017 Goals and Objectives and Remuneration;

AND THAT the work of the Review Committee be considered complete and that the Committee be disbanded.

Carried

20. By-Laws

By-Laws from the Meeting of Monday, September 11, 2017

Resolution #21

Moved By: Deputy Mayor Beres

Seconded By: Councillor Adam

20.1. THAT [By-Law 4133](#), To Amend Zoning By-Law 3295 (ZN 7-17-11);
By-Law [By-Law 4134](#), To Appoint Jennie Schmitt as a Deputy Chief Building
Official; and
By-Law [By-Law 4135](#), To Adopt a Debt Management Policy
be read for a first, second, third and final reading and that the Mayor and the
Clerk be and are hereby authorized to sign the same, and place the corporate
seal thereunto.

Carried

Resolution #22

Moved By: Deputy Mayor Beres

Seconded By: Councillor Adam

20.2. THAT [By-Law 4080](#), To Establish the Composition of the Municipal Council
be read for a third and final reading and that the Mayor and the Clerk be and are
hereby authorized to sign the same, and place the corporate seal thereunto.

Carried

Resolution #23

Moved By: Councillor Hayes

Seconded By: Councillor Rosehart

21.3 THAT [By-Law 4136](#), To Confirm the Proceedings of Council
at its meeting held on September 11, 2017, be read for a first, second and third
and final reading and that the Mayor and the Clerk be and are hereby authorized
to sign the same, and place the corporate seal thereunto.

Carried

21. Items of Public Interest

Newell Road is now open. Other construction projects are on target for completion.

Rogers TV will be televising only the second meeting of each month going forward.

22. Adjournment

Resolution #24

Moved By: Councillor Hayes

Seconded By: Councillor Rosehart

THAT the Council Meeting of Monday, September 11, 2017 be adjourned at 8:59 p.m.

Carried



FILE NO: ZN 7-17-10

DATE RECEIVED: Aug. 9/17

TOWN OF TILLSONBURG APPLICATION FOR ZONE CHANGE

1. Registered Owner(s):

Name: 2412374 ONTARIO LTD Phone: Residence: 416 371 4230
Address: SURGE CTS, 3410 SOUTH SERVICE Business: _____
BULLOCK TOWN, ONT Fax: _____
Postal Code: L7N 3T2 E-mail: JOHN @ VALOUR CAPITAL.COM

Applicant (if other than registered owner):

Name: _____ Phone: Residence: _____
Address: _____ Business: _____
Postal Code: _____ E-mail: _____
Fax: _____

Solicitor or Agent (if any):

Name: _____ Phone: Business: _____
Address: _____ Fax: _____
Postal Code: _____ E-mail: _____

All communications will be sent to those listed above. If you **do not** wish correspondence to be sent to the

Owner, Applicant, or Solicitor/Agent, please specify by checking the appropriate box.

Name and address of any holders of any mortgage, charges or other encumbrances (if known):

2. Subject Land(s):

a) Location:

Municipality TILLSONBURG former municipality _____
Concession No. _____ Lot(s) _____
Registered Plan No. 500 Lot(s) P+ Lots 1463 + 1464
Reference Plan No. 41R-2261 Part(s) 2
The proposed lot is located on the WEST side of JOHN POUND street, lying between
BLOWELL Street and SAVANNAH CT Street.
Street and/or Civic Address (911#): 3 JOHN POUND RD

b) Official Plan Designation:

Existing: MEDIUM DENSITY RESIDENTIAL
Proposed: SAME

If the proposed designation is different than the existing designation, has an application for Official Plan Amendment been filed with the County of Oxford? No Yes

#465211-3-08/08/17-Cheque 650.00
#465211-3-08/08/17-Cheque 25.00

FOR OFFICE USE ONLY
DATE PRESCRIBED INFORMATION COMPLETE

PIN

00037-0370

REV. APR 16

LOW (R3)

c) Zoning: Present: ~~RESIDENTIAL DENSITY~~ RESIDENTIAL
 Proposed: RM-Special

d) Uses: Present: _____
 Proposed: (Include description) 4 STOREY RESIDENTIAL
BLDG CONTAINING 33 UNITS OF
1 AM 2 BEDROOM MIX

3. Buildings/Structures:

For all buildings/structures, either existing or proposed on the subject lands, please supply the following information:

	<input type="checkbox"/> None Existing Building 1	<input type="checkbox"/> None Proposed Building 2
Existing/Proposed		
Use:	_____	_____
Date Constructed (if known):	_____	_____
Floor Area:	_____	_____
Setbacks:		
Front lot line	_____	_____
Side lot lines	_____	_____
Rear lot line	_____	_____

SEE SKETCH

Please complete for residential, commercial/industrial or institutional uses.

	RESIDENTIAL	COMMERCIAL/ INDUSTRIAL	INSTITUTIONAL
TYPE Apt., semi, townhouse, retail, restaurant, church, etc.	APT.		
# OF UNITS	33		N/A
CONVERSION/ADDITION TO EXISTING BUILDING			
Describe	N/A		
TOTAL # OF UNITS/BEDS	N/A	N/A	
FLOOR AREA by dwelling unit or by type (office, retail common rooms, etc.)	SEE SKETCH		
OTHER FACILITIES (playground, underground parking, pool, etc.)			
# OF LOTS (for subdivision)	N/A		N/A
SEATING CAPACITY (for restaurant, assembly hall, etc.)	N/A		
# OF STAFF	N/A		
OPEN STORAGE REQUIRED?	N/A		N/A
ACCESSORY RESIDENTIAL USE?	N/A	If accessory residential use, complete residential section	If accessory residential use, complete residential section

4. Site Information (proposed use(s)):

Lot Frontage	_____	Exterior Side Yard (corner lot)	_____
Lot Depth	_____	Landscaped Open Space (%)	_____
Lot Area	_____	No. of Parking Spaces	_____
Lot Coverage	_____	No. of Loading Spaces	_____
Front Yard	_____	Building Height	_____
Rear Yard	_____	Width of Planting Strip	_____
Interior Side Yard	_____	Driveway Width	_____

SEE SKETCH

5. Services: (check appropriate box)

		Existing	Proposed
Water supply	Publicly owned and operated piped water system	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual well	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify) _____	<input type="checkbox"/>	<input type="checkbox"/>
Sewage Disposal	Publicly owned and operated sanitary sewer system	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Privately owned and operated individual septic tank	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify) _____	<input type="checkbox"/>	<input type="checkbox"/>
Storm Drainage	Municipal Sewers <input type="checkbox"/>	Ditches <input type="checkbox"/>	
	Municipal Drains <input type="checkbox"/>	Swales <input type="checkbox"/>	

6. Access:

Provincial Highway <input type="checkbox"/>	Unopened Road Allowance <input type="checkbox"/>
County Road <input type="checkbox"/>	Right-of-Way owned by _____ <input checked="" type="checkbox"/>
Municipal Road maintained all year <input type="checkbox"/>	Other (specify) _____ <input type="checkbox"/>
Municipal Road seasonally maintained <input type="checkbox"/>	

7. General Information:

a) Is the Subject Land the subject of regulations for flooding or fill and construction permits of the Long Point Region Conservation Authority? No Yes

If yes, has an Application been filed with the Conservation Authority? No Yes

b) Present land use(s) of adjacent properties:

BUILT UP RESIDENTIAL

c) Characteristics of subject land (check appropriate space(s) and add explanation, if necessary)

(i) Does the land contain environmental features such as wetlands, woodlots, watercourses, etc.?

No Yes If yes, describe _____

(ii) Has any part of the land been formally used for any purpose other than agricultural purposes?

No Yes

If yes, describe former use: _____

8. Historical Information:

a) Is the subject land the subject of a current Application for Consent to the Oxford County Land Division Committee or a current application for draft plan of subdivision to the County of Oxford?

No Yes → Application No. _____

b) Have the subject land(s) ever been the subject of any other application under the Planning Act, such as an application for approval of an Official Plan amendment, a zoning by-law amendment, a Minister's Zoning Order amendment, consent, a minor variance, or approval of a plan of subdivision?

No Unknown

Yes → File No. _____ Status/Decision _____

c) If known, the date the subject land was acquired by the owner? 2014

d) If known, the length of time that the existing uses of the subject land have continued? _____

Authorization of Owner(s) for Applicant/Agent to Make the Application

I/We, _____, am/are the owner(s) of the land that is the subject of this application for zone change and I/We authorize _____, to make this application on my/our behalf.

Date

Signature of Owner(s)

Signature of Owner(s)

THIS SECTION TO BE COMPLETED IN THE PRESENCE OF A COMMISSIONER FOR TAKING AFFIDAVITS

I/We JOHN VAN DEN BULLEN of the OAKVILLE ^{TOWN} of OAKVILLE in the REGION of HALTON,

DO SOLEMNLY DECLARE THAT:

All of the prescribed information contained in this application is true and that the information contained in the documents that may accompany this application is true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at the CITY of BURLINGTON in the REG. MUNIC. of HALTON this 9th day of AUGUST 2017

[Signature]
Owner(s)/Applicant
[Signature]
Owner(s)/Applicant

A Commissioner for Taking Affidavits
Tracey Patricia Crimmins, a Commissioner, etc.,
Province of Ontario, for
Snelus Family Law Professional Corporation.
Expires October 11, 2018

Notes:

- 1. Applications will not be considered complete until all requested information has been supplied.
- 2. It is required that one original of this application (including the sketch/site plan) be filed, accompanied by the applicable fee of \$675.00 in cash or cheque, payable to the Treasurer, Town of Tillsonburg. A fee of \$1,175 will be charged if an application is required 'after the fact' (after the use has occupied the site).

Municipal Freedom of Information and Protection of Privacy Act – Notice of Collection & Disclosure

The collection of personal information on this form is legally authorized under Sec.34 of the Planning Act and O.Reg.545/06 for the purpose of processing your planning application. Questions about this collection should be directed to the Director of Community and Strategic Planning at the County of Oxford, 21 Reeve St., P.O. Box 1614, Woodstock, ON N4S 7Y3 or at 519-539-9800 (ext.3207).

Pursuant to Sec.1.0.1 of the Planning Act, and in accordance with Sec.32(e) of the Municipal Freedom of Information and Protection of Privacy Act, it is the policy of the County of Oxford to make all planning applications and supporting material available to the public.

To: Mayor and Members of Tillsonburg Council

From: Eric Gilbert, Senior Planner, Community Planning

Application for Zone Change

ZN 7-17-10 – 2412374 Ontario Limited

REPORT HIGHLIGHTS

- The application for Zone Change proposes to rezone the subject property from 'Special Low Density Residential Type 3 Zone (R3-6)' to 'Special Medium Density Zone (RM-4) to permit a four storey apartment building with 33 apartment dwelling units, with a number of special provisions.
- Comments received through the agency circulation of the proposal will be addressed through the site plan approval process.
- Planning staff are recommending that the application be supported, as it generally complies with the policies of the Official Plan respecting Medium Density Residential development and carries forward existing zoning provisions.

DISCUSSION

Background

OWNER: 2412374 Ontario Limited
Suite G5, 3410 South Service Road, Burlington ON L7N 3T2

LOCATION:

The subject property is described as Part Lots 1463 & 1464, Plan 500, and Part 2 of Reference Plan 41R-7261, in the Town of Tillsonburg. The lands are located on the west side of John Pound Road, lying between Bidwell Street (closed) and Savannah Court, and are municipally known as 3 John Pound Road.

COUNTY OF OXFORD OFFICIAL PLAN:

Existing:

Schedule "T-1"	Town of Tillsonburg Land Use Plan	Residential
Schedule "T-2"	Town of Tillsonburg Residential Density Plan	Medium Density Residential

TOWN OF TILLSONBURG ZONING BY-LAW NO.3295:

Existing Zoning: Special Low Density Residential Type 3 Zone (R3-6)

Proposed Zoning: Special Medium Density Residential Zone (RM-4)

PROPOSAL:

The purpose of the application for Zone Change is to rezone the subject property from 'Special Low Density Residential Type 3 Zone (R3-6)' to 'Special Medium Density Residential Zone (RM-4)' to permit a four storey apartment building consisting of 33 apartment dwelling units (14 one bedroom & 19 two bedroom) on the subject property. Other special provisions requested include:

- Reduced lot area of 115 m² (1,237.9 ft²) per apartment in lieu of the required 160m² (1,722.2 ft²);
- Minimum front yard depth of 4.5 m (14.8 ft) in lieu of required 7.5 m (24.6 ft);
- Minimum interior side yard width of 4.5 m (14.8 ft) in lieu of required 7.5 m (24.6 ft);
- Minimum exterior side yard width of 4.5 m (14.8 ft) in lieu of required 7.5 m (24.6 ft);
- Reduced parking requirements from 1.5 parking spaces per apartment dwelling to 1 space per dwelling; (*staff note that the submitted proposal includes 1.2 parking spaces per dwelling*)
- Reduced setback from centerline of John Pound Road of 16 m (52.5 ft) in lieu of required 20.5 m (67.3 ft);
- Reduced setback of parking areas from interior side lot line of nil, in lieu of required 1.5 m (4.9 ft);
- Removal of the Environmental Protection 2 Overlay that applies to the subject lands

The property will be accessed by way of a private condominium road (Savannah Court) but is not part of the condominium corporation adjacent to the west.

The subject property is approximately 3,870 m² (0.95 ac) and is currently vacant. Surrounding land uses include a single detached dwelling condominium development to the south and single detached dwellings to the north and west at the top of the hill at the western terminus of Bidwell Street. A restaurant and lands used for golf course purposes are to the east.

The topography of the site is such that the north/northwestern portion of the property has a significantly higher elevation than the southern portion of the site. Bidwell Street to the east has been closed. No vehicular traffic is permitted south of the turnaround near Prospect Street,

A partial foundation of an abandoned building is present at the southwestern portion of the property and will be removed from the site as part of the proposed redevelopment.

Plate 1, Location Map with Existing Zoning, shows the location of the subject property and the existing zoning in the immediate vicinity.

Plate 2, 2015 Aerial Map with Existing Zoning, provides an aerial view of the subject property.

Plate 3, Applicant's Site Plan, depicts the proposed location and site design of the development.

Plate 4, Proposed Building Elevation, depicts the proposed design of the four storey structure.

Plate 5, Coloured Building Elevations, depicts the proposed appearance of the principal entrance of the apartment building.

For Council's information, a site plan approval application was previously approved in 2002 that included a four storey apartment building with 40 apartment units and underground parking, in the same approximate location as the current proposal, as part of the adjacent condominium development. The property will be accessed and serviced through the private road. The project was abandoned shortly thereafter, and the subject property was not included in the condominium corporation.

The Town assumed ownership the subject property in 2010 for tax arrears, and stabilized the eastern slope of the subject property (including closed portion of Bidwell Street) through temporary shoring measures. The property was sold by the Town in 2015.

Application Review

PROVINCIAL POLICY STATEMENT:

The 2014 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Under Section 3 of the Planning Act, where a municipality is exercising its authority affecting a planning matter, such decisions "shall be consistent with" all policy statements issued under the Act.

Section 1.1.1 provides that healthy liveable and safe communities are sustained by accommodating an appropriate range and mix of residential (including second units, affordable housing, and housing for older persons) to meet long-term needs, and promoting cost-effective development that minimizes land consumption and servicing costs.

Section 1.4.3 directs that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents by permitting and facilitating all forms of housing required to meet the social, health, and well-being requirements of current and future residents, including special needs requirements and increasing the supply of affordable housing, and utilizing existing infrastructure and public service facilities.

Section 1.1.3.1 of the PPS states that Settlement Areas will be the focus of growth and their vitality and regeneration shall be promoted. Land use patterns within settlement areas shall be based on:

- densities and mix of land uses which are appropriate for, and efficiently use the infrastructure and public service facilities which are planned or available;
- support active transportation;
- efficiently use land and resources;
- a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

OFFICIAL PLAN:

The subject property is designated Medium Density Residential as per Schedule T-2, Residential Density Plan for the Town of Tillsonburg, as contained in the Oxford County Official Plan.

The Official Plan directs that Medium Density Residential Areas are those lands that are primarily developed or planned for low to medium profile multiple unit development that exceeds densities established for Low Density Residential areas. Residential uses within the Medium Density Residential areas include townhouses, medium density cluster development, converted dwellings and low-rise apartments.

The maximum net residential density in the Medium Density Residential area is 62 units per hectare (25 units per acre) and no building shall exceed four stories in height at street elevation. Within areas of new Medium Density Residential development, the minimum net residential density shall be 31 units per hectare (13 units per acre).

Any new buildings or additions will respect the height, bulk, scale and setbacks of adjacent residential uses and shall not adversely impact adjacent residential uses in terms of light, views, privacy or traffic.

When considering a specific proposal for Medium Density Residential development, Town Council will be satisfied that the policies of Section 8.2.7 are adequately addressed. The review criteria contained within Section 8.2.7 include consideration of driveways and parking areas, pedestrian activity, landscaping, play/recreational opportunities, utilities and operational facilities, and safety and comfort. These detailed review criterion are contained within Section 8.2.7.

Chapter 10 of the Official Plan contains policies which recognize the importance of the Zoning By-law in implementing the Plan. It is the intent of the Official Plan that the long-term use of land conform with objectives and policies of the Plan and it is the intent that non-conforming uses will convert, relocate or redevelop over time so that the subject land may be used in conformity with the relevant policies of the Plan.

Notwithstanding the foregoing, legally established uses or a use that is permitted by existing zoning which does not conform to the Official Plan may be recognized as a permitted use in the municipal Zoning By-law in some circumstances. Further, where a use is recognized by existing zoning, but does not conform with the Plan, Town Council may permit minor expansion or minor change in use provided that:

- Existing or proposed services, including water supply, sewage facilities, stormwater management and road access are adequate or will be made adequate to serve the proposed use;
- Parking and loading facilities are adequate or will be made adequate to serve the proposed development;
- The proposal will be compatible with existing land uses in the vicinity in terms of noise, odour, emissions, vehicular traffic and visual intrusion and may be required to include measures that reduce nuisances, protect adjacent properties and improve compatibility of the use with the surrounding area. Proposals may be subject to site plan control to ensure land use compatibility;
- Proposals shall comply with the policies of Section 3.2, Environmental Resource Policies.

TOWN OF TILLSONBURG ZONING BY-LAW:

The subject property is currently zoned 'Special Low Density Residential Type 3 Zone (R3-6)', according to the Town of Tillsonburg Zoning By-law. The R3-6 zone permits a single detached dwelling and an apartment building, not exceeding 40 dwelling units.

The provisions of the R3-6 zone provide that an apartment dwellings may be constructed 4.5 m (14.7 ft) from a street line or lot line, and require 66 parking spaces for a 40 unit apartment building.

The R3 or R3-6 zone do not have any other provisions respecting an apartment dwelling.

The RM zone requires a minimum lot area of 160 m² (1,772 ft²) per apartment dwelling unit, a minimum lot frontage of 20 m (65.5 ft), front yard depth and exterior side yard width of 7.5 m (24.6 ft), interior side yard width of 7.5 m (24.6 ft), and setback of 20.5 m (67.3 ft) from the centreline of John Pound Road.

Section 5.24.2.1 of the Zoning By-Law requires 1.5 parking spaces per dwelling unit, or 50 parking spaces for the 33 proposed apartment dwellings. Parking areas are required to be at least 1.5 m (5 ft) from the street line.

The proposed development appears to comply with the other provisions of the zoning by-law, including required landscaped open space, maximum permitted lot coverage, and required amenity area.

The Environmental Protection 2 Overlay (EP2 Overlay) is present on a portion of the subject property. The EP2 Overlay generally corresponds to significant valleylands, significant woodlands, areas of natural or scientific interest for the life sciences (ANSIs) or fish habitat. Permitted uses within any EP2 Overlay include:

- a public use authorized through an environmental assessment process;
- a use which legally existed on the date of passing of the Zoning By-Law, provided that no additional development or site alteration shall be permitted, except in accordance with Section 5.30.2.3;
- a single detached dwelling on a properly zoned lot of record created on or before April 17, 1979, in accordance with the permitted uses and provisions of the underlying zone;
- a single detached dwelling on a properly zoned lot which was part of a plan of subdivision registered or draft approved on or before April 17, 1979.

Any building which legally existed at the date of passing of the Zoning By-Law may be replaced, rebuilt or altered, provided that such replacement, rebuilding or alteration thereto does not enlarge the gross floor area of such building by more than 25% and is located within an existing cleared area.

AGENCY COMMENTS:

The proposal was circulated to various public agencies considered to have an interest in the application.

Bell Canada indicated that they have no comments at this time.

The Tillsonburg Chamber of Commerce indicated that they have no issues with this development.

The Town of Tillsonburg Building Services indicated that the project will be subject to site plan control.

Tillsonburg Fire & Rescue Services indicated that the fire department has no concerns regarding the zoning change but will comment on the required site plan submission.

Oxford County Public Works Department provided the following comments:

- Considering the proposed setback reductions, through the site plan process, the Owner's consultant is requested to comment on the requirement for a guiderail on John Pound Road (Oxford Road 51);
- The Owner's consultant is requested to provide domestic and fire flow demands to the County. The County will then include those demands in our system model and provide associated comments;
- The Owner will be required to enter into a Private Fire Hydrant Agreement with Oxford County/ Town of Tillsonburg;
- Based on the driveway layout, County Waste Collection services will not enter this property. It is assumed that waste collection at this property will be collected by a private contractor since there is a garbage enclosure shown on the proposed site plan.

Town of Tillsonburg Engineering Services Department indicated that matters such as lot grading and drainage, stormwater management will be addressed at the site plan stage.

The Geotechnical investigation will need to review the stability of the existing slope (a trunk sanitary sewer serving downtown Tillsonburg is located within the Bidwell Street road allowance), requirements and design for the proposed retaining wall, and the Town may require a peer review of the study. Securities will also be collected for the ongoing maintenance of the retaining wall, and for restoration of the private condominium road (Savannah Court).

The Long Point Region Conservation Authority provided the following comments:

The subject property is located at 3 John Pound Road and is located completely within the Regulation Limit of Ontario Regulation 178/06. A permit from this office is required prior to the commencement of any site development.

The Long Point Region Conservation Authority has no objections to the concept of site development as proposed. However, the LPRCA does have concern with the associated parking which is required to facilitate this level of development. The proposed parking area will require a cut into a slope and the construction of a 5 metre wall on a slope that has shown signs of instability and groundwater seepage. We note a geotechnical report has been completed for the site but this report does not sufficiently investigate the stability of the slope and/or provide recommendations for the construction of a retaining wall. Staff would suggest the geotechnical report be amended to include the above noted to ensure the parking requirements can be adequately addressed on site.

Staff also notes that there is a municipal roadway at the top of bank of the proposed retaining wall. To reduce potential future impacts to the municipal roadway, the Town may wish to implement some form of securities to ensure the continued maintenance of the privately owned 5 metre (16.4 ft) retaining wall.

Town Development Commissioner provided the following comments:

Although there are a number of changes being requested by the applicant, these are justified by the fact that the site is a very challenging site to develop. The irregular dimensions, existing state of the site and the embankment make it economically challenging as well. Hence, these changes are reasonable in my opinion.

Supporting residential growth in Tillsonburg, especially higher density growth at the edge of our downtown, is both supported by our Economic Development Strategy and the Community Strategic Plan (Make Tillsonburg an attractive place to live for youth and young professionals) as well as market demand.

PUBLIC CONSULTATION:

Notice of complete application and notice of public meeting regarding this application were circulated to surrounding property owners within 120 m on two occasions, August 15, 2017 & September 11, 2017. Planning staff responded to queries from a number of residents who reside on Savannah Court in the private condominium development. Three letters of objection have been received to date, and is included as an attachment to this report. The letters raise concerns with traffic, access from the private road, parking, and stormwater management.

Planning Analysis

The application for Zone Change proposes to facilitate a four storey apartment building, consisting of 14 one bedroom apartment dwellings and 19 two bedroom apartment dwellings, accessed from a private road.

The proposed development of the subject lands is considered to be an efficient use of the lands, municipal services and infrastructure. It is the opinion of this Office that the subject application is consistent with the housing, intensification, and redevelopment policies of the PPS.

The subject lands comprise approximately 0.38 ha (0.95 ac) and the applicant's proposal is to develop 33 apartment dwelling units on the site, serviced by a private street. The site is designated for Medium Density Residential development and although the development as proposed has a net residential density of 113 units per hectare (45 units per acre), above the density contemplated by the Medium density residential designation, staff note that the existing approvals for the site would permit a great density than what is proposed and the number of permitted units is reduced.

Additionally, the policies of Section 10 of the Official Plan (Non-Conforming Uses) permit Town Council to recognize existing uses that are recognized by existing zoning but do not conform to the Official Plan. Town Council may permit minor expansion or change in use to these existing permitted uses if adequate services are provided, parking and loading facilities are adequate or made adequate, and if the use is compatible with existing land uses in the vicinity. In this instance, the proposed development (with a reduced residential density) is very similar to the apartment building currently permitted by zoning and the non-compliance with the Official Plan is diminished.

Planning staff are of the opinion that the relief sought from the Zoning By-Law with respect to the reduced setback from the centreline of John Pound Road, reduced exterior side yard width and setback from other lot lines is appropriate as it is carrying forward existing provisions in the existing R3-6 Zoning. The 4.5 m setback from the exterior lot line along the closed portion of Bidwell Street, front lot line on John Pound Road, and interior lot line of Savannah Court will allow adequate room for maintenance and is not expected to create any sightline issues.

The current R3-6 zoning provisions that are in place do not have any provisions for minimum lot area, lot frontage, or landscaped open space for an apartment dwelling. The minimum lot area provisions per apartment dwelling of the RM zone cannot be met but staff note that there are

less apartment dwelling units (33 in lieu of 40) proposed now than what is permitted by the R3-6 zoning. In this respect, the previous proposal would not comply with the required minimum lot area per dwelling unit.

With respect to the requested parking relief, staff note that the topography of the site makes the provision of all required parking onsite difficult. The current parking lot design includes a 5 m retaining wall to encroach into the existing slope to provide one parking spot per dwelling unit within the main parking lot. A basement or underground parking for the apartment building has been deemed unfeasible, due to the presence of high groundwater in the area. The applicant has proposed a further 7 parallel parking spaces, to be accessed from the private condominium road. On street parking is not permitted on the private road as it is a fire route for the condominium development. The proposed parallel parking would not appear to create headlight glare or light trespass issues and will maintain the 6.0 m right of way clear for fire route access as required by the Ontario Building Code. The total parking provided onsite is 40 spaces (33 spaces in main parking lot & 7 parallel spaces), equating to 1.2 parking spaces per dwelling unit. Planning staff consider the reduced parking ratio appropriate as it will provide at least 1 space per unit, while accommodating some extra visitor parking. Recent proposals for apartment buildings in town have all included parking relief, and typically 1 space per dwelling unit has been provided.

The applicant has requested that the EP2 Overlay that applies to the subject lands be removed. Staff have conducted a site inspection and discussed the request with the Long Point Region Conservation Authority and have concluded that apart from the slope present on the property, there do not appear to be any watercourse or significant natural heritage features onsite. Planning staff support the applicant's request to remove the EP2 Overlay as the site has been approved for a similar development since 2003 and any future development of the site will require a permit from the LPRCA as the property is wholly contained within the LPRCA Regulation Limit.

The proposed development will be subject to site plan control. Matters such as the review criteria contained in Section 8.2.7 of the Official Plan, landscaping, grading, servicing, and soil / slope stability will be required to be addressed to the satisfaction of the Town and County.

In light of the foregoing, this Office is satisfied that the applicant's proposal to rezone the subject lands to facilitate a phased condominium development consisting of 33 apartment dwelling units is consistent with the PPS and generally complies with the policies of the Official Plan respecting Medium Density Residential development and can therefore be given favourable consideration.

RECOMMENDATION

It is recommended that the Council of the Town of Tillsonburg approve the zone change application submitted by 2412374 Ontario Limited, whereby the lands described as Part Lots 1463 & 1464, Plan 500, Part 2 of Reference Plan 41R-7261, known municipally as 3 John Pound Road, are to be rezoned from 'Special Low Density Residential Type 3 Zone (R3-6)' to 'Special Medium Density Zone (RM-4)' to facilitate the development of a four storey apartment building consisting of 33 apartment dwelling units.

SIGNATURES

Authored by: original signed by

Eric Gilbert, MCIP RPP
Senior Planner

Approved for submission: original signed by

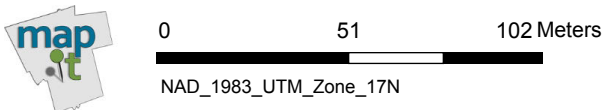
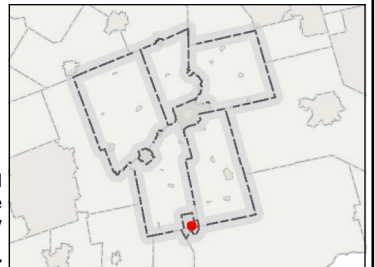
Gordon K. Hough, RPP
Director



Legend

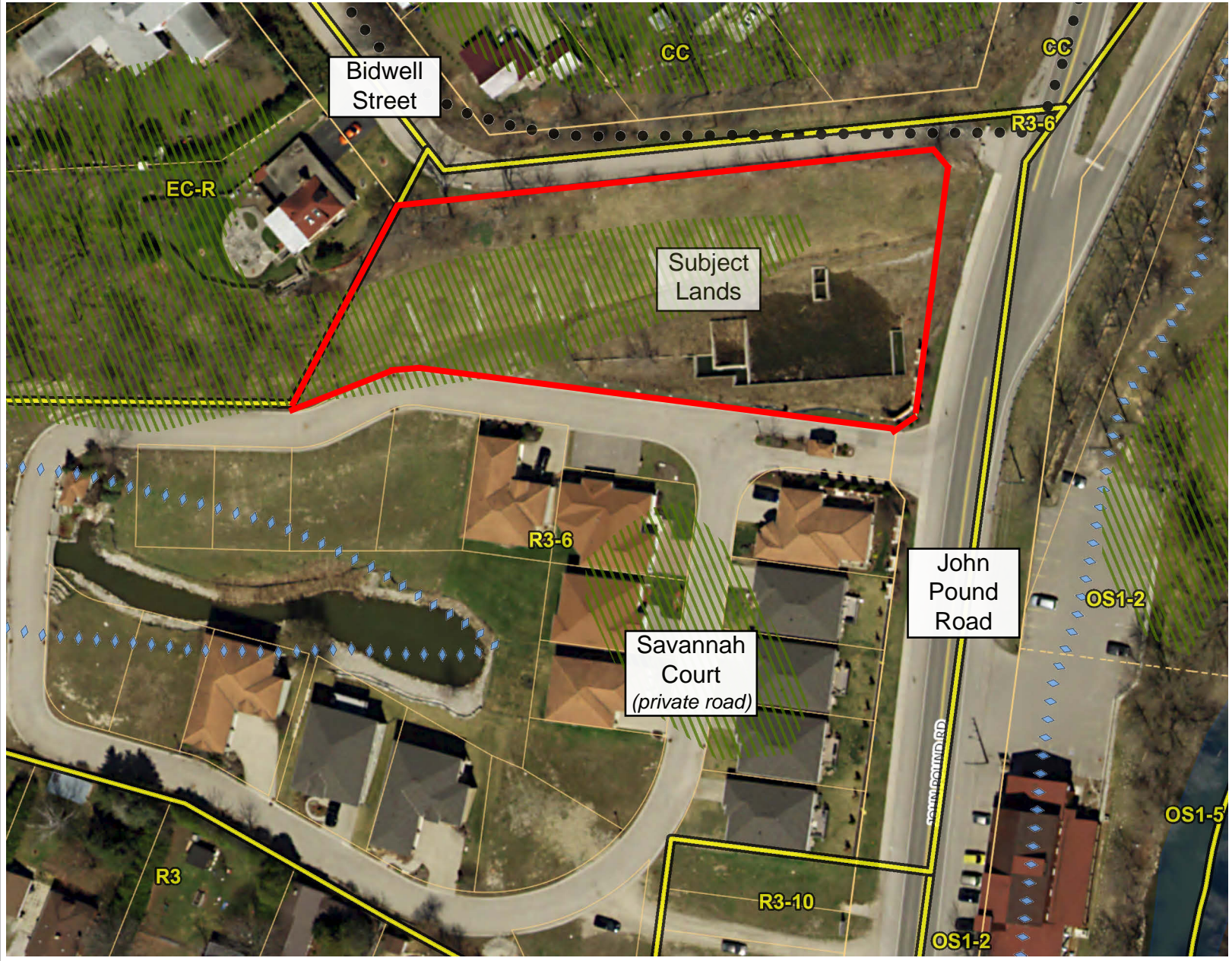
- Environmental Protection/Flood Overlay
 - Flood Fringe
 - Floodway
 - Environmental Protection (EP1)
 - Environmental Protection (EP2)
- Zoning
- Floodlines/Regulation Limit
 - 100 Year Flood Line
 - 30 Metre Setback
 - Conservation Authority Regulation Limit
 - Regulatory Flood And Fill Lines
- Zoning (Displays 1:16000 to 1:500)

Notes



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

August 14, 2017



Legend

Environmental Protection/Flood Overlay

- Flood Fringe
- Floodway
- Environmental Protection (EP1)
- Environmental Protection (EP2)

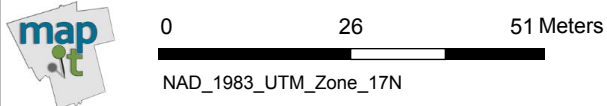
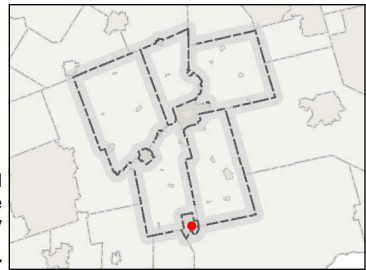
Zoning

Floodlines/Regulation Limit

- 100 Year Flood Line
- 30 Metre Setback
- Conservation Authority Regulation Limit
- Regulatory Flood And Fill Lines

Zoning (Displays 1:16000 to 1:500)

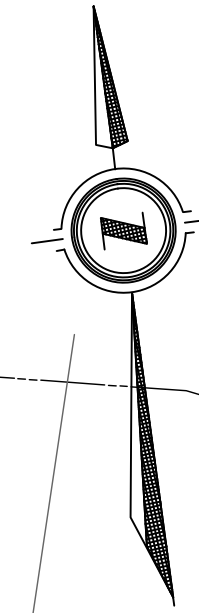
Notes



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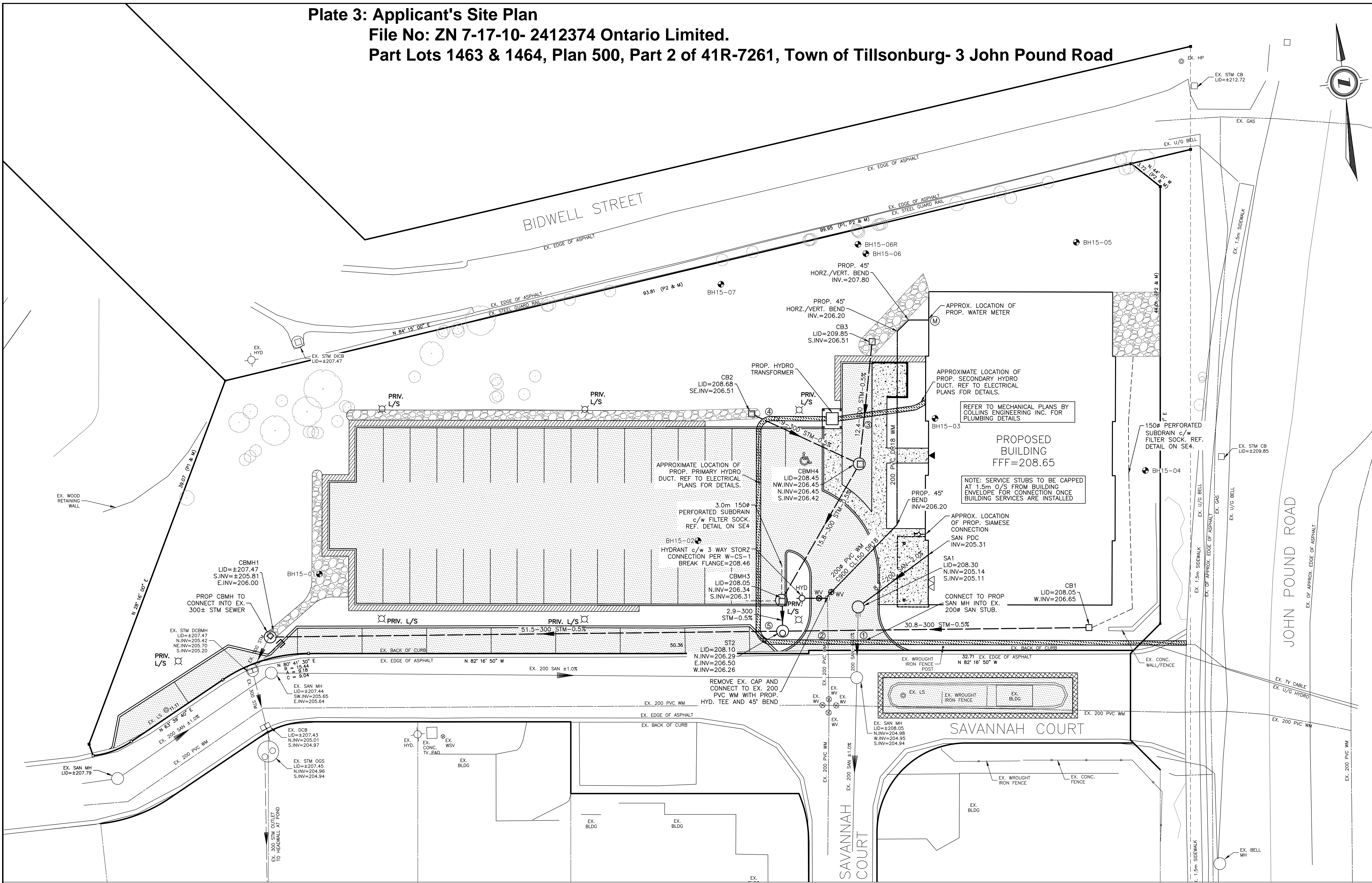
August 14, 2017

Plate 3: Applicant's Site Plan
File No: ZN 7-17-10- 2412374 Ontario Limited.
Part Lots 1463 & 1464, Plan 500, Part 2 of 41R-7261, Town of Tillsonburg- 3 John Pound Road



LEGEND

	DENOTES EXISTING STORM MANHOLE
	DENOTES EXISTING SANITARY MANHOLE
	DENOTES EXISTING CATCHBASIN MANHOLE
	DENOTES EXISTING CATCHBASIN
	DENOTES EXISTING SANITARY SEWER
	DENOTES EXISTING STORM SEWER
	DENOTES EXISTING HYDRANT
	DENOTES EXISTING VALVE
	DENOTES EXISTING WATERMAIN
	DENOTES EXISTING FENCE
	DENOTES EXISTING TV PEDESTAL
	DENOTES EXISTING TV CABLE
	DENOTES EXISTING GAS METER
	DENOTES EXISTING GAS VALVE
	DENOTES EXISTING GAS MAIN
	DENOTES EXISTING BELL POLE
	DENOTES EXISTING BELL PEDESTAL
	DENOTES EXISTING BELL MANHOLE
	DENOTES EXISTING BELL CABLE
	DENOTES EXISTING HYDRO MANHOLE
	DENOTES EXISTING ELECTRICAL CABLE
	DENOTES EXISTING JUNCTION BOX
	DENOTES EXISTING HYDRO POLE/LIGHT STANDARD
	DENOTES EXISTING HYDRO POLE
	DENOTES PROPOSED STORM MANHOLE
	DENOTES PROPOSED SANITARY MANHOLE
	DENOTES PROPOSED CATCHBASIN MANHOLE
	DENOTES PROPOSED STANDARD CATCHBASIN
	DENOTES PROPOSED SANITARY SEWER
	DENOTES PROPOSED STORM SEWER
	DENOTES PROPOSED WATERMAIN
	DENOTES PROPOSED WATERMAIN WITH 3-WAY HYDRANT WITH STORZ CONNECTION
	DENOTES PROPOSED VALVE
	DENOTES PROPOSED WATER METER
	DENOTES PROPOSED SIAMESE CONNECTION



REFER TO SE1 FOR SEDIMENT AND EROSION CONTROLS

NOTE: PVC PIPE CONNECTION TO EXISTING CONCRETE PIPE SHALL BE CONNECTED WITH A "GROUTED MANHOLE ADAPTER" AND PARGING (TYP.)

CONTOURS REPRESENT EXISTING GROUND AS GRADED IN WINTER OF 2015

TOPOGRAPHICAL INFORMATION AND SITE BENCHMARK AS PROVIDED BY DEVELOPMENT ENGINEERING (LONDON) LIMITED

STRUCTURAL DESIGN OF RETAINING WALL FEATURES BY OTHERS, SUPPLIER SHALL PROVIDE ENGINEERED SHOP DRAWINGS FOR REVIEW.

NOTE: PROVIDE GUARDRAIL WHEN GRADE DIFFERENCE EXCEEDS 600mm ON ANY WALL TYPE (TYP.)

MECHANICAL THRUST RESTRAINT SHALL BE PROVIDED AT ALL FITTINGS, BENDS, TEES, VALVES, HYDRANTS, CROSSES, REDUCERS AND PLUGGED OR CAPPED DEAD ENDS IN ACCORDANCE WITH COUNTY OF OXFORD AND TOWN OF TILLSBURG STANDARDS

REF. GEOTECHNICAL REPORT REF.: SW157461 BY AMEC FOSTER WHEELER ENVIRONMENT & INFRASTRUCTURE A DIVISION OF AMEC FOSTER WHEELER AMERICAS LIMITED, DATED NOV. 24, 2015

CONTOURS DEPICT ORIGINAL GRADES & ARE NOT NECESSARILY REPRESENTATIVE OF THE SITE CONDITION FOLLOWING THE EARLY WORKS CONTRACT. THE CONTRACTOR SHALL FAMILIARIZE THEMSELVES WITH THE CURRENT STATE OF THE SITE.

PRIOR TO CONSTRUCTION THE CONTRACTOR SHALL OBTAIN LOCATES FOR, EXPOSE AND CONFIRM LOCATION OF ALL EXISTING UNDERGROUND UTILITIES WITHIN THE LIMIT OF CONSTRUCTION. CONTRACTOR SHALL SUPPORT EXISTING UNDERGROUND UTILITIES AS REQUIRED.

LOCAL BENCHMARK:

BENCHMARK #1 - TOP SPINDLE HYDRANT ON EAST SIDE OF JOHN POUND ROAD ACROSS FROM ENTRANCE TO THE MILL POND SUBDIVISION.
ELEVATION=207.684m

BENCHMARK #2 - SIB ON THE WEST SIDE OF JOHN POUND ROAD AT THE NORTH LIMIT OF MUN. #27.
ELEVATION=206.204m

BENCHMARK #3 - CONCRETE MONUMENT ON THE WEST SIDE IF JOHN POUND ROAD AT THE SOUTH LIMIT OF MUN. #27
ELEVATION=206.264m

TOPOGRAPHICAL INFORMATION AND SITE BENCHMARK AS PROVIDED BY DEVELOPMENT ENGINEERING (LONDON) LIMITED.

LEGAL SURVEY AS PROVIDED BY KIM HUSTED SURVEYING LTD. SEPT 22, 2015

SERVICE CROSSING TABLE

NO.	UTILITY	INVERT	OBSTRUCTION	SEPARATION
1	STM	INV.=206.53	SAN OBV.=±205.27	SEPARATION=1.26m
2	STM	INV.=206.53	WM OBV.=±206.00	SEPARATION=0.53m
3	HYD	INV.=207.29	STM OBV.=206.78	SEPARATION=0.51m
4	HYD	INV.=207.35	STM OBV.=207.00	SEPARATION=0.35m
5	HYD	INV.=206.75	STM OBV.=206.55	SEPARATION=0.20m

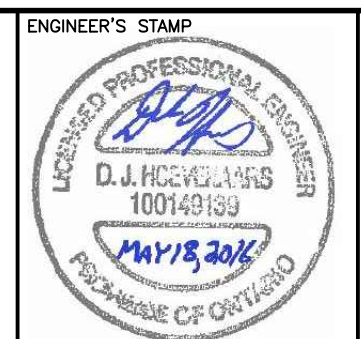
EXISTING SERVICES	DRAWING #, SOURCE	DATE	AS CONSTRUCTED SERVICES	COMPLETION

DETAILS	No.	REVISIONS	DATE	CONSULTANT
DESIGN BY: SD	1	ISSUED TO CLIENT - PRELIMINARY	JAN. 12/16	DELL
DRAWN BY: SD	2	ISSUED FOR COORDINATION	APR. 26/16	DELL
CHECKED BY: DJH	3	ISSUED FOR SPA	MAY. 16/16	DELL
F.B.K. 972				

CONSULTANT OR DIVISION

Consulting Civil Engineers
 41 Adelaide St. N., Unit 71
 London, Ontario N6B 3P4
 Phone (519) 672-8310
 Fax (519) 672-4182
 e-mail: deveng@deveng.net

development engineering
 (London) Limited
 CONSULTING CIVIL ENGINEERS



ENGINEER'S STAMP

SCALE

TITLE

SCALE - 1:200

0 4m

MILLPOND CONDOMINIUMS
 3 JOHN POUND ROAD,
 TILLSBURG ONTARIO

SITE SERVICING PLAN

PROJECT No. **DEL15-070**
 SHEET No. **SE3**
 PLAN FILE No.

Plate 4: Proposed Building Elevation

File No: ZN 7-17-10- 2412374 Ontario Limited.

Part Lots 1463 & 1464, Plan 500, Part 2 of 41R-7261, Town of Tillsonburg- 3 John Pound Road



7111 Syntex Drive, 3rd Floor, Mississauga, ON N2V 2M7
Tel. 647. 896. 9713 Fax. 905. 916. 1354

No.	DATE	ISSUES / REVISIONS
6	MAY 12/16	SITE PLAN APPROVAL SUBMISSION
5	APR 22/16	COORDINATION UPDATE #1
4	APR 19/16	PARALLEL PARKING, TRANSFORMER PAD & SAVANNAH CT. ISLAND
3	MAR 3/16	PROGRESS SET
2	JAN 5/16	FOR PRECONSULTATION
1	DEC 2/15	SITE PLAN FOR COORDINATION

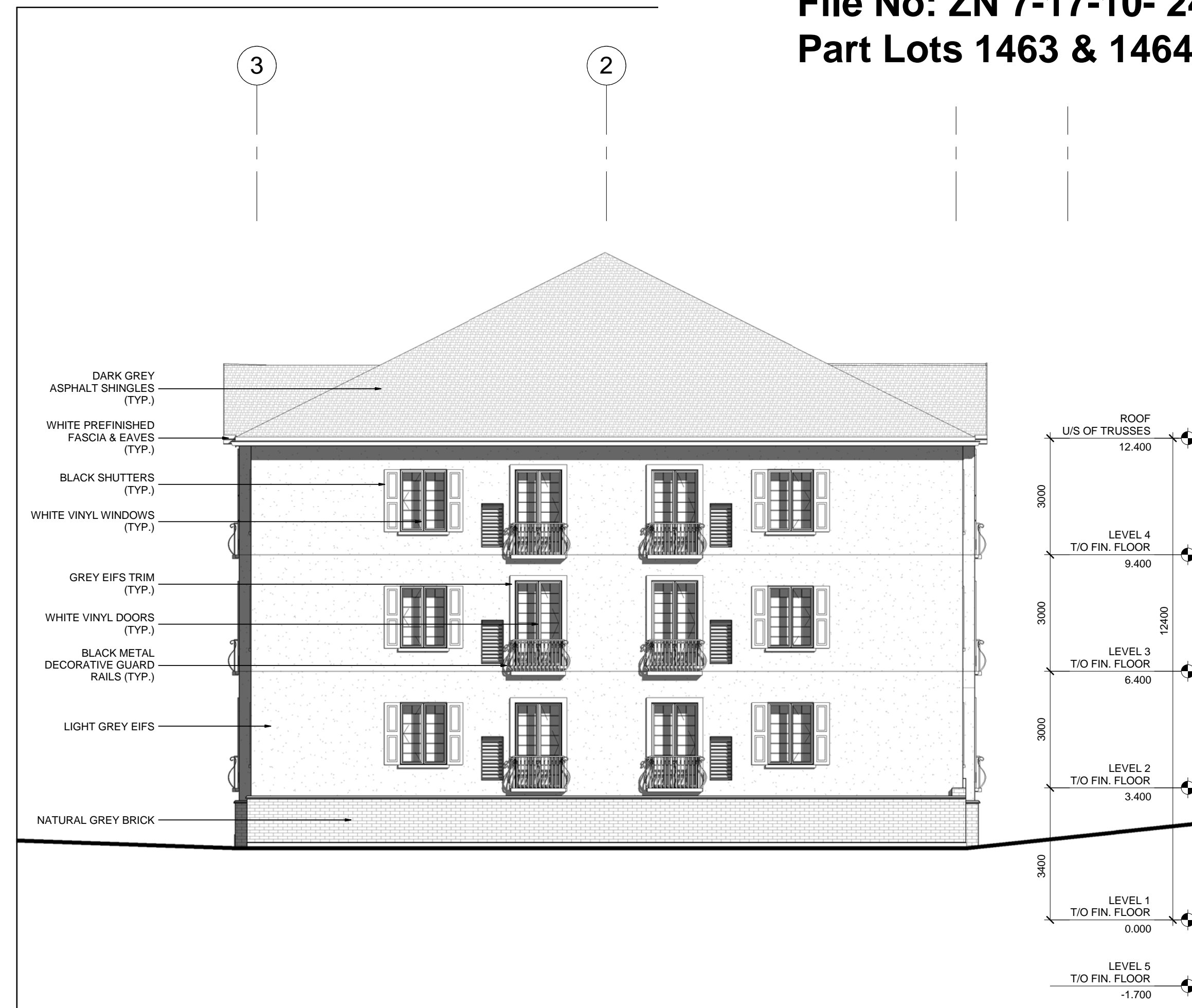
THIS DRAWING HAS BEEN PREPARED FOR THE USE OF ATIF AQUEEL ARCHITECT INC. (AAA) CLIENTS AND MAY NOT BE USED, REPRODUCED OR RELEASSED BY THIRD PARTIES. EXCEPT AS AGREED BY AAA AND ITS CLIENT AS REQUIRED BY LAW OR FOR USE BY GOVERNMENTAL REVIEWING AGENCIES, AAA ACCEPTS NO RESPONSIBILITY, AND DENIES ANY LIABILITY WHATSOEVER, TO ANY PARTY THAT MODIFIES THIS DRAWING WITHOUT THE EXPRESS WRITTEN CONSENT OF AAA.

DO NOT SCALE THIS DOCUMENT. ALL MEASUREMENTS MUST BE OBTAINED FROM STATED DIMENSIONS. ALL ERRORS AND DISCREPANCIES ARE TO BE REPORTED TO THE CONSULTANT BEFORE COMMENCEMENT OF WORK.

IT IS THE RESPONSIBILITY OF THE CONTRACTORS TO INFORM THEMSELVES OF THE EXACT LOCATION OF, AND ASSUME ALL LIABILITY FOR DAMAGES TO ALL UTILITIES, SERVICES AND STRUCTURES WHETHER ABOVE GROUND OR BELOW GRADE BEFORE COMMENCING THE WORK. SUCH INFORMATION IS NOT NECESSARILY SHOWN ON THE DRAWING, AND WHERE SHOWN, THE ACCURACY CANNOT BE GUARANTEED.

WITH THE SOLE EXCEPTION OF THE DIMENSIONS SPECIFICALLY DESCRIBED FOR THIS PROJECT, NO ELEVATION INDICATED OR ASSUMED HEREON IS TO BE USED AS A REFERENCE ELEVATION FOR ANY PURPOSE.

THE DRAWINGS SHOW GENERAL ARRANGEMENT OF ARCHITECTURAL ELEMENTS AND SERVICES. FOLLOW AS CLOSELY AS ACTUAL BUILDING CONSTRUCTION WILL PERMIT. OBTAIN APPROVAL FROM CONSULTANT FOR RELOCATION OF SERVICES BEFORE COMMENCEMENT OF WORK.



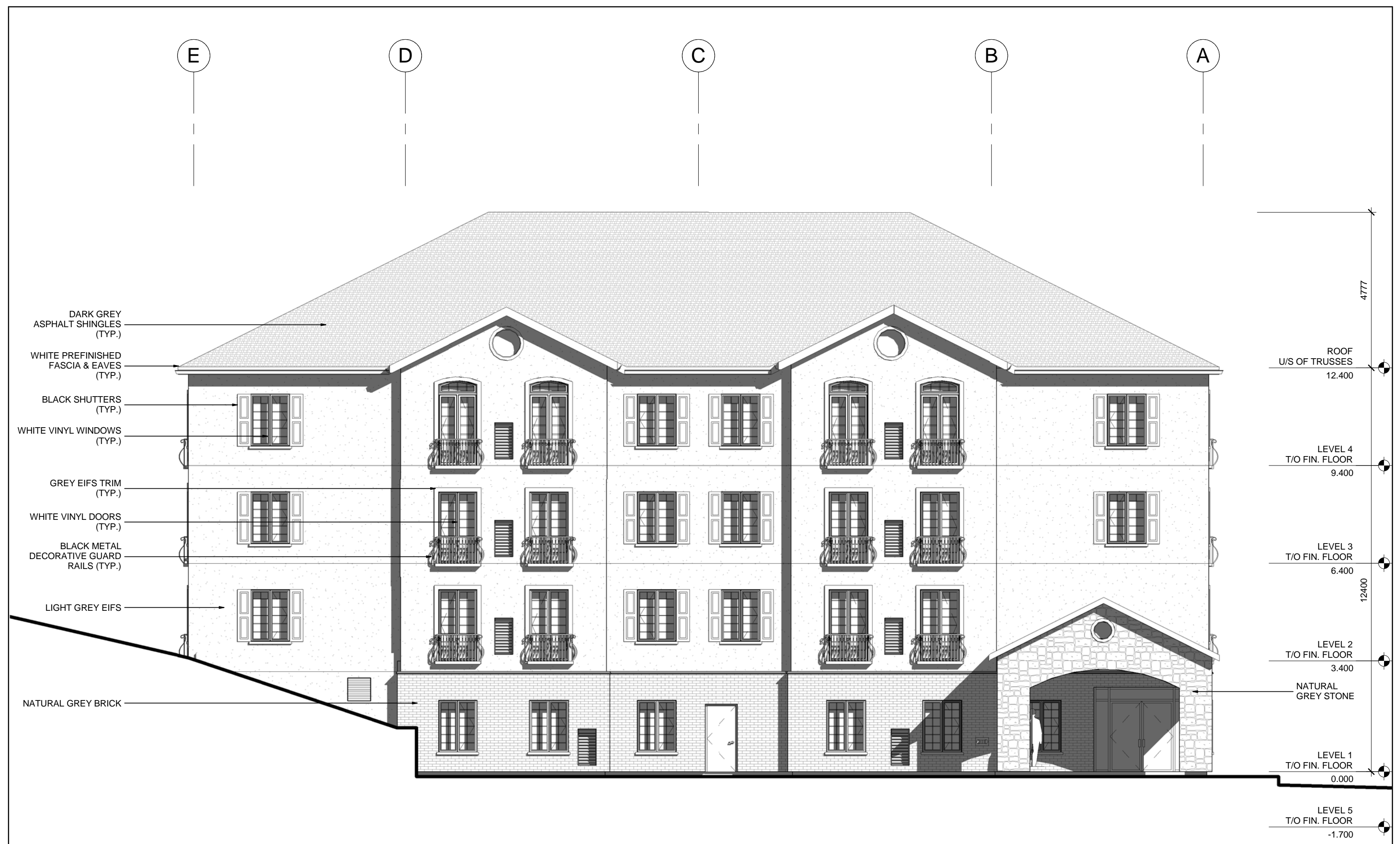
NORTH ELEVATION
SCALE: 1 : 100



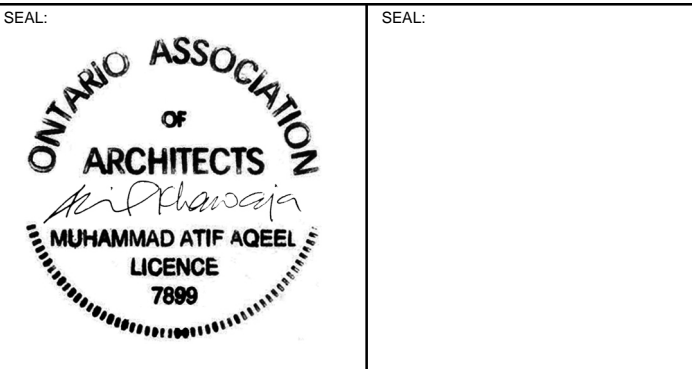
EAST ELEVATION
SCALE: 1 : 100



SOUTH ELEVATION
SCALE: 1 : 100



WEST ELEVATION
SCALE: 1 : 100



CLIENT:
APACHE DEVELOPMENT COMPANY

PROJECT:
JOHN POUND ROAD RESIDENTIAL DEVELOPMENT

DRAWING:
ELEVATIONS

SCALE VERIFICATION:
1 CM = 1 INCH
THIS DRAWING IS TO BE PRINTED AT 100% ON ARCH D: 610mm x 915mm (24"x36")

DRAWN BY: O.A.J. / J.C.G. CHECKED BY: A.A.

DESIGNED BY: A.A. APPROVED BY: A.A.

SCALE: 1 : 100 PROJECT No: 150008

DRAWING NO:
SPA-4.1



JOHN POUND ROAD RESIDENTIAL DEVELOPMENT

APACHE DEVELOPMENT COMPANY

3 John Pound Road, Tillsonburg, Ontario

Plate 5: Coloured Building Elevations

File No: ZN 7-17-10- 2412374 Ontario Limited.

Part Lots 1463 & 1464, Plan 500, Part 2 of 41R-7261, Town of Tillsonburg- 3 John Pound Road

Paul Foyster

**5 John Pound Rd #3
Tillsonburg, Ontario N4G 5X3
PHONE 519 409-0981 FAX 519 409-1033
foysterpaul@gmail.com**

August 25, 2017

Oxford County
Eric Gilbert, MCIP, RPP Senior Planner
Community Planning Office
County of Oxford
Box 1614, 21 Reeve Street
Woodstock, Ontario
N4S 7Y3
Ph 519 539-9800 x 3218
email planning@oxfordcounty.ca

Re: Application for Zone Change in Town of Tillsonburg 3 John Pound Rd file number ZN 7-17-10 owner applicant 2412374 Ontario Limited

I object to the proposed zoning changes for the following reasons.

The wetland area where the building is proposed will no longer be able to absorb additional downpours when the heavy rain occurs. The changes brought on by climate change have made down pours of rain in small areas exceed our normal historical experience. The hill to the north is already unstable and the town of Tillsonburg has stopped all traffic on the existing road and reduced it to a foot path because of the unstable nature of the hill. Any paved area at the bottom of the hill will contribute to the threat of flooding just past the parking area to the existing homes. Since there will be considerably less area that can absorb thousands and thousand of gallons of water that will come down the hill in a big storm.

Tillsonburg and the county recognized long ago that the flood areas need to be protected from future flooding and the best way to do that was protect the lands from development. Not pave over them or put buildings on them. The angle on the hill now appears to be 60 degrees and the vegetation needs to be maintained or increased to help with the stability of the hill and prevent excessive flooding.

The increased population density for the condo complex will go from a proposed 23 unit senior complex with probable population of 46 when finished (if that every happens) to a probable population density of 88 +46 for a total of 134 people in a very small area. The seniors that already live in the condo complex will be faced with high traffic and much more noise from late at night revelers.

The owner of 3 John Pound Road does not even want to have his own driveway but wants to

have mutual access to the condominium complex entry way which will increase the dangers to the existing owners of the condos. Since the owner which is controlled by Valor Properties has voting control of the unfinished condo complex the owners that live here cannot deny him mutual driveway access.

The apartment building will lower the value of the existing properties. The cost to Oxford county to deal with the traffic problem that will most definitely occur at the conversion of Bloomer St and John Pound Road could be substantial. Since the dangerous situation that exists would be multiplied by the number of drivers using the access to John Pound Rd.

Yours truly
Paul Foyster and Kathy Foyster
New owner of John Pound Rd #3 as of June 14 2017

COUNTY OF OXFORD
RECEIVED

SEP 13 2017

REFER TO _____

File/EDMS: _____

September 6, 2017

RE: APPLICATION FOR ZONE CHANGE; FILE #ZN 7-17-10; 2412374 ONTARIO LIMITED

Community Planning Officer
County of Oxford
P.O. Box 1614, 21 Reeve Street
Woodstock On N4S 7Y3

ATTN: Mr. Eric Gilbert and Tillsonburg Town Council

Dear Mr. Gilbert:

We are Linda and Frank Fischer, residents and homeowners of 7-5 Pond Road (Mill Pond Estates). We have concerns in numbered sequence.

1. The 'proposed' 16 unit parking facing south on to Savannah Court will impact our house from the glare of headlights/taillights. Query...a wall 'car height' to deflect the glare from lights might suffice.
2. The 'proposed' 9 space parallel parking, along side of the development designated "visitor parking", reflect the same as above. We have concerns regarding the narrowness of the road being Savannah Court and the visitor parking for Savannah Court. This might become a safety issue when vehicles exit.
3. The 'proposed' snow storage area on the south side of the development, will impact Savannah Court upon melting. It is typically a low spot and ices over therefore causing an increased safety hazard.
4. Blueprints indicated entry guardhouse, boulevard, fencing and light standard are to be removed and disposed of by the builder. Without a light standard, the entry will be very dark and and a safety risk. Desired installation by the builder of entry lighting to compliment existing light standards that are around Savannah Court.

COUNTY OF OXFORD COMMUNITY AND STRATEGIC PLANNING OFFICE
RECEIVED SEP 07 2017
REFER TO _____
FILE _____
OTHER _____

RE: APPLICATION FOR ZONE CHANGE; FILE #ZN 7 -17-10; 2412374 ONTARIO LIMITED

5. As mentioned, our condo community, street and road; is maintained by us at **our** expense. The increased traffic, construction vehicles and service vehicles will cause for significant road deterioration. Consequently the developer/builder share a portion of the cost for road repairs. This agreement to be mutually agreed upon, signed and witnessed **before** construction begins.

We trust you will take these 5 points into consideration for comment at the upcoming Town Hall meeting.

Yours truly,

Linda Fischer
Frank Fischer

Linda and Frank Fischer

September 11th, 2017

RE: Application for Zone Change, File #7-17-10, 2412374 Ontario Limited

Community Planning Officer
County of Oxford
P.O. Box 1614, 21 Reeve Street
Woodstock On N4S 7Y3

Attn: Mr. Gilbert/ Tillsonburg Town Council

Dear Mr. Gilbert:

As per our meeting dated September 5th, 2017 we are writing with concerns regarding the above named application.

1. The increased flow of traffic from construction and future residents, in order to gain access to the property and development of 3 John Pound Road, will cause road deterioration. The owner should be responsible for a portion of the cost for repairs to the road, on Savannah Court which is a private road of Mill Pond Estates.
2. Presently, Mill Pond Estates has minimal visitor parking. The occupants residing in the future development could opt to use our parking for their overflow. The owner should provide adequate signage, avoiding such an occurrence if 3 John Pound Road has free access on our road.
3. The fire route signage is spaced along Savannah Court. The road is narrow and does not allow for emergency access if the road is blocked. The owner of 3 John Pound Road should take the necessary precautions to avoid such an occurrence, if 3 John Pound Road has free access on our property.
4. If the occupants of the future development have access on our property, this might create many legal ramifications. There are safety concerns for example: pond, wildlife and bridge if 3 JohnPound Road has free access on our property. The owner should provide additional liability insurance, if 3 John Pound Road have free access
5. It would not be advisable for the owner to have access for water drainage through our water system as we drain into the pond and might become an environmental issue.

The proposed snow drop off point allocated on the south side of 3 JohnPound Road would not be advisable, as the run off will spill over on Savannah Court and will cause a safety hazard, due to ongoing icing and obvious safety issues.

COUNTY OF OXFORD COMMUNITY AND STRATEGIC PLANNING OFFICE	
RECEIVED SEP 14 2017	
REFER TO _____	
FILE _____	
OTHER _____	

...2

Re: Application for Zone change, File #7-17-10, 2412374 Ontario Limited

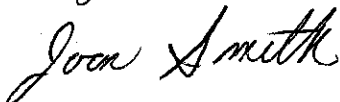
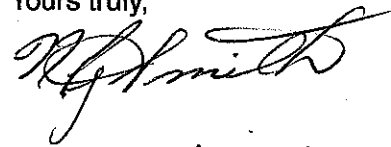
The proposed plan indicates the permanent removal of the guardhouse, light standard and medium. The verbal agreement made between the owner of 3 John Pound Road was to replace the guardhouse in some way however, it appears to be permanently removed as indicated in the plan. The CURRENT light standard should be returned to the front entrance in a suitable location in order to provide adequate lighting while entering Savannah Court.

The proposed parking at 3 John Pound should be protected with a barrier to ensure safety and to reduce the glare from vehicles entering and exiting. The parallel visitor parking could be cause for a collision concern as Savannah Court is narrow. If 3 John Pound Road has free access on our property there will be constant traffic around Savannah Court.

The proposed square footage per unit has decreased, therefore will generate a lower geared rental range which will inevitably have an impact on the property value in Mill Pond Estates and the surrounding area. A condominium building would be preferable.

In closing, thank you Mr. Gilbert for the informative discussion earlier this week.

Yours truly,



George and Joan Smith
8-5 John Pound Road
Tillsonburg ON N4G 5X3

To: Mayor and Members of Tillsonburg Town Council
From: Eric Gilbert, Senior Planner, Community Planning

Application for Consent
B17-30-7 – 2228166 Ontario Inc.

REPORT HIGHLIGHTS

- The purpose of this report is to give consideration to an application for consent for the purpose of creating a new vacant lot.
- The lands to be severed and lands to be retained are currently vacant and are designated for future residential development.
- Planning staff are recommending approval of the subject application as it is consistent with the Provincial Policy Statement and County Official Plan.

DISCUSSION

Background

OWNER: 2228166 Ontario Inc.
 2962 Carp Road, Carp, ON K0A 1L0

APPLICANT: Angela Mariani
 2962 Carp Road, Carp, ON K0A 1L0

AGENT: Michael Beaulne
 50 O'Connor Road, Suite 1500, Ottawa, ON K1P 6L2

LOCATION:

The subject land is described as Part Lot 24, Plan 1653, Tillsonburg. The lands are located on the north side of Harvest Avenue and west side of West Town Line, north of Simcoe Street and south of Potters Road and are municipally known as 15 Harvest Avenue in Tillsonburg.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule "T-1"	Town of Tillsonburg Land Use Plan	Residential
Schedule "T-2"	Town of Tillsonburg Residential Density Plan	Low Density Residential Medium Density Residential

TOWN OF TILLSONBURG ZONING BY-LAW NO.3295:

Existing Zoning: Future Development Zone (FD)

EXISTING USE OF SUBJECT PROPERTY: vacant residential land

PROPOSED USES: Lot to be Severed: Vacant Residential Land
Lot to be Retained: Vacant Residential land

SERVICES: Municipal water and municipal sanitary sewers are available on Harvest Lane.

ACCESS: Paved, Town road (Harvest Lane & West Town Line)

PROPOSAL:

	<u>SEVERED PARCEL</u>	<u>RETAINED LOT</u>
Area	4.97 ha (12.3 ac)	0.65 ha (1.6 ac.)
Width	244.5 m (802 ft.)	Irregular
Depth	334.3 m (1,097 ft.)	Irregular

The purpose of the Application for Consent is for the creation of a new vacant residential lot within the Town of Tillsonburg.

The applicant proposes to sever a parcel of land, having an irregular width of 244.5 m, (802 ft), irregular depth of 334.3 m (1,097 ft), an area of 4.97 ha (12.3 ac), and retain a parcel having an area of 0.65 ha (1.6 ac), as the creation of a new vacant lot. The lands to be severed and retained are currently vacant. It is proposed that the lands to be retained will continue to be owned by the applicant for a possible future expansion of the Harvest Retirement development to the south. The lands to be severed will be sold for future residential development. The lands to be severed are designated Low Density Residential & Medium Density Residential, and the lands to be retained are designated Medium Density Residential.

Surrounding land uses are predominantly service commercial uses fronting on Simcoe Street, and vacant land designated for residential, institutional and service commercial uses on Harvest Lane. The Harvest Retirement Community is located adjacent to the south of the lands to be retained.

Plate 1 - Location Map with Existing Zoning, illustrates the location of the subject lands and the existing zoning in the vicinity.

Plate 2 – 2015 Aerial Map with Existing Zoning, illustrates the extent of development on the properties in question.

Plate 3 – Close-up Aerial View of Retained Lands, provides a close-up aerial view of the retained lands and the adjacent Harvest Retirement development.

Plate 4 – Applicant’s Survey Sketch, depicts the dimensions and areas of the lands to be severed and retained.

This application is being brought to Town Council for a recommendation as required by the adopted Town Policy Regarding New Lot Consent Applications, as approved by Town Council on February 14, 2011. The approved policy requires that any proposal to create a new vacant lot for lands zoned Residential, Institutional, Entrepreneurial, Future Development, or Open Space, requires a report to be provided for Town Council for review and a recommendation for Land Division Committee.

Application Review

PROVINCIAL POLICY STATEMENT:

Section 1.1.1 provides that healthy liveable and safe communities are sustained by accommodating an appropriate range and mix of residential housing (including second units, affordable housing, and housing for older persons) to meet long-term needs, and promoting cost-effective development that minimizes land consumption and servicing costs.

Section 1.4.3 directs that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents by permitting and facilitating all forms of housing required to meet the social, health, and well-being requirements of current and future residents, including special needs requirements and increasing the supply of affordable housing, and utilizing existing infrastructure and public service facilities.

Section 1.1.3.1 of the PPS states that Settlement Areas will be the focus of growth and their vitality and regeneration shall be promoted. Land use patterns within settlement areas shall be based on:

- densities and mix of land uses which are appropriate for, and efficiently use the infrastructure and public service facilities which are planned or available;
- support active transportation;
- efficiently use land and resources;
- a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

OFFICIAL PLAN:

The lands to be retained are designated ‘Residential’ and ‘Low Density Residential’, and the lands to be severed are designated ‘Residential’ and ‘Medium Density Residential’ as shown on Schedules ‘T-1’ & ‘T-2’, Land Use Plan and Residential Density Plan for the Town of Tillsonburg in the County Official Plan.

Low density residential areas include those lands that are primarily developed or planned for a variety of low rise, low density housing forms including single-detached dwellings, semi-detached dwellings, duplexes, converted dwellings, and street townhouses.

The Official Plan states that Medium Density Residential Areas are those lands that are primarily developed or planned for low to medium profile multiple unit development that exceeds densities established for Low Density Residential areas. Residential uses within the Medium Density Residential areas include townhouses, medium density cluster development, converted dwellings and low-rise apartments.

The maximum net residential density in the Medium Density Residential area is 62 units per hectare (25 units per acre) and no building shall exceed four stories in height at street elevation. Within areas of new Medium Density Residential development, the minimum net residential density shall be 31 units per hectare (13 units per acre).

TOWN OF TILLSONBURG ZONING BY-LAW NO. 3295

The lots to be severed and retained are zoned 'Future Development Zone (FD)' in the Town of Tillsonburg Zoning By-Law No. 3295. The FD Zone permits an existing single detached dwelling and accessory uses thereto. The purpose of the FD zoning is to ensure the lands are protected for future residential development, as contemplated by the Official Plan. As noted, there are no structures present on the severed or retained lands.

No amendments to the existing zoning are required.

AGENCY COMMENTS:

The applications were circulated to various agencies considered to have an interest in the proposal.

The Town Director of Recreation, Culture & Parks indicated that parkland dedication will be addressed at the time of future development proposal.

The County of Oxford Public Works Department provided the following comments:

- Oxford County is currently reconstructing Oxford Road 37 (Potters Road) from Simcoe Street to the railway tracks located approximately 100m southwest of Harvest Avenue. The project also includes extension of the municipal watermain from Lorraine Avenue to Harvest Avenue. Owners of Harvest Avenue lands (amongst other benefitting property owners) will be required to contribute to the capital cost for the aforementioned watermain installation.
- Prior to the next phase of development on Harvest Avenue, the existing 200mmØ watermain on Harvest Avenue shall be extended and connected to watermain at Potters Road (currently being constructed per comment above).
- Prior to any further development on Harvest Avenue, the Owner(s) will be responsible for reassessing capacity of downstream sanitary sewers on Lorraine Avenue. This shall also include flow monitoring if/as deemed required by the County/Town.

The Town of Tillsonburg Building Services Department, Tillsonburg Hydro Inc, Town Engineering Services Department, Oxford County OPP, and Bell Canada indicated that they had no concern or objections with the subject application.

PUBLIC CONSULTATION:

Notice of the consent application was provided to the public and surrounding property owners on September 11, 2017. No comments were received as of the date of this report.

Planning Analysis

An application for consent has been submitted to create a new vacant residential lot. The proposed consent will divide an existing vacant residential parcel that is intended for future residential development.

The application is consistent with policies contained in the Provincial Policy Statement that address efficient use of land within settlement areas as the proposed severance will not jeopardize the residential development potential of the subject property, as contemplated by the Official Plan.

The application is consistent with the policy direction of the Official Plan for low and medium density residential areas. The retained lands are proposed to be reserved for future expansion of the Harvest Retirement development to the south, and the severed lands are proposed to be sold for residential development. The lands to be severed will have an area of 4.97 ha (12.3 ac) and will have frontage on West Town Line and Harvest Lane. The lot to be severed and will be large enough to remain viable for future residential development and the proposed consent is not expected to impact the viability of the parcel to accommodate medium and low density residential development, as contemplated by the Official Plan.

With respect to zoning, the current Future Development zoning that is in place is appropriate to ensure the lands to be severed and retained are not comprised and remain available for their intended use. A site plan approval application will be required for the future development of the retained lands, and draft plan of subdivision approval or condominium approval will be required as part of a future development proposal on the severed lands.

No objections to the applications for consent and were raised during the agency circulation. In light of the foregoing, it is the opinion of this Office that the proposed severance appears to comply with the policies of the Official Plan and the 2014 Provincial Policy Statement, is acceptable from a planning perspective and can be given favourable consideration subject to a number of conditions.

RECOMMENDATION

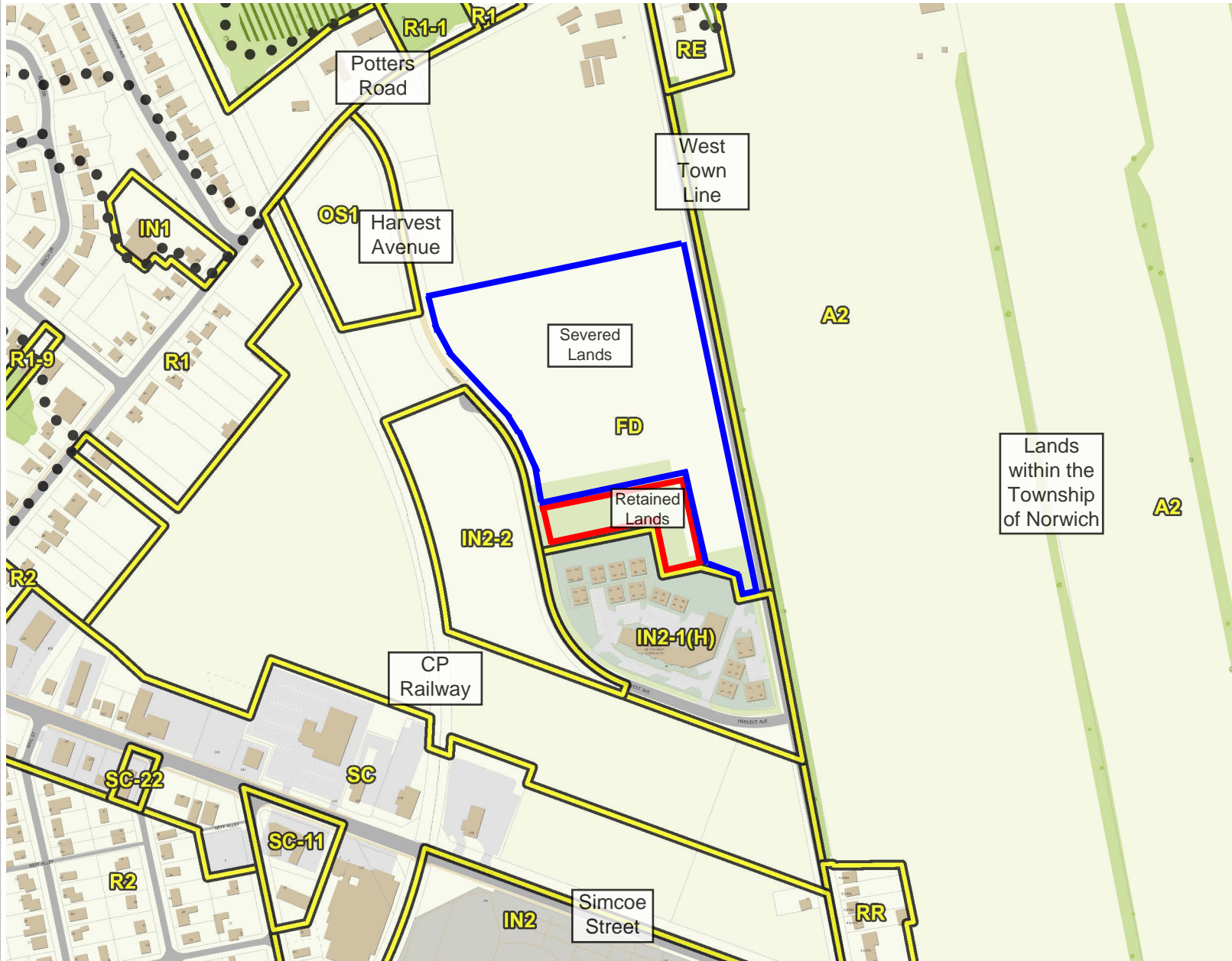
Whereas the proposed severance is consistent with the Provincial Policy Statement, maintains the intent and purpose of the Official Plan, and the lands are appropriately zoned, it is recommended that Town Council advise the Land Division Committee that Council supports the proposal to sever the subject lands, subject to the following condition:

1. **The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial and otherwise, have been complied with.**

SIGNATURES

Authored by: Eric Gilbert, MCIP, RPP, Senior Planner

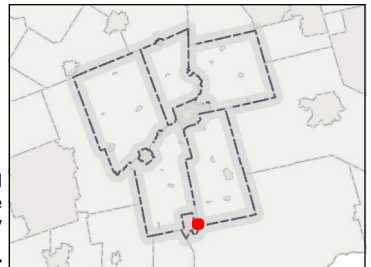
Approved for submission: Gordon K. Hough, RPP, Director



Legend

- Environmental Protection/Flood Overlay
 - Flood Fringe
 - Floodway
 - Environmental Protection (EP1)
 - Environmental Protection (EP2)
- Zoning
- Floodlines/Regulation Limit
 - 100 Year Flood Line
 - 30 Metre Setback
 - Conservation Authority Regulation Limit
 - Regulatory Flood And Fill Lines
- Zoning (Displays 1:16000 to 1:500)

Notes



0 138 276 Meters

NAD_1983_UTM_Zone_17N



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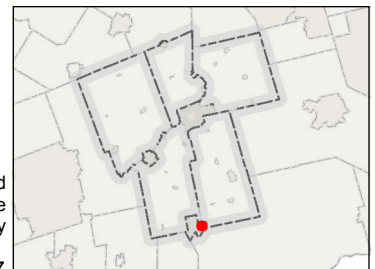
July 12, 2017



Legend

- Environmental Protection/Flood Overlay
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Notes

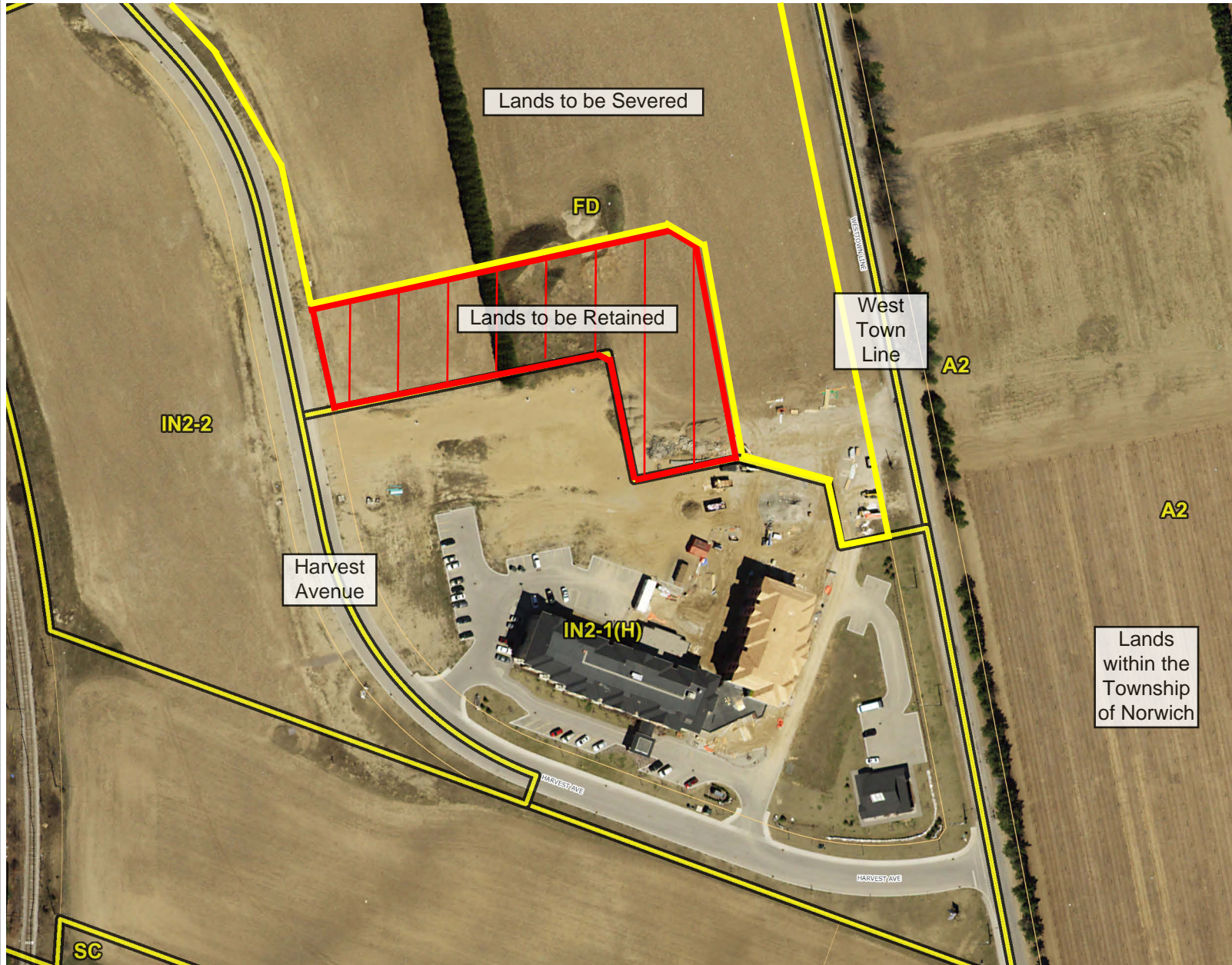


0 102 205 Meters
NAD_1983_UTM_Zone_17N



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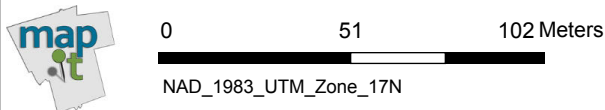
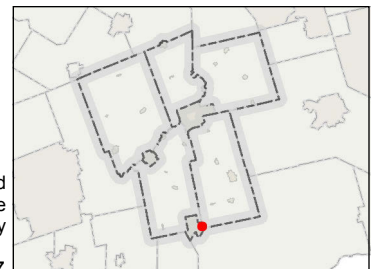
July 12, 2017



Legend

- Environmental Protection/Flood Overlay
 - Flood Fringe
 - Floodway
 - Environmental Protection (EP1)
 - Environmental Protection (EP2)
- Zoning
 - Floodlines/Regulation Limit
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 - Regulatory Flood And Fill Lines
 - Zoning (Displays 1:16000 to 1:500)

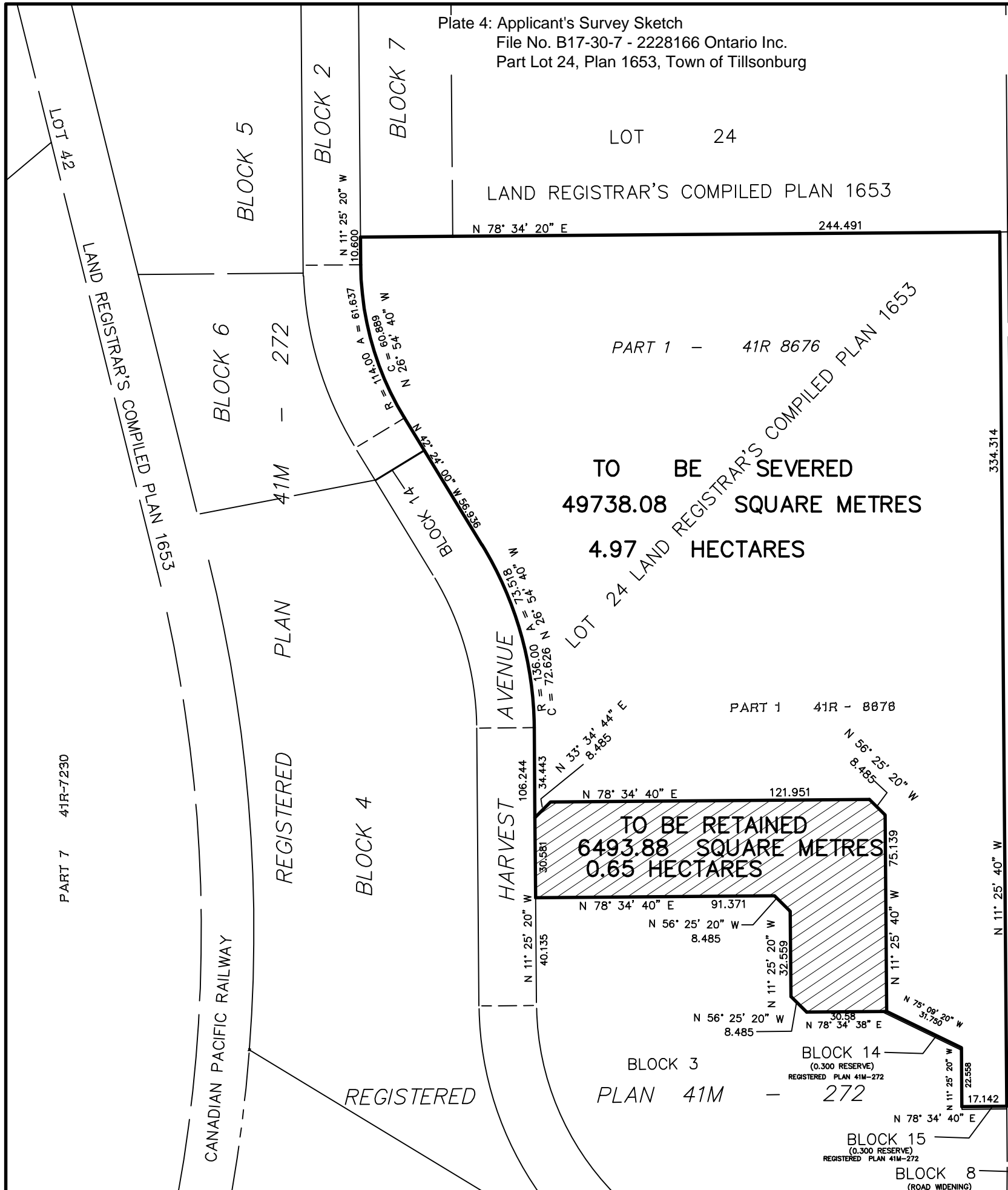
Notes



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

July 12, 2017

Plate 4: Applicant's Survey Sketch
 File No. B17-30-7 - 2228166 Ontario Inc.
 Part Lot 24, Plan 1653, Town of Tillsonburg



SKETCH
PREPARED FOR SEVERANCE APPLICATION
 PART OF LOT 24
 REGISTRAR'S COMPILED PLAN 1653
 MUNICIPALITY OF THE
 TOWN OF TILLSONBURG
 COUNTY OF OXFORD
 ALL OF P.I.N. 00043-0139

SCALE - 1: 17500

METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

CAUTION
 THIS IS NOT A PLAN OF SURVEY OR SURVEYOR'S REPORT AND SHALL NOT BE USED FOR TRANSACTION OR FINANCING PURPOSES

NOTE
 (1) - PROPERTY DIMENSIONS ARE AS SHOWN ON REGISTERED PLAN 41M-272 AND HAVE NOT BEEN VERIFIED BY FIELD SURVEY.

"THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED WITH SEAL"

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KIM HUSTED SURVEYING LTD.
 ONTARIO LAND SURVEYOR
 30 HARVEY STREET, TILLSONBURG, ONTARIO, N4G 3J8
 PHONE: 519-842-3638 FAX: 519-842-3639

PROJECT: 17-13124 REFERENCE:

Box 1614
 Woodstock ON N4S 7Y3
 Tel: (519) 539-9800
 Fax: (519) 421-4712
 Website: www.oxfordcounty.ca



File No. B 17-30-7
 File No. A _____

✓

APPLICATION FOR CONSENT
 or (Check One)
APPLICATION FOR CONSENT AND MINOR VARIANCE

Oxford County Land Division Committee

1. Registered Owner(s): **Residence:** _____
Name: 2228166 Ontario inc **Business:** 613-831-9039
Address: 2962 Carp Road, Carp, ON **Fax:** 613-831-0275
Postal Code: K0A 1L0 **Email:** angela@nlgc.com

Applicant (if other than registered owner): **Residence:** _____
Name: Angela Mariani **Business:** 416-898-5270
Address: 2962 Carp Road, Carp, ON **Fax:** _____
Postal Code: K0A 1L0 **Email:** angela@nlgc.com

Solicitor or Agent (if any): **Bus.** 613-231-8270
Name: Michael Beaulne **Cell** _____
Address: 50 O'Connor Rd, Suite 1500 Ottawa, ON **Fax** _____
Postal Code: K1P 6L2 **Email:** michael.beaulne@nelligan.ca

2. Location of Subject Land:

Municipality Tillsonburg former municipality _____
 Lot(s) _____ Concession _____
 Lot(s) Pt Lot 24 Registered Plan No. 1653
 Part(s) Prt 1 Reference Plan No. 41R8676 (save & except 41M272)
 The subject land is located on the north side of Harvest Ave Street, lying between
Simcoe Street/ and Patters Road Street.
 Street and/or 911 Address (if any): 15 Harvest Ave.

NATURE OF APPLICATION

3. a) Type and Purpose of Proposed Transaction: (check appropriate box(es))

Conveyance
 addition to a lot
 creation of a new lot(s) - specify number of new lots proposed (not including retained lot) 1
 please check if the creation of the new lot(s) is a "technical severance" (i.e., the land being severed and the land being retained were formerly separate holdings but have since become consolidated)

Other
 Mortgage or Charge Lease
 Partial Discharge of Mortgage Correction of Title
 Easement / Right-of-Way Other (specify) _____

OFFICE USE ONLY		
DATE APPLICATION RECEIVED	DATE PRESCRIBED INFORMATION COMPLETE	PIN
<u>May 1/17</u>	<u>July 12/17</u>	<u>000430139</u>
REV. JAN. 2017		

NATURE OF APPLICATION – cont'd

3. b) If Known, name of Person(s) (purchaser, lessee, mortgagee, etc.) to whom land is intended to be conveyed, leased or mortgaged none

4. Minor Variance(s) Request: (if applicable)

a) SECTION & PROVISION FROM BY-LAW	LOT TO BE SEVERED		LOT TO BE RETAINED	
	REQUIRED	PROPOSED	REQUIRED	PROPOSED

b) Why is it not possible to comply with the provisions of the By-Law? _____

5. Is the lot(s) to be severed or the lot to be retained currently the subject of any other application under the Act, such as an application for an Official Plan amendment, a zoning by-law amendment, a Minister's Zoning Order or approval of a plan of subdivision?

No Unknown
 Yes If yes, File No. _____ Status/Decision _____

HISTORY OF THE SUBJECT LANDS

6. Are there any easements or restrictive covenants affecting the subject land? Yes No

If yes, describe each easement or restrictive covenant and its effect.

Easement in favour of Rogers CO88983

 There is a Severance Agreement with Andy Jacko Farms Limited CO56602

7. a) Has the subject property ever been the subject of an application for a plan of subdivision or an application for severance under the Planning Act?

No Unknown
 Yes If yes, File No. SP 10-03-7 Status/Decision Approved 2010

b) Has any land been severed from the parcel originally acquired by the owner of the subject land?

No Unknown
 Yes If Yes, File No(s). _____ Status/Decision _____

8. If this application is for a lot addition, has the lot to be enlarged ever been the subject of a previous severance?

Not Applicable No Unknown Yes

If Yes, please provide the previous severance File No. and a copy of the deed for the property to be enlarged.

File No(s). _____

9. Has the lot(s) to be severed or the lot to be retained ever been the subject of any other application under the Act, such as an application for an Official Plan amendment, a zoning by-law amendment, a Minister's Zoning Order or a minor variance?

No Unknown
 Yes If yes, File No. _____ Status/Decision _____

INFORMATION ABOUT SUBJECT LAND(S)

10. a) **Present Official Plan Designation** applying to the subject land: LOW/MEDIUM DENSITY RESIDENTIAL
- b) **Present Zoning** applying to the subject land: FUTURE DEVELOPMENT AND OS1
- c) Is the application consistent with the **Provincial Policy Statement, 2014**, as amended?
 (see Item No. 9 in the application guide) Yes X No

11. **Description of Subject Land:** (please use additional page(s) if necessary)

DIMENSIONS	LOT TO BE SEVERED		LOT TO BE RETAINED		LOT TO BE ENLARGED (prior to severance)	
	Metres	Feet	Metres	Feet	Metres	Feet
Frontage	334	1095	30.58m	100		
Average Depth	244	734	121.9m	399		
Average Width						
Area	sq.m/ha or sq.ft./ac 4,970 12.3ac		sq.m/ha or sq.ft./ac 6493.96 m ² 1.6ac		sq.m/ha or sq.ft./ac	

PLACE AN 'X' IN THE APPROPRIATE BOX BELOW

USE OF SUBJECT LANDS	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING
Residential (City/Town/Village/Rural Cluster)		x		x	
Non-Farm Rural Residential					
Seasonal Residential					
Mobile Home Park					
Commercial					
Recreational					
Agricultural					
Institutional					
Industrial					
Parkland					
Other (specify)	vacant		vacant		

Provide details on existing uses:

LOT TO BE SEVERED	LOT TO BE RETAINED	LOT TO BE ENLARGED
Vacant	Vacant	

Provide details on proposed uses:

LOT TO BE SEVERED	LOT TO BE RETAINED	LOT TO BE ENLARGED
Future Development	Future Development - residential	

USE AND TYPE OF BUILDINGS AND STRUCTURES (INDICATE IF NO BUILDINGS; PROVIDE DATE OF CONSTRUCTION FOR EXISTING)

	LOT TO BE SEVERED	LOT TO BE RETAINED	LOT TO BE ENLARGED
EXISTING	Vacant	Vacant	
PROPOSED	Future Development	Residential	

TYPE OF ACCESS	LOT TO BE SEVERED		LOT TO BE RETAINED		LOT TO BE ENLARGED
	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING
Provincial Highway					
County Road					
Municipal Road maintained all year	x	x	x	x	
Municipal Road seasonally maintained					
Unopened Road Allowance					
Right-of-Way owned by:					
Water Access (describe boat docking and parking facilities on mainland & distance from proposed lot)					
Other (specify)					
TYPE OF WATER SUPPLY					
Publicly owned and operated piped water system	x	x	x	x	
Privately owned and operated communal water system					
Privately owned and operated individual well					
Lake or other water body					
Other (specify)					
TYPE OF SEWAGE DISPOSAL					
Publicly owned and operated sanitary sewer system	x	x	x	x	
Privately owned and operated communal septic system					
Privately owned and operated individual septic system					
Pit Privy					
Other (specify)					
WHEN WILL WATER SUPPLY AND SEWAGE DISPOSAL SERVICES BE AVAILABLE (if applicable)					

12. If the applicant is not the owner of the land that is the subject of this application, a written authorization of the owner that the applicant is authorized to make the application must be included with this form, or the authorization set out below must be completed.

AUTHORIZATION OF OWNER(S) FOR AGENT TO MAKE THE APPLICATION

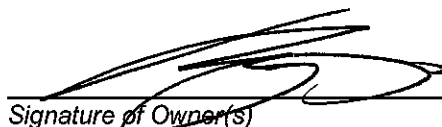
I / We, KIRK HOPNER signing officer for 2228166 Ontario Inc.

am/are the owner(s) of the land that is the subject of this application for consent / consent and minor variance.

I / We authorize ANGELA MARIANI,

to make this application on my / our behalf.

April 28, 2017
Date


Signature of Owner(s)

Signature of Owner(s)

Dated this 28th day of April, 2017.

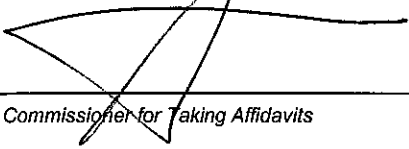

SIGNATURE OF OWNER / APPLICANT


THIS SECTION TO BE COMPLETED IN THE PRESENCE OF A COMMISSIONER FOR TAKING AFFIDAVITS

I / We Angela Mariani of the City
of Ottawa in the Province of Ontario

DO SOLEMNLY DECLARE THAT:
All of the prescribed information contained in this application is true and that the information contained in the documents that may accompany this application is true.

DECLARED before me at the City
of Ottawa in the
Province of Ontario
this 28 day of April 2017.


A Commissioner for Taking Affidavits

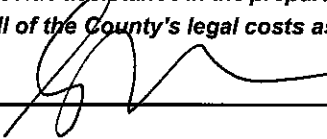

Owner / Applicant

Owner / Applicant

Notes:

- It is required that **one original** of this application (including the sketch described in Item 5 of the guide) be filed, together with the applicable fee, payable to the **Treasurer, County of Oxford**. Please contact the County of Oxford Community and Strategic Planning Office for the current fee. The fee schedule as set out below was approved by County Council and became effective January 1, 2016.
 - * **Planning Fee Single Consent only** \$1,950.00
 - Multiple Consents** \$1,950.00 for the first lot, each additional lot \$970.00
 - * **Planning Fee Single Consent and Minor Variance** \$2,025.00
 - Multiple Consents and Minor Variances** \$2,025.00 for the first lot, each additional lot \$1,010.00
 - * **Public Works Fee** (vacant lot creation - residential, institutional, commercial or industrial) \$200.00 per lot
 - * **Public Health Fee** (where private/partial services exist or are proposed on retained and/or severed lots) \$100.00 per lot
(no Public Health fee required if lot is on full services, ie. water and wastewater)
- The **Application Fee** consists of a Planning Fee and a Public Works and/or Public Health Fee as required.
- Additional fees of \$100.00/lot** will be required by Public Works at the time of clearance of conditions.

If the decision of this application is appealed by a third party, I Angela Mariani,
(owner/applicant name – please print)
agree to support the application, provide assistance in the preparation and presentation of the application before the Ontario Municipal Board and pay all of the County's legal costs associated with the OMB hearing.



(signature of owner / applicant)

MFIPPA Notice of Collection & Disclosure

The collection of personal information on this form is legally authorized under Sec.53 of the *Planning Act* and O.Reg.197/96 for the purpose of processing your planning application. Questions about this collection should be directed to the Director of Community and Strategic Planning at the County of Oxford, 21 Reeve St., P.O. Box 1614, Woodstock, ON N4S 7Y3 or at 519-539-9800 (ext.3207).

Pursuant to Sec.1.0.1 of the *Planning Act*, and in accordance with Sec.32(e) of the *Municipal Freedom of Information and Protection of Privacy Act*, it is the policy of the County of Oxford to make all planning applications and supporting material available to the public.

To: Mayor and Members of Tillsonburg Council

From: Eric Gilbert, Senior Planner, Community Planning

Deeming By-Law Request Broadway Estates Inc.

REPORT HIGHLIGHTS

- The applicant has requested that Council adopt a deeming by-law to deem the subject lands to not be within a registered plan of subdivision.
- By deeming the lands to longer be part of a registered plan of subdivision, the lands will merge with the adjacent lots fronting on Belmont Ave, as was originally contemplated and required in the Broadway Estates Subdivision Agreement.
- Planning staff are recommending approval of the application, as it will satisfy an outstanding obligation from the subdivision agreement and will ensure the lands have appropriately merged with adjacent residential lands.

DISCUSSION

Background

APPLICANT: Broadway Estates Inc.
75 Blackfriars Street, London ON N6H 1K8

AGENT: Jack Sousa
Brown Beattie O'Donovan LLP
1600-380 Wellington Street, London ON, N6A 5B5

LOCATION:

The subject properties are described as Lots 68, 69, 70, 71, 72 & 73, Plan 41M-218, Town of Tillsonburg. The properties are located to the north of six residential lots fronting on Belmont Avenue in the Brookside subdivision, lying between Belmont Avenue and the future extension of Brookside Lane.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule "T-1"	Town of Tillsonburg Land Use Plan	Residential
Schedule "T-2"	Town of Tillsonburg Residential Density Plan	Low Density Residential

TOWN OF TILLSONBURG ZONING BY-LAW NO.3295:

Existing Zoning: Low Density Residential Type 1 Zone (R1)

PROPOSAL:

A request has been received requesting Town Council to pass a By-Law to deem lands known as Lots 68-73 of Registered Plan 41M-218, Town of Tillsonburg to no longer be part of a Registered Plan of Subdivision. By deeming the lands to no longer be part of a registered plan of subdivision, the lands will automatically merge with the six residential lots immediately to the south, which are held in identical ownership.

The subject property comprises 6 lots, each approximately 5.13 m (16.8 ft) wide and 16.6 m (55 ft) deep, and are generally vacant with the exception of 2 small accessory structures. The lands are generally used as rear yard amenity areas. Surrounding land uses include low density residential to the east, west, and south, with vacant residential land to the north.

Plate 1, Existing Zoning and Location Map, shows the location of the subject property and the existing zoning in the immediate vicinity.

Plate 2, 2015 Aerial Map, provides an aerial view of the subject property and the extent of development.

Plate 3, Registered Plan, shows the lots within plan 41M-218 that are required to be included in the deeming by-law.

Application Review

OFFICIAL PLAN:

The subject lands are designated 'Residential' & 'Low Density Residential' according to the Town of Tillsonburg Land Use Plan and Town of Tillsonburg Residential Density Plan, as contained in the County Official Plan. The use of the properties for single detached dwellings is permitted.

TOWN OF TILLSONBURG ZONING BY-LAW:

The subject property is currently zoned 'Low Density Residential Type 1 Zone (R1)', according to the Town of Tillsonburg Zoning By-law. A single detached dwelling is a permitted use in the R1 zone.

The R1 zone requires a minimum lot area of 480 m² (5,166.8 ft²) or 608 m² (6,544.7 ft²) in the case of a corner lot, minimum lot frontage of 15 m (49.2 ft) or 19 m (62.3 ft) in the case of a corner lot, and minimum lot depth of 32 m (105 ft).

AGENCY COMMENTS:

The application was circulated to various public agencies considered to have an interest in the proposal.

The Town Building Services Department indicated that the deeming by-law is required to satisfy an outstanding obligation from the subdivision agreement.

No other agencies expressed any concern about the proposal.

PUBLIC CONSULTATION:

The Planning Act does not prescribe any public notice requirements for deeming by-laws, as they are considered a technical matter that is used once a plan of subdivision has been registered for at least 7 years.

Notice of the proposed deeming by-law was mailed directly to the six individual land owners who have bought lots and constructed dwellings since the purchase of the lands from the applicant.

Planning Analysis

The Broadway Estates subdivision was draft approved in 2003 and registered in 2006. Section 26c) of the subdivision agreement signed between Broadway Estates and the Town of Tillsonburg in 2006 requires that the “owner will legally merge Blocks 68 to 73 with the abutting lots to the south in the existing registered plan 41M-147, to the satisfaction of the Town”. These parcels were placed in identical ownership to the abutting lots, but due to the provisions of Section 50 of the Planning Act commonly referred to ‘once a lot, always a lot’, the parcels cannot legally merge as they are whole lots or blocks within a registered plan of subdivision.

Under Section 50(4) of the Planning Act, R.S.O., 1990, the Council of a local municipality may by by-law designate any part of a plan of subdivision that has been registered for eight years or more to be deemed to no longer be registered as part of that plan of subdivision. This negates the ‘once a lot, always a lot’ provisions and once a deeming by-law is passed, the abutting properties held in identical ownership will automatically merge.

The properties that are the subject of this request are part of Plan 41M-218 which was registered in 2006.

It is recommended that Town Council adopt the recommended deeming by-law to ensure that these properties will merge as was originally intended and required through the subdivision agreement. The deeming by-law will also prevent separate conveyances of Lots 68-73 to occur without contravening the Planning Act.

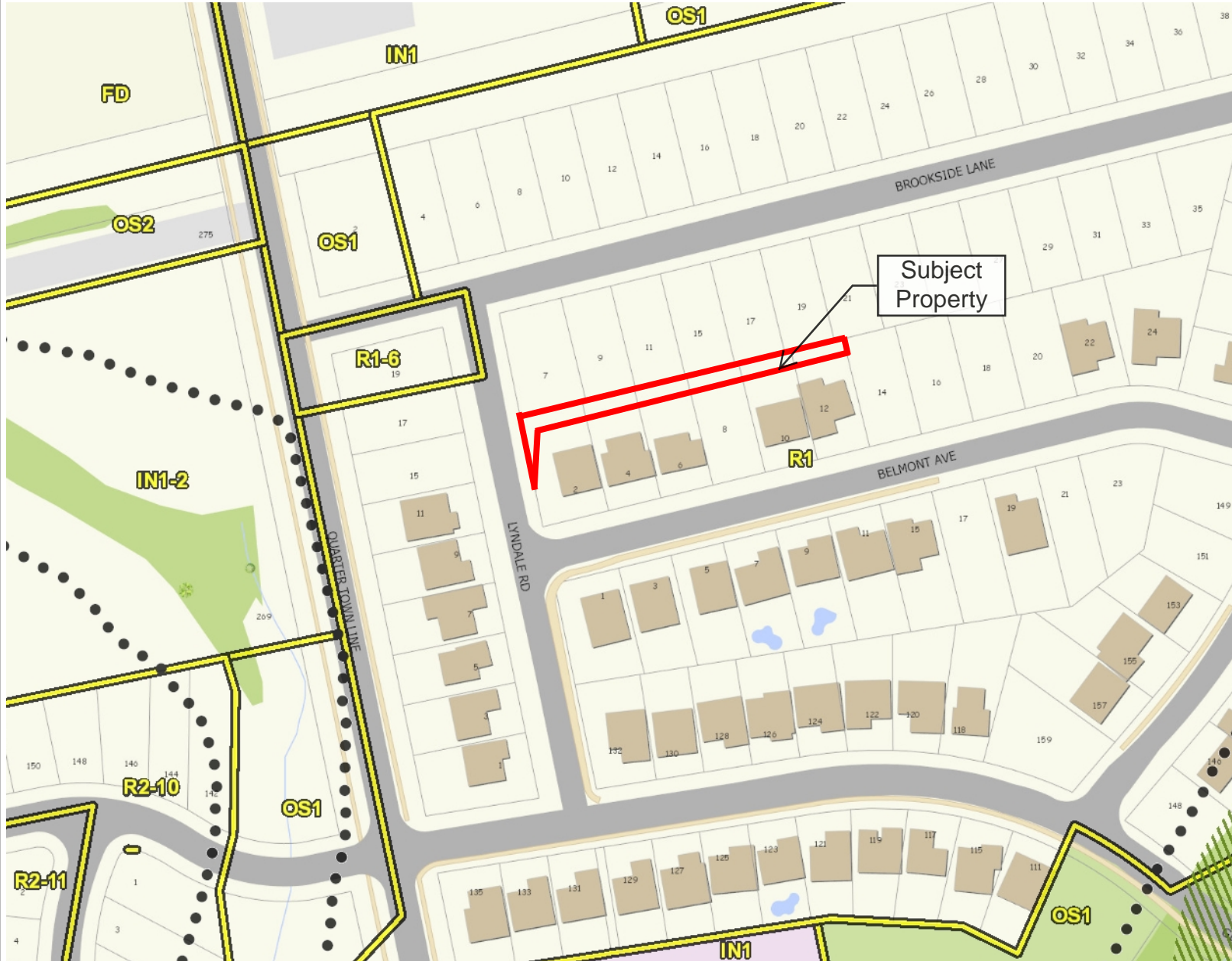
RECOMMENDATION

It is recommended that the Council of the Town of Tillsonburg approve the deeming by-law request submitted by Broadway Estates Inc., whereby the lands described as Lots 68-73 (inclusive) of Registered Plan 41M-218, Town of Tillsonburg, are to be deemed not to be within a registered plan of subdivision to ensure that they merge with the adjacent residential lots in identical ownership to satisfy an obligation arising from an existing subdivision agreement.

SIGNATURES

Authored by: *original signed by* Eric Gilbert, MCIP RPP, Senior Planner

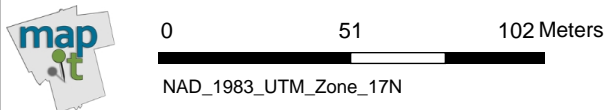
Approved for submission: *original signed by* Gordon K. Hough, RPP, Director



Legend

- Environmental Protection/Flood Overlay
 - Flood Fringe
 - Floodway
 - Environmental Protection (EP1)
 - Environmental Protection (EP2)
- Zoning
 - Floodlines/Regulation Limit
 - 100 Year Flood Line
 - 30 Metre Setback
 - Conservation Authority Regulation Limit
 - Regulatory Flood And Fill Lines
 - Zoning (Displays 1:16000 to 1:500)

Notes



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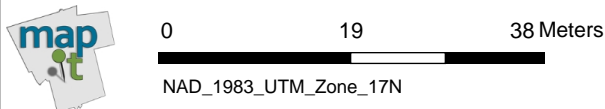
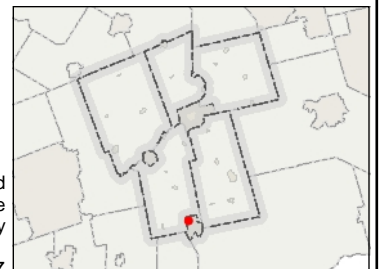
September 7, 2017



Legend

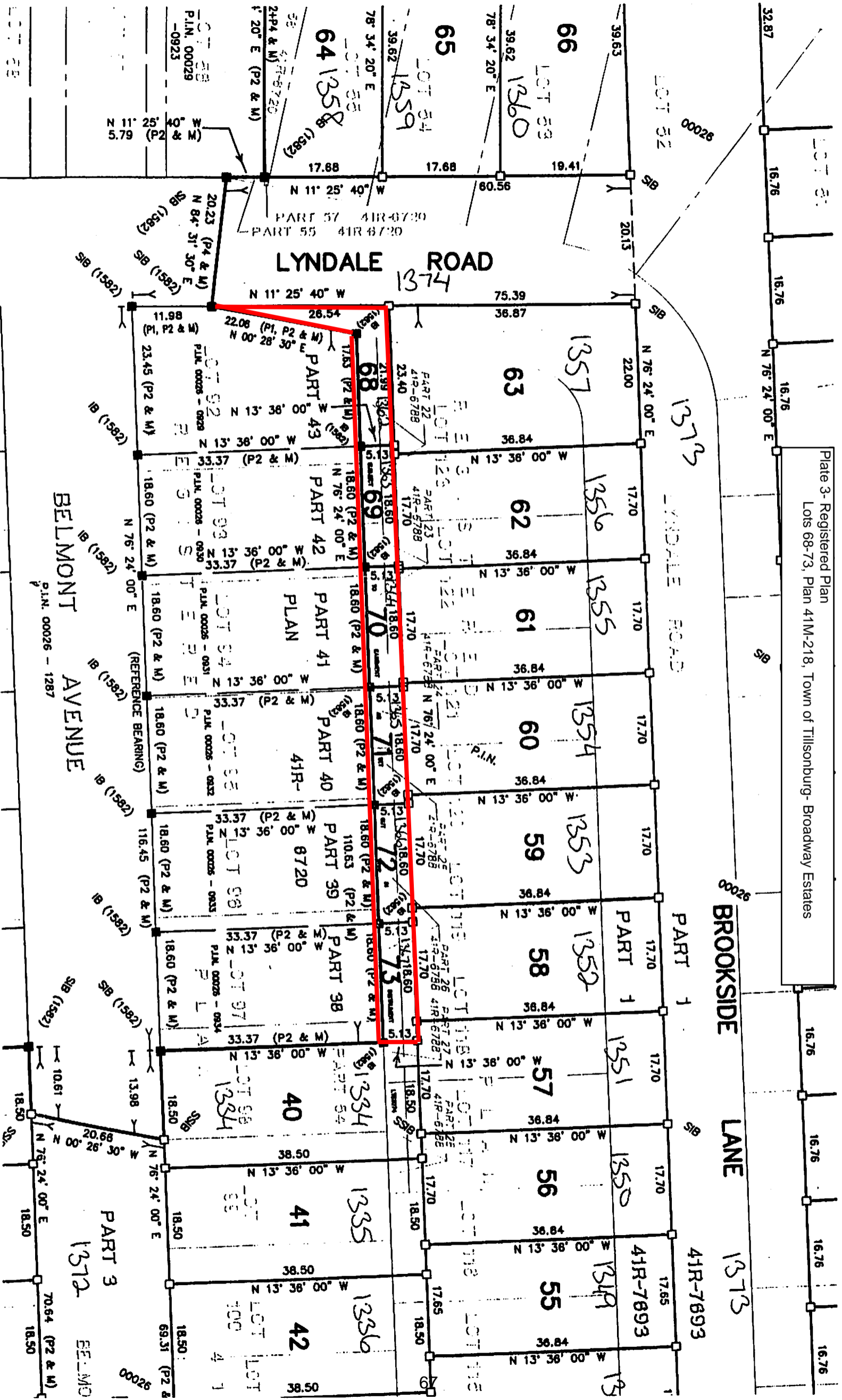
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Notes



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September 7, 2017



BELMONT AVENUE
P.L.N. 00026 - 1287

LYNDALE ROAD

BROOKSIDE LANE



Long Point Region Conservation Authority

4 Elm St., Tillsonburg, Ontario N4G 0C4
519-842-4242 or 1-888-231-5408 · Fax 519-842-7123
Email: conservation@lprca.on.ca · www.lprca.on.ca

Date: September 15th, 2017

File: 3.6.2

Town of Tillsonburg

Dear Municipal Partner:

The Long Point Region Conservation Authority is proposing to apply to the National Disaster Mitigation Program for funding assistance to make improvements to its Flood Forecasting and Warning System.

LPRCA operates and maintains a flood forecasting and warning system for the watercourses and Lake Erie shoreline in the Long Point Region watershed. Flood watches and warnings are issued by LPRCA to provide early notice to municipal flood coordinators, emergency responders and the public to assist you in taking timely and effective action to reduce the risk to life and property.

This project will:

- provide more readily available and usable real-time data to support flood forecasting, warning and emergency response;
- improve the timeliness, accuracy and reliability of flood watches and warnings; and
- working with your emergency response team, update/improve tools to support flood emergency planning and response, such as thresholds for warning messages that can link to actions.

At its September 6th meeting, the LPRCA Board of Directors passed the following resolution:

Res. No. A-208/17:

THAT LPRCA makes application to the National Disaster Mitigation Program for funding to improve its flood forecasting and warning capabilities, and THAT LPRCA plan during its 2018 budget discussions to contribute 50% of the total project cost, with 43% from General Levy – Capital and 7% in-kind staff time, as its share of the matched funds, and THAT a letter be sent to member municipalities requesting endorsement for the project.

Municipal letters of endorsement/support will greatly assist in the success of the application and are, in fact, a requirement for it. The Ministry of Municipal Affairs staff has confirmed that a letter of support from a senior municipal staff member



(signing officer) will meet their requirements. The MMA deadline for submitting the municipal letters of support is October 13, 2017.

Thanking you in advance for your consideration,

A handwritten signature in black ink, appearing to read "Cliff Evanitski". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Cliff Evanitski
General Manager/Secretary-Treasurer

TILLSONBURG POLICE SERVICES BOARD SEP 18 2017

45 Hardy Ave
Tillsonburg, Ontario
N4G 3W9
Telephone (519) 688-3009 ext 4240
Fax (519) 842-4120

Mayor Molnar
200 Broadway St
Tillsonburg, ON

September 18, 2017

Re: Emergency Shelter Stand-Alone Generator

Mayor Molnar,

Earlier this year, due to a power failure, the Police Services Board and the local O.P.P. detachment became aware that the Community Centre did not have a stand-alone generator. The Community Centre has been the designated Emergency Shelter for a number of years and as such it was thought that it had a stand-alone generator.

In speaking with CAO Calder we now understand this is not the case. There is a portable generator available that may be able to provide some power, assuming it could be relocated from its location on Spruce St. I believe most would agree this arrangement is less than ideal.

As everyone is aware, our local Hospital, Fire Department and O.P.P. detachment all have permanent stand-alone generators, as they must, to ensure community safety. The designated emergency shelter, ideally, would be included in this group, allowing the Community Centre to at least provide minimum services automatically when needed.

You don't have to believe in global warming to understand our weather patterns are changing as evidenced this year alone with the major ice storm on the east coast, forest fires in the west and more recently the major devastation south of us. There were more isolated events that, on a global scale may not amount to much, but to the local community and the citizens affected they were life altering. We as a Community need to do everything we can to assure the safety of our citizens in the event that our Community falls victim to some unforeseen event. Our designated emergency shelter needs to be ready to provide shelter on a moment's notice, which can only be done effectively by having a stand-alone generator at the ready.

CAO Calder has advised me that part of a co-generation project for this facility, anticipated for 2018, will include the installation of a stand-alone generator for the sole purpose of operating the Community Centre in the event of a power failure.

At a recent Police Services Board meeting the Board agreed to give Council and Staff our support for this proposal in writing and remain hopeful for a positive outcome.

Regards



Larry Scanlan
Chair
Tillsonburg Police Services Board
lgscan@hotmail.com

cc: Deputy Mayor Beres, Town of Tillsonburg
Council Members, Town of Tillsonburg
Mr Davis Calder, CAO, Town of Tillsonburg
Senior Staff, Town of Tillsonburg

Tillsonburg and area Optimist Club

September 18 2017

Dear Dave



Through you to Mayor Molnar and Council:

We would like to invite all of the Tillsonburg Council members to participate in this years' Optimist Santa Claus parade to be held on Saturday Nov. 18 at 2pm.

It seems very fitting and in keeping with our Canada 150 celebrations that all of our municipal council be included in this parade.

If you could let us know the number of counsellors who might be in attendance, we will arrange a suitable mode of transportation for you and have that waiting at the parade marshalling area by 1:30pm on the day of the parade.

May we also add, we very much appreciate the high level of support we receive from council on an ongoing basis and would like to take this opportunity to thank you.

Norma Collis

Vice President elect

Tillsonburg and Area Optimist Club

From: Ontario Honours And Awards (MCI) <OntarioHonoursAndAwards@ontario.ca>

Sent: Friday, September 15, 2017 11:35 AM

To: Stephen Molnar

Subject: June Callwood Outstanding Achievement Award for Voluntarism/Distinction June Callwood pour contribution bénévole exceptionnelle de l'Ontario.

Dear Friends,

It is my pleasure to invite you to submit a nomination for the [June Callwood Outstanding Achievement Award for Voluntarism](#).

Volunteers are the backbone and strength of communities across Ontario. This award recognizes the exceptional leadership, innovation and creativity in voluntarism and community service that contribute to a strong and dynamic province. Recipients of this award may include individual volunteers, volunteer groups, or volunteer management individuals or groups from a not-for-profit or charitable organization.

To submit a nomination for this award:


1. Visit ontario.ca/honoursandawards.
2. Select the [Volunteering](#) category.
3. Click on [June Callwood Outstanding Achievement Award for Voluntarism](#).
4. Download the PDF form.
5. Read the eligibility criteria and instructions carefully.
6. Fill out the form and submit it **no later than December 5, 2017**. Instructions for submitting your nomination package can be found on the website.

If you have questions about this program, please call 416-314-7526, toll free 1-877-832-8622, TTY 416-327-2391, or email ontariohonoursandawards@ontario.ca.

Thank you in advance for taking the time to ensure that outstanding volunteers and volunteer managers across the province receive the recognition they deserve.

Sincerely,

Laura Albanese
Minister

	Report Title	Internet/telephone Voting Contract
	Report No.	CL 17-19
	Author	Donna Wilson, Town Clerk
	Meeting Type	Council Meeting
	Council Date	September 25, 2017
	Attachments	Municipal Voting Contract CL 17-08 Internet/telephone Voting Vendor

RECOMMENDATION

THAT Council receives Report CL 17-19 Internet/telephone Voting Contract;

AND THAT the Mayor and Clerk be and are hereby authorized to execute the Contract between IntelliVote Systems Inc. and the Corporation of the Town of Tillsonburg.

EXECUTIVE SUMMARY

Council will recall that at the Council meeting of April 10, 2017, Council passed the following resolution.

“Moved By: Councillor Esseltine Seconded By: Councillor Stephenson
 THAT Council receives Report CL 17-09 To Authorize the Voting Method for the 2018 Municipal Election;
 AND THAT By-Law 4091 to authorize the use of the Internet and Telephone Voting method for the 2018 Municipal Election, be brought forward for Council consideration.
 Carried”

And

“Moved By: Councillor Stephenson Seconded By: Councillor Esseltine
 THAT Council receives Report CL 17-08 Internet/telephone Voting Vendor;
 AND THAT Council endorse IntelliVote Systems Inc. for the provision of electronic voting services for the 2018 Municipal Election.
 Carried”

BACKGROUND

In order to be in compliance with the timeline amendments made under the Municipal Elections Modernization Act, 2016 (MEMA), the Clerk must complete the 2018 Election Policies and Procedures including all forms required for the election prior to December 31, 2017. This process is dependent on the voting system and method for the 2018 election. As set out in the motion above Council has endorsed IntelliVote Systems Inc. for the provision of electronic voting services for the 2018 Municipal Election. The contract is attached for Council's review and consideration.

DISCUSSION

The Township of South-West Oxford and The Township of East-Zorra Tavistock, have also engaged IntelivVote Systems Inc. and in doing so have realized along with the Town of Tillsonburg a cost savings through joint services such as training and support.

The base service fee as set out in Schedule A of the Contract for all three municipalities is \$1.35 per Eligible Elector. 30% of the base service fee, based on the number of eligible Electors as determine by the previous list of electors in 2014 is due when this agreement is signed. 30% of the 12,000 eligible electors for Tillsonburg in 2014 is approximately 3600, therefore \$4,860.00 will be required at the signing of this agreement. The balance of the service fee will be required immediately after the Election on October 22, 2018.

In addition there will be a services and postage fee of \$1.25 for each eligible elector which will be paid 30 days prior to the letter printing. The services and postage fee represents the voter information letter which includes the PIN and any voting credentials agreed upon.

The total cost based on the 2010 numbers for internet/telephone voting portion of the election will be approximately \$31,200. The additional services outlined in Schedule 'B' for consulting services are for fees above the base service fee which include training and support. This additional fee of \$800/day plus travel and hotel expenses is not at this time estimated to be required. The reference to the additional service fee on the contract is typically for clients that require attendance by IntelliVote at an event that is not typically covered in their services. For example, political leadership events at a convention somewhere in Canada where the event is happening and results will be presented etc. This service is not something that the Town will require.

FINANCIAL IMPACT/FUNDING SOURCE

All municipal election expenses are funded by the Election Reserve Fund. Funds have been budgeted and allocated to the reserve in the amount of \$22,000 for the years 2015 & 2016 and

\$10,000 for the year 2017. For 2018, \$54,000.00 will be available, with the main cost attributed to the electronic vendor set out above. Other expenses such as advertising and various supplies will still be required. Staff is confident that the 2018 election will be completed within the budgeted allotment.

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

Section 1 – Excellence in Local Government

- 1.3 Demonstrate accountability – Citizens are aware of ongoing Council initiatives and Internet/telephone voting provides enhanced accessibility features for all citizens.

MUNICIPAL VOTING CONTRACT

Agreement for eVoting Services made and effective this 26th day of September, 2017

BETWEEN:

TOWN OF TILLSONBURG

Of 200 Broadway, 2nd Floor, Tillsonburg ON N4G 5A7
(herein called "the Municipality")

- and -

INTELIVOTE SYSTEMS INC.

Of 202 Brownlow Avenue, Suite 900, Dartmouth, Nova Scotia, B3B 1T5
(herein called "ISI")

WHEREAS ISI has developed application software, procedures and expertise to provide an electronic voting service incorporating voting through secure wireless, telephone and internet connections, in conjunction with mail-in votes and ballots cast in person at polling stations ("the ISI Service");

AND WHEREAS the Municipality wishes to obtain from ISI the use of the ISI Service to conduct its Election on the Election Date(s) defined in Article 1 below;

AND WHEREAS ISI and the Municipality wish to set forth the terms applicable to the use of the ISI Service for the Municipality's Election on the Election Date(s);

NOW THEREFORE FOR the mutual consideration set forth herein, the adequacy of which is hereby acknowledged, ISI and the Municipality, intending to be legally bound, agree as follows:

1. Definitions

- 1.1 "Auditor" – means a third party or an individual assigned by the Municipality to conduct audit processes that have been agreed to by the Municipality and ISI and who will be responsible to render an official opinion as to the validity of the total voting process as conducted by ISI and the Election Officials.
- 1.2 "Candidate" means the same as the definition provided in the Municipal Elections Act, 1996, S.O. 1996, CHAPTER 32.
- 1.3 "Candidates' Agents" – means persons accredited by the Municipality as a candidate, or agent or scrutineer of a candidate.

Electronic Voting Services Agreement

- 1.4 “Candidate Reports”- means an electronic record in an agreed upon format produced and made available to Candidates’ Agents during the Voting Period at times agreed upon in advance between the Municipality and ISI showing the name or other identifier for each Eligible Elector recorded on the ISI Service for each Eligible Elector and which of those Eligible Electors have voted.
- 1.5 “Consulting Services”- means the services described in Schedule “A” hereof which are to be rendered by ISI.
- 1.6 “Contract Administrator”- means the persons identified in Article 4 as primary Contract Administrators or other Contract Administrators.
- 1.7 “Control Centre”- means the location at which ISI sets up the control access and monitoring of the database and processing functions of the ISI Service.
- 1.8 “Election Date(s)”- means the following days: October 12, 2018 until October 21, 2018 and October 22, 2018.
- 1.9 “Election Officials”- means the persons who the Municipality designates in writing to ISI as the persons who have jurisdiction over the legal control and conduct of the Election, including the usual powers and authority of a Chief Electoral Officer (CEO) and/or returning officer, whose rulings ISI shall be compelled to comply with.
- 1.10 “Eligible Elector”- means a person who the Municipality has determined is eligible to vote in the Election and to whom a PIN has been provided.
- 1.11 “Interactive Voice Response” and “IVR”- means the capability for electors to listen to voting options and to cast a vote(s) through a telephone system including wireless phones.
- 1.12 “Internet Enabled Connection Service”- means the capability for electors to connect through the internet to a website and to read the voting options and to cast a vote(s) through the internet connection.
- 1.13 “PIN”- means a unique personal identification number assigned to each Eligible Elector.
- 1.14 “Telephone Voting Number”- means the toll-free telephone number to be agreed upon between the Municipality and ISI to which Eligible Electors may connect through a telephone including a wireless telephone and cast their votes.
- 1.15 “Voting Decision”- means one or more slates of candidates in which the elector is entitled to vote in a predetermined manner and any number of questions on which the elector is entitled to vote.

- 1.16 “Voting Period”- means the hours designated by the Municipality during the Election Date(s) during which Eligible Electors are entitled to cast their vote.
- 1.17 “Website Voting Address”- means a secure Internet Protocol address to be agreed upon between the Municipality and ISI to which Eligible Electors may connect through a web browser and cast their votes.

2. Provision of ISI Services

- 2.1 ISI hereby agrees to provide the use of the ISI Service to the Municipality and to its Eligible Electors during the Voting Period and to provide any required and agreed to Consulting Services and Technical Support Services to the Municipality for the municipal election and the Municipality shall pay the fee set out in article 7 to ISI in accordance with the payment terms set out in clause 7.1.4.

3. Specifications

- 3.1 The ISI Service shall permit a person submitting a PIN, or a PIN and any other voting credential agreed upon by the Municipality and ISI, to access the ISI Service and to cast the votes permitted by the Municipality on the Voting Decisions in respect of each PIN in any of the manners set out in clauses 3.2 and 3.3, to record through verifiable records in what manner and when the votes of each PIN were cast, to ensure that votes may be cast in respect of the Voting Decisions only once for each PIN and to ensure that no record is kept or is recoverable which allows the identification of the candidates for whom votes were cast by a PIN, or how votes were cast in answer to questions by a PIN.
- 3.2 The ISI Service shall enable IVR ports which will allow Eligible Electors to telephone the Telephone Voting Number and upon entering the elector’s PIN, or a PIN and any other voting credential agreed upon by the Municipality and ISI, to vote in respect of each Voting Decision by Interactive Voice Response.
- 3.3 The ISI Service shall enable an internet enabled application through a Website Voting Address that will enable each Eligible Elector to connect to the Website Voting Address and upon entering that elector’s PIN, or a PIN and any other voting credential agreed upon by the Municipality and ISI, to vote in respect of each Voting Decision by Internet Enabled Connection Service.
- 3.4 Access to the ISI Service via any voting telephone number and to the internet website address shall be restricted to only the times and dates set

out in the Voting Period unless directed by the Election Officials to extend or reduce the Voting Period.

- 3.5 The ISI Service shall enable the Auditor to access the ISI Service and cast auditing votes during the Voting Period which can be tracked as auditing votes and removed from any final vote tally so as to obtain assurance that the ISI Service is functioning properly.
- 3.6 The ISI Service shall enable Election Officials and/or the Auditor to have secure access to the tally of votes cast by Interactive Voice Response and Internet Enabled Connection Service after the close of the Voting Period.
- 3.7 The ISI Service shall enable ISI personnel to shut down the ISI Service and, in such case, the prescribed message shall be recorded on the Interactive Voice Response and displayed on Internet Enabled Connection Service.
- 3.8 The ISI Service shall enable the Candidates and/or Candidates' Agents to have access to the Candidate Module, if such service is requested to be enabled by the Election Officials.

4. Contract Administration

- 4.1 Each party shall designate the name, address, telephone, fax and email addresses of a primary Contract Administrator. The Contract Administrator shall be responsible for arranging all meetings, visits and consultations between the parties and for the transmission and receipt of all official notices and for all administrative matters such as invoices, payments and amendments.

The primary Contract Administrator for ISI shall be:

Name: Dean Smith
Telephone: (902) 481-1156
Fax: (902) 481-9599
Email: Dean.smith@inteligovote.com

The primary Contract Administrator for the Municipality shall be:

Name: Donna Wilson
Telephone: (519) 688-3009 ext. 3224
Fax: (519) 842-6431
Email: dewilson@tillsonburg.ca

- 4.2 Any party may by notice in writing to the other party's primary Contract Administrator designate a different person as Contract Administrator for a specific aspect of the administration of the contract.

- 4.3 The Contract Administrators will be available Monday through Friday 8:30 a.m. to 4:30 p.m. Eastern Time, excluding lunch hours and a reasonable number of days spent out of the office and shall respond within one (1) business day of the receipt of any request for information or request for decisions that are communicated between the Contract Administrators.
- 4.4 Each party may change its Contract Administrators by notice to the other party's primary Contract Administrator.
- 4.5 Each of the Contract Administrators shall communicate with each other promptly as to the status of information, procedures and progress on each of their respective tasks as set out in this Agreement and to advise the other forthwith upon the occurrence of any material change in such plans.
- 4.6 If any party (first party) receives notice from the other party that the first party's Contract Administrator is not carrying out his or her duties to the satisfaction of the other party, then the first party shall promptly designate another person as its Contract Administrator.

5. Obligations of the Municipality

- 5.1 The Municipality shall:
 - 5.1.1. Ensure that at all times it has a Contract Administrator ready, willing and competent to communicate with ISI on any issue relevant to this contract.
 - 5.1.2. Allocate appropriate resources with the necessary knowledge and authorization to work with ISI in defining tasks for all stages of activity leading up to and including Election Day(s); establish mutually agreed upon timelines for these tasks; coordinate all tasks assigned to the Municipality; provide all information required to configure the ISI Service as early as possible in the overall event schedule. A draft project plan detailing some of these tasks will be provided.
 - 5.1.3. Pay ISI for services such amounts as are outlined in Article 7 and pay to third parties such costs which pursuant to this contract and to Schedule "A" the Municipality is responsible to bear and to indemnify ISI in respect of such costs.
 - 5.1.4. Supply at its cost appropriate equipment, as required, such as computer hardware, internet access, telephone service at any, or all, Voter Help Centres.
 - 5.1.5. Engage a qualified individual to conduct audit processes that have been agreed to by the Municipality and ISI and who will be responsible to render an official opinion as to the validity of the

total voting process as conducted by ISI and the Election Officials.

6. Obligations of ISI

6.1 ISI shall:

- 6.1.1. Arrange at its cost in consultation with the Municipality for a Telephone Voting Number capable of handling not less than such number of calls per minute as is specified by ISI based on the number of Eligible Electors;
- 6.1.2. Arrange at its cost in consultation with the Municipality for a Website Voting Address capable of handling not less than such number of connections per minute as is specified by ISI based on the number of Eligible Electors;
- 6.1.3. Provide the ISI Service functioning in accordance with the Specifications set out in Clause 3 connected to the Telephone Voting Number and Website Voting Address to the Eligible Electors during the Voting Period;
- 6.1.4. Perform with diligence in a timely manner in accordance with generally accepted professional standards and practices recognized in the Information Technology Industry the Consulting Services described in Schedule "A";
- 6.1.5. Abide by decisions of the Election Official and comply with instructions from the Auditor and Election Officials in respect to operations of the ISI Service providing that such instructions and decisions do not adversely impact the operation or integrity of the ISI Service;
- 6.1.6. Ensure that the voting instructions are available on the ISI Service during the Voting Period;
- 6.1.7. Make available online to the Election Official and/or Auditor at the end of the Voting Period the results of votes cast for each candidate and question; and
- 6.1.8. Cause a duly qualified individual to meet with the Municipality at the offices of the Municipality in the event that any other communication is demonstrably ineffective to resolve any outstanding issues.

7. Fee and Payment Terms

7.1 The Municipality agrees to pay to ISI:

- 7.1.1. A base services fee equal to **\$1.35** per Eligible Elector being the number of eligible and enumerated electors in the ISI Service on Election Day(s);
- 7.1.2. A services and postage fee equal to \$1.25 per Eligible Elector for the creation, printing and distribution of Voter Instruction Letters;
- 7.1.3. Any fees for additional consulting services described in Schedule "B";
- 7.1.4. The fees payable pursuant to clause 7.1.1 and 7.1.2 are payable as follows:
 - a) 30% of the base services fee of \$1.35 per Eligible Elector on execution of this Agreement, based on the number of Eligible Electors as determined by the previous list of electors used for the most recent Election held in the Municipality, when invoiced by ISI;
 - b) The services and postage fee of \$1.25, for each Voter Instruction Letter to be sent to each Eligible Elector when invoiced by ISI (typically 30 days prior to letter printing) and,
 - c) the balance of the service fee immediately after the Election Date;
- 7.1.5. The Municipality shall pay in addition to the fees stated above Harmonized Sales Tax (HST) and any other taxes applicable to the provision of such services.
- 7.1.6. Any fee or portion thereof not paid on the date on which it is payable shall bear interest at the rate of 12% per annum calculated and applied monthly.

8. Ownership and Rights

- 8.1 ISI shall maintain ownership of all intellectual property rights associated with the ISI Service and the Municipality is only entitled to the data concerning the Election generated by the ISI Service and the Municipality shall have no other rights in or further use of the ISI Service.

9. Representations and Warranties

9.1 ISI represents and warrants that:

- 9.1.1. Use of the ISI Service as described in this Agreement does not infringe the intellectual property rights of any person;

- 9.1.2. ISI has and will have full and sufficient right to supply the use of the ISI Service during the Voting Period;
 - 9.1.3. ISI shall engage a national service provider(s) to provide a very high level of reliability, security, scalability and performance for a high volume transaction, mission critical solution; and
 - 9.1.4. ISI will destroy all formats of information relating to Voting Decisions upon receipt of instructions from the Election Official to do so.
 - 9.1.5. The person(s) signing this contract are duly authorized to execute and deliver it on behalf of ISI and that it is a duly binding obligation of ISI.
- 9.2 The Municipality represents and warrants that:
- 9.2.1. The Municipality has the authority and jurisdiction to engage ISI for the provision of the ISI Service for its Municipal Election and that the person(s) signing this contract are duly authorized to execute and deliver it on behalf of the Municipality and that it is a duly binding obligation of the Municipality.

10. Remedies

- 10.1 If a party fails or refuses at any time to perform its obligations under this Agreement, then the other party may deliver the defaulting party notice of intent to terminate this Agreement, which notice shall specify the alleged failures or refusals and, if within three (3) business days of receipt of the notice or such other reasonable period in relation to the default, the defaulting party shall not have cured all the defaults set out in the notice or presented a plan reasonably acceptable to the other party to cure these defaults, the other party may, at its option elect to terminate this Agreement.
- 10.2 If the Municipality terminates this Agreement as a result of all the positions up for election being acclaimed, then the Municipality shall reimburse ISI all out-of-pocket expenses incurred for the planning and delivery of the Municipal Election in addition to the installments payable pursuant to clauses 7.1.4(a). To be clear, only the service fees for the eVoting service deposit defined in section 7.1.4(a) are payable. The services and postage fee, for the Voter Instruction Letter is not required as there will be no service or postage required and thus it will not be billed to the municipality.
- 10.3 If the Municipality terminates this Agreement for any reason other than the reason stated in clause 10.2 without material default by ISI, then the Municipality shall pay ISI fifty percent (50%) of the total fees that would be

payable pursuant to Article 7 if the ISI Service had been employed for the Municipal Election, except that a deduction shall be made of any fees payable under 7.1.2 that have not been incurred by ISI.

- 10.4 And any payments previously paid by the Municipality to ISI shall be deducted from amounts otherwise payable pursuant to Article 10.3.

11. Force Majeure

- 11.1 Either party shall be excused from delays in performing or from its failure to perform hereunder to the extent that such delays or failures result from an act of god, fires, floods, explosions, insurrection, war or riots, unusually severe weather, epidemics or quarantine restrictions, governmental priorities or allocations regulations or any cause beyond the reasonable control of the party including without limiting the generality of the foregoing, a failure of communication facilities, labor trouble or strikes by employees of telecommunications providers including suppliers of application software to ISI, and restraint by Court or public authority.

12. Limitation of Liability

- 12.1 ISI's liability for damages howsoever caused, whether in contract or in tort, including negligence, shall be limited to the actual direct damages suffered by the Municipality and in no event shall ISI be able liable for any indirect, consequential or punitive damages of the Municipality or any other person. In any event, the liability of ISI for the breach of any representation, warranty or covenant shall not exceed the total fee payable to ISI by the Municipality pursuant to this Agreement regardless of the number of claims.

13. Miscellaneous

- 13.1 This Agreement may be executed in several counterparts, all of which taken together shall constitute one single Agreement between the parties.
- 13.2 The parties and their representatives signing this Agreement hereby acknowledge and represent that the representatives signing this Agreement are authorized and have full authority to enter into this Agreement on behalf of the parties for whom they have signed.
- 13.3 No delay or admission by either party to exercise any right or power occurring upon any noncompliance or default by other party shall impair any such right or power or to be construed as a waiver thereof, unless such waiver is in writing.
- 13.4 This Agreement, including the Schedules referred to in this Agreement, constitutes the entire agreement of the parties with regard to the subject matters addressed in this Agreement and this Agreement supersedes all

Electronic Voting Services Agreement

prior or contemporaneous agreements or discussions or representations, whether oral or written with respect to the subject matter of this Agreement and this Agreement cannot be varied, amended, waived or discharged except in writing signed by all parties.

- 13.5 Time is of the essence to the performance of the party's obligations under this Agreement.
- 13.6 This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario.
- 13.7 This Agreement may not be assigned to any other party without the written consent of the other party.

TOWN OF TILLSONBURG

Per: _____
Mayor – Stephen Molnar

Per: _____
Town Clerk – Donna Wilson

INTELIVOTE SYSTEMS INC.

Per: _____
Dean Smith, President and Founder

SCHEDULE "A"
Base Services

ISI Base Services to be provided within the agreed upon fee identified in clause 7.1.1. These services include:

- a) Develop and manage a critical path plan for required activities in coordination with the Municipality;
- b) Management and coordination of telecommunications requirements designed to provide the elector with their choice of voting channel: internet, phone, mail-in, or polling station, if offered by the municipality. Includes the activities associated with the telecommunications setup for electronic voting system; appropriate bandwidth; phone (IVR) ports; and website registration.
- c) Attending organizational committee meetings in the Municipality (subject to limit in clause (p) below);
- d) Assist in the development by the Municipality of educational materials for electors including creation of the Voter Instruction Letter providing specific instructions on how to successfully use the electronic voting process.
- e) Assistance in the management of the electors list;
- f) Assistance with the format, design and secure delivery methods of personal identification numbers (PIN). Intelivote Systems will generate the PINs using the eligible voter population to determine the required PIN length and to determine the number of additional PINs required as spares. A unique PIN will be created for each Eligible Elector based on the initial voters list provided by the Municipality. In addition to the PIN, an Eligible Elector category is created and a file is produced to be used for production of Voter Instruction Letters.
- g) Provision of a media spokesperson to address technology questions. Development and/or assistance with a media plan and a voter education plan that addresses the most common questions from both the media and members of the public. An Intelivote representative can speak directly with the media on any questions related directly to the Intelivote application. The Municipality is responsible for all advertising and marketing costs of the Municipal Election, and if the Municipality is paying ISI pursuant to Article 7.1.2 to prepare and mail out Voter Instruction Letters, then ISI will be responsible for the costs of preparing and mailing out the Voter Instruction Letters.
- h) Technical consultation to address specialized system requirements;
- i) Development and recording of voice scripts for the Election;
- j) Website development and design including generation of a customized webpage for voters to link from to vote;
- k) Assisting the Municipality in addressing legislative issues and by-laws relating to elector notification.
- l) Customization and development of all activity associated with configuring the Election such as: district/ward setup; candidate assignment; voice script recording; Elector List management; secure ID and password management; configuring and loading Voting Decisions (ie. type of race, sequence and presentation display), based on information to be provided by the Municipality.


Electronic Voting Services Agreement

- m) Assistance and guidance to Auditors, security personnel and Election Officials. A document will be provided which will outline the requirements for a regional centre (if required) to be used by the Election Officials and Auditor, provided that the Municipality shall provide any hardware and communication facilities required by the Auditors and Election Officials.
- n) Training for Election HelpLine staff;
- o) Coordination for logistics for eVoting and assistance for the protocol to be followed for the voting event.
- p) Onsite consulting for one or more individuals to work with the Municipality, at a location agreed upon by the parties, to deliver the services, training and consulting described in this Contract and in this Schedule "A", provided that travel and living costs not exceeding two (2) round-trips trips and not exceeding five (5) person days of effort for delivering these services is included in the Base Service fee and the Municipality shall pay ISI for any additional travel and living costs and person days of services requested by the Municipality in accordance with Schedule "B". Pre-approval of all additional travel and expenses is required by the Municipality prior to ISI undertaking the effort or incurring any costs.

SCHEDULE "B"
Consulting Services

Additional consulting services that may be required by the Municipality in addition to those services provided in Schedule "A" will be provided at the following rates:

Intelivote Consultant - \$800/day plus applicable taxes
All travel and living expenses will be reimbursed to ISI at cost.

	Report Title	Internet/telephone Voting Vendor
	Report No.	CL 17-08
	Author	Donna Wilson, Town Clerk
	Meeting Type	Council Meeting
	Council Date	April 10, 2017
	Attachments	

RECOMMENDATION

THAT Council receives Report CL 17-08 Internet/telephone Voting Vendor;

AND THAT Council endorse IntelliVote Systems Inc. for the provision of electronic voting services for the 2018 Municipal Election.

EXECUTIVE SUMMARY

At the Council meeting of January 23, 2017 Council passed the following resolution and direction for staff.

“Moved By: Councillor Esseltine Seconded By: Councillor Stephenson

THAT Council endorse Option 3 – Internet/Telephone Voting, as the preferred voting method for the 2018 Municipal Election, for both Advance and Voting Day polling;

AND THAT staff be directed to develop the 2018 Election Work Plan based on the preferred method of voting;

AND THAT staff bring back a report regarding final quotes for procuring equipment and services for the preferred voting method.

Carried”

BACKGROUND

As described in Report CL 16-30 brought to Council on October 11, 2016, with the timeline amendments made under the Municipal Elections Modernization Act, 2016 (MEMA), and since Council decided to proceed with an alternative voting method, Council must now authorize electors to use such a method by passing a by-law on or before May 1st in the year before the election year. This would mean that a Council decision and implementing bylaw would be required by May 1, 2017, to be effective for the 2018 Municipal Election.

DISCUSSION

In coordination with the Township of South-West Oxford and the Township of East-Zorra Tavistock, who will also be using Internet/Telephone voting for the 2018 municipal election, Staff received quotes for the necessary services and equipment to be provided. There remain few companies in this highly specialized market that have systems that have proven performance at the required level. In total, four vendors submitted quotations to the municipal Clerk for review and evaluation.

After substantial review in collaboration with South-West Oxford and East-Zorra Tavistock, Staff short-listed the interested service providers based on two main factors:

- 1) Overall experience and familiarity with Ontario municipal elections;
- 2) Performance in previous Ontario municipal elections and specifically, the 2014 municipal election.

Following the short-listing, Staff met on March 3, 2017 directly with Intelivote Systems Inc. and Dominion Voting Systems Corp. to further discuss their respective quotations for services. The following is a summary of the quotes for services received for the Town:

Vendor	\$ Per Elector	Printing/ Postage \$ Per Elector	Total \$ Per Elector	Total \$
Intelivote Systems Inc.	\$1.35	\$1.25	\$2.60	\$31,200.00
Dominion Voting Systems Corp.	\$2.00	\$1.05	\$3.05	\$36,600.00

*Note: Based on 12,000 electors (2014 numbers).
Postage costs may vary depending on Canada Post*

Both Intelivote Systems Inc. and Dominion Voting Systems Corp. would be quite capable of providing the necessary services. However, Staff recommends using the services of Intelivote Systems Inc. for two primary reasons:

- 1) Experience – of the 97 municipalities that used Internet/Telephone voting in the 2014 Ontario municipal elections, 48 used the services of Intelivote Systems Inc. (vs. 23 that used the services of Dominion Voting Systems Corp.). Also, of the 44 municipalities that used Internet/Telephone voting in the 2010 Ontario municipal elections, 34 used the services of Intelivote Systems Inc.

Staff believe that it is fundamentally important to ensure that the election is conducted

using a company who has had extensive experience in this field with similar sized municipalities.

- 2) Cost Per Elector – ultimately, the services quoted by Intelivote Systems Inc. are less expensive than those quoted by Dominion Voting Systems Inc.

Additionally, Staff has reviewed references for Intelivote Systems Inc., with positive results.


FINANCIAL IMPACT/FUNDING SOURCE

All municipal election expenses are funded by the Election Reserve Fund. Funds have been budgeted and allocated to the reserve in the amount of \$22,000 for the years 2015 & 2016 and \$10,000 for the year 2017. For 2018, \$54,000.00 will be available, with the main cost attributed to the electronic vendor costs contained in this report. Other expenses such as advertising and various supplies will still be required. Staff is confident that the 2018 election will be completed within the budgeted allotment and any surplus funds will remain in reserves for the 2022 municipal election.

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

Section 1 – Excellence in Local Government

- 1.3 Demonstrate accountability – Citizens are aware of ongoing Council initiatives and Internet/telephone voting provides enhanced accessibility features for all citizens.

	Report Title	Funding Application to the Rural Economic Development Program
	Report No.	DCS 17-30
	Author	Cephas Panschow
	Meeting Type	Council Meeting
	Council Date	SEPTEMBER 25, 2017
	Attachments	

RECOMMENDATION

THAT Council receive Report DCS 17-30 Funding Application to the Rural Economic Development Program;

AND THAT staff be authorized to submit an application to the Ontario Rural Economic Development Program as detailed in Report DCS 17-30.

EXECUTIVE SUMMARY

The purpose of this report is to seek Council approval to submit a funding application to the Rural Economic Development program offered through the Ontario Ministry of Agriculture, Food & Rural Affairs. In light of recent changes in the local economy it is necessary to conduct a review of Tillsonburg's various economic sectors and develop an enhanced business attraction and retention strategy based on the outcomes of this analysis. Staff is currently exploring two options for funding through this program and will make a decision as to the best way to proceed based upon input from the Ontario Ministry of Agriculture, Food and Rural Affairs.

BACKGROUND

This section provides an overview of the two options being considered for the submission to the Rural Economic Development Program.

Sector Strategy Option

The 2017 Economic Development & Marketing Department budget includes funding for the preparation of sector marketing profiles; however, in light of recent changes in the local economy it is necessary to conduct a more thorough review of Tillsonburg's various economic sectors and develop an enhanced business attraction and retention strategy based on the outcomes of this analysis.

The Town's current industrial marketing materials include a Quick Facts sheet and a Competitive Advantages sheet along with real estate listing sheets for available properties. In order to be improve the Town's competitiveness in terms of attracting investment, it is important to develop sector marketing profiles for each of Tillsonburg's main industry sectors as follows:

- Automotive parts manufacturing;
- Metal fabrication;
- Food processing; and,
- Wood product manufacturing.

While the Town's strength in automotive parts manufacturing is well known, there are also supporting and emerging sectors in metal fabricating, food processing and wood product manufacturing. In order to strengthen each of these sectors, a specific sector profile will be developed for each of these sectors with the intent of highlighting the strengths of these sectors and opportunities for growth.

The funding contained in the current budget will provide the initial funding required with the remaining funding coming from the Rural Economic Development Program.

Manufacturing Acceleration Program Option

The purpose of the Manufacturing Acceleration Program is to facilitate growth by raising the competitiveness and profitability of individual manufacturing companies by defining clear and distinctive business strategies and knowledge transfer, and by focusing on innovation in products, processes and markets. The program is moving into the third and final year of the pilot program and, despite some success, more resources are needed to realize this goal.

Council approved the following resolution at their October 13, 2015 meeting:

THAT Council receive Report DCS 15-45 Memorandum of Understanding – Manufacturing Acceleration Program;

AND THAT a by-law be brought forward authorizing the Mayor and Clerk to execute the Memorandum of Understanding between the Corporation of the Town of Tillsonburg and MAP (Manufacturing Acceleration Program) Program Canada.

Subsequent to this, the Manufacturing Acceleration Program collaborating companies (Isah Software, GWA Business Solutions and the Town) have worked together to meet with local manufacturers that are interested in using software to improve their processes and to discuss innovation with their companies. A trade mission to the Hannover Fair and The Netherlands was also completed in 2017. The mission was considered a success based on the knowledge learned, company meetings held and the visit to clients. One trade transaction was facilitated as part of this mission.

The three year objectives of the initial pilot program are:

- Year 1 (2015/2016) 10 Companies engaged with MAP and 3 Reference Cases
- Year 2 (2017) Trade Mission to the Netherlands/European Union
- Year 3 (2018) Established relationships between companies (trade and/or investment)

The three main objectives of the Tillsonburg MAP program are:

- Business process improvements (through software);
- Knowledge transfer; and,
- Increased exports into the European Union (based on the Comprehensive Economic and Trade Agreement between Canada and Europe).

There is an opportunity to improve upon the successes achieved to date by working with a consultant to support these objectives over the next year. Having a dedicated resource to work with the business community will help achieve results faster and increase the momentum of this project. Hence, the proposal is to partner with local companies to conduct a review of their business operations and identify software that could improve their efficiency and effectiveness through greater process management and solution implementation.

Staff is proposing that this initiative follow the standard Rural Economic Development contribution amounts with 50% proposed to be funded by the Rural Economic Development program, 40% coming from the Town's Economic Development Reserve and the remaining amount coming from the manufacturing sector.

Rural Economic Development Program Overview

The purpose of the Rural Economic Development Program is to help remove barriers to economic development for rural communities, Indigenous communities and organizations, and not-for-profit organizations. The program helps these groups achieve the following outcomes:

- increased ability to undertake evidence-based planning to identify priorities and measure economic performance
- collaboration for economic growth
- increased economic competitiveness and diversity (i.e., attraction, retention and expansion of businesses)
- innovative communities
- expansion of markets
- creation and/or retention of jobs
- attraction, development or retention of a highly skilled workforce
- support for provincial government priorities

Eligible applicants include:

- A legal entity that is a Not-for-Profit
- A Municipality
- A Local Services Board; or
- An Ontario Indigenous community or organization

The RED Program has two streams of funding; namely, Planning and Implementation. Depending on the project selected, the application would be made under either the Planning or Implementation stream based upon consultant with the Ontario Ministry of Agriculture, Food & Rural Affairs.

COMMUNITY STRATEGIC PLAN

Theme 2.1 of the Community Strategic Plan identifies the need to *Support new and existing businesses and provide a variety of employment opportunities*. The goal of the proposed sector study is to review the strength of existing sectors (auto parts, food processing, metalworking, wood working, etc) and develop a marketing plan based on those strengths.

Theme 2.1 of the Community Strategic Plan identifies the need to *Support new and existing businesses and provide a variety of employment opportunities*. The Manufacturing Acceleration Program's focus on business process improvement and increased exports will help support the improved viability of local manufacturers and increased job growth in the local economy.

CONSULTATION/COMMUNICATION

Not applicable at this time. The sector studies will engage companies in each of the identified sectors. If the Town's application is approved, the project would likely be initiated in the fourth quarter of 2017 and completed in early to mid 2018.

FINANCIAL IMPACT/FUNDING SOURCE

The 2017 Economic Development & Marketing Department budget included \$5,000 in funding for the preparation of sector marketing profiles. With the need to conduct a sector study, the estimated cost of the research and marketing profiles is \$25,000.

The Rural Economic Development Program generally funds fifty percent of the project costs but can fund up to 90% under special circumstances. In this case, staff is proposing that the Town seek eighty percent of the funding from this program. The reasons for this are (1) it is challenging for a smaller municipality to fund studies of this size and (2) the recent closure of one of Tillsonburg's largest employers means that there is an urgency to conduct the study and start implementing it. Therefore, the funding request will be for \$20,000.

The proposed budget for this expanded MAP initiative is:

Contributor	Amount	Percentage of Total Budget
Rural Economic Development Program*	\$15,000	50%
Town of Tillsonburg*	\$5,000	17%
Manufacturing Partners*	\$5,000	17%
MAP – Isah Software	\$2,500	8%
MAP – GWA Business Solutions	\$2,500	8%

*Subject to approval

The Town's portion is proposed to be funded from the Economic Development Reserve.

	Report Title	CUSTOMER SERVICE DELIVERY MODEL UPDATE
	Report No.	FIN 17- 29
	Author	Dave Rushton
	Meeting Type	Council
	Council Date	SEPTEMBER 25, 2017
	Attachments	Customer Service Delivery Outline

RECOMMENDATION

THAT Council receives report FIN 17- 29 Customer Service Delivery Model Update for information.

EXECUTIVE SUMMARY

The 2017 Business Plan for the Finance Department included the creation of a Customer Service Delivery Model. Staff has reviewed the component parts of what is believed to be needed. Staff has also been collecting data to gain a complete understanding of how all Town departments interact with the public.

BACKGROUND

Over the past few years, Council has been desirous of knowing whether the Town has an effective service delivery model that balances the public’s needs and the Town’s fiscal reality. In the past, staff has done research into service delivery in certain departments such as the customer service centre. A comprehensive review of services has now started and staff will be looking at all of the points where the public interacts with the Town. Each department will be supplying information and the Director of Finance will interview a variety of staff involved in customer service.

Staff will be looking at the types of services and hours of operation at each of the physical locations that staff operates as well as methods of payment for these services. Staff is also looking at interactions with the public in their homes or from public places. As a connected community, it is imperative that the Town identify how it interacts with the public electronically.

As part of the 2017 budget, several software and web enhancements are being implemented to improve customer service. The report will look at new technology as well as customer service techniques that may improve taxpayer’s experience. Recommendations for improvements will be made and if approved incorporated into the budget and business plan for 2018.

The next report is expected to be before Council at their meeting of November 27, 2017.

FINANCIAL IMPACT/FUNDING SOURCE

The study itself expends staff resources however it may contain recommendations that impact the 2018 Budget.

COMMUNITY STRATEGIC PLAN IMPACT

Creating a Customer Service Delivery Model demonstrates accountability to the taxpayers by creating an understanding of the services the Town delivers and ensuring the effective use of taxpayer dollars to implement these services.

Customer Service Delivery Model Outline

Interaction points with public

Primary Service Locations

Hours of Operation, Payments and Services

Customer Service Centre (CSC)

Corporate Office

Tillsonburg Community Complex (TCC)

Lake Lisgar Water Park

Tillsonburg Cemetery

Tillsonburg Regional Airport

Fire Station

OPP Station

Museum

Transfer Station

Station Art (contract tourism information)

Home Service Provision

Building Inspection

Utility Services

By Law Enforcement

Fire Services

Road and Sidewalk Clearing and Maintenance

Streetlight Replacement

Loose leaf collection

Tree Maintenance

Park Maintenance

Special Events

Technology and Customer Service

Payments and Services

Future Technology

Recommendations



Parks & Rec COMMITTEE

Tuesday June 20, 2017

7:30am

Rotary Room

45 Hardy Ave

MINUTES

ATTENDANCE

- Mel Getty
- Craig Cole
- Susie Wray
- James Payne
- Donna Scanlan
- Chris Rosehart
- Becky Turrill, Secretary
- Janet McCurdy, Program Manager

MEMBERS ABSENT/REGRETS

- Don Baxter
- Michael Cerna
- Bob McCormick

1. Call to Order

The meeting was called to order at 7:34am

2. Adoption of Agenda

Moved By: C. Cole

Seconded By: D. Scanlan

Resolution #1

THAT the Agenda as prepared for the Parks and Recreation Advisory Committee meeting of June 20, 2017 be adopted.

Carried

3. Disclosures of Pecuniary Interest and the General Nature Thereof - None

4. Adoption of Minutes of Previous Meeting

4.1. Minutes of the Meeting of May 18, 2017

Moved By: S. Wray

Seconded By: C. Cole

Resolution #2

THAT the Minutes of the Parks and Recreation Committee Meeting of May 18, 2017 be approved.

Carried

5. Delegations and Presentations - none

6. General Business & Reports

6.1. Memorial Park Revitalization

- 6.1.1. Concrete for the band shell to be ready for Canada Day, sun dial also mapped out and ready to be installed. Outdoor ice rink
- 6.1.2. Pathway from the bridge to Sanders street will be going in soon.
- 6.1.3. Outdoor ice rink. Jane McLean is having a sketch done on the layout. She will also have a booth at the NHL event.
- 6.1.4. Fair Board is happy with Turtlefest – they were able to raise some money at their food booth.

6.2. Parking on Lisgar Avenue and Hardy Avenue

Committee discussed safety concerns with the parking on the west side of Hardy Ave from Lisgar Ave to the stop sign as well as on the south side of Lisgar Ave between Broadway & Hardy Ave.

Concerns include:

- Speed on both Lisgar Ave & Hardy Ave
- Visibility
- Ability for Emergency vehicles to access the community centre and all outdoor facilities – ball diamonds, pump track, skate park
- Pedestrian traffic

Moved By: D. Scanlan

Seconded By: S. Wray

Proposed Resolution #3

On MOTION made, SECONDED and CARRIED that the Parks & Rec Advisory Committee having heard community concerns as well as safety concerns for participants and access for emergency vehicle with parking on both sides of Hardy Avenue and Lisgar Avenue between Broadway and Hardy Ave. The Committee RESOLVES to enhance the parking lot at Welding Lane and Hardy Avenue. This is to include signage and parking curbs. Also remove parking from the West side of Hardy and Lisgar Ave between Broadway and Hardy Ave. (6-0)

7. Correspondence - None

8. Other Business –

8.1. Indoor pool – shut down for maintenance July 1-August 7, 2017

8.2. Canada Day

8.3. Tillsonburg Fair – the committee would like to see a plan from them to include what land is being used as well as what is being put on it.

8.4. Pool and health club admissions desk. Concern for the safety of the staff member as they are unable to see who is coming down the stairs.

9. Closed Session

9.1. - None

10. Next Meeting

The next meeting of the Parks & Rec Advisory Committee – August 8 @ 7:30am in the Rotary Room

11. Adjournment

Moved By: S. Wray

Seconded By: C. Cole

Proposed Resolution #3

THAT the Parks & Rec Advisory Committee Meeting of June 20, 2017 be adjourned at 8:31am

Memorial Park Revitalization Committee



July 24, 2017
5:30pm
Marwood Lounge
45 Hardy Ave.

MINUTES

ATTENDANCE

Members Present: Mel Getty: Co-Chair, Mike Cerna: Co-Chair, Peter Luciani (Dog Park), Ken Patterson (Rotary), Scott Vitias (Ball), Rosemary Dean (Fair), Terry Smith (Pumptrack), Rick Cox: Staff, Margaret Puhr: Secretary (Event Organizers)

Guests: Chrissy Rosehart (Councillor), Mike Dean (Fair), Tracy Green (Fair)

MEMBERS ABSENT/REGRETS

Shane Curtis, Lance McKenzie, Derek Partlo, Dave Martin, Cedric Tomico, Scott McKenzie, Sue Saelens, Jane Ann McLean

1. Call to Order

The meeting was called to order at 5:30pm, by Co-chair Mel Getty.

2. Adoption of Agenda

Moved By: Ken Patterson

Seconded By: Rosemary Dean

Resolution #1

THAT the as prepared for the Memorial Park Revitalization Committee meeting of July 24, 2017, be adopted. Carried.

3. Disclosures of Pecuniary Interest and the General Nature Thereof

There were no disclosures of pecuniary interest declared.

4. Adoption of Minutes of Previous Meeting

4.1. Minutes of the Meeting of June 16, 2017

Moved By: Ken Patterson

Seconded By: Mike Cerna

Resolution #2

THAT the Minutes of the Memorial Park Revitalization Committee Meeting of June 16, 2017 be approved as amended. Carried.

5. General Business & Reports

- 5.1. Staff update: Celebration Plaza – platform is in place, the band around the edge and the leaf will be formed this week. Structure to start next week. The ramp requirements are being finalized. Asphalt pathway has been installed with two additions: culvert under the path to create drainage in the future and buried conduit for future hydro installations. The hope is to have it ready for the NHL weekend event.
- Garden at Delevan bridge entry – will be releasing and RFQ for the garden and pathways project. Perhaps coordinate with Horticultural Society group.
- Next steps – finishing the structure and clean up around the pathways.
- The owners of the apartment complex have approached the Town to begin process of formalizing access and pathways from Lisgar Ave area. The process and plan is being developed with the planner and Building Department .
- 5.2. Approval of Master Plan: this was deferred pending the following:
1. the Ball Users requested that the plan be changed to move the Hardball #2 diamond to current layout/location – they are happy with the way it is now. Have a new site plan made reflecting this change. Some modifications would be fine, such as lights if funds available. To be reviewed at next meeting.
 2. Fair Board is requesting their buildings replaced and to see the new plan and budget with the above. Otherwise they will ask to have the Crystal Palace designated as a historical building to prevent removal. The Palace needs to be put back on the Master Plan.
 3. Outdoor rink is certain to proceed, no tax money will be used for the project. Placement of the rink has small area of movement as it needs to be close to the indoor rinks. The Fair Board might want to contribute the basketball nets to the project. Councillor Rosehart emphasized that the council want full control of projects moving forward to ensure that they things are built properly on Town property.
- 5.3. Lisgar Avenue parking: this was decided by the Parks & Rec Advisory committee – one side parking only request is being reviewed by Operations Department.
- 5.4. Rotary Club: no updates at this time (Mike Cerna joined the Rotary Club).
- 5.5. Fair Board: fair was received well on the new dates. Attendance exceeded expectations and the new layout worked out great.

5.6. Ball Association: no updates.

5.7. Pumptrack: users were asked for input and would like something to sit on while viewing. Kinsmen Club still committed to contribute \$10,000.00 for shade sails. There is sand getting on the pump track, there needs to be a path through this section.

5.8. Lions Club: absent

5.9. Outdoor Rink: absent.

5.10. Dog Park: waiting for tenders, no updates.

5.11. Ball Diamond repositioning: per discussion on Master Plan.

6. Round Table

- Crystal Palace could be used as cattle barn and new proposed buildings as arts & crafts, therefore solving problem of removing cattle barn.

7. Next Meeting

The next meeting of the Memorial Park Revitalization Committee will be on Monday September 11, 2017 at 5:30pm.

8. Adjournment

Moved By: Rosemary Dean

Seconded By: Ken Patterson

Resolution #4

THAT the Memorial Park Revitalization Committee Meeting of June 19, 2017 be adjourned at 7:25pm. Carried.



Canada 150 Committee

Tuesday, September 5, 2017

4:30 p.m.

Council Chambers

200 Broadway, 2nd Floor

MINUTES

Attendance:

Jami Stephenson, Chair, Brian Stephenson, Karen Smith, Josiane DeCloet, Tabitha Dalm

Community Leaders: Penny Esseltine, Paul Weaver, Virginia Armstrong, Irene Hurley

Staff: Donna Wilson, Patty Phelps,

Regrets: Heather Cnockaet, Aleksandra Webber, Wendy Cameron, Jessica Coulston, Marianna Carson

1. Call to Order

The meeting was called to order at 4:30 p.m.

2. Adoption of Agenda

Resolution #1

Moved By: Josiane DeCloet

Seconded By: Paul Weaver

THAT the Agenda as prepared for the Canada 150 Committee meeting of Tuesday September 5, 2017, be adopted.

Carried

3. Disclosures of Pecuniary Interest and the General Nature Thereof

No disclosures of Pecuniary Interest were declared.

4. Adoption of the Committee Minutes of Previous Meeting

Resolution #2

Moved By: Karen Smith

Seconded By: Brian Stephenson

THAT the Minutes of the Canada 150 Committee meeting of July 17 2017, be approved and the meeting notes of August 8, 2017 be received.

Carried

5. Marketing Update

A number of ads have been provided to various organizations and the ad board within the town.

6. Harvest-fest Update

Final Report was presented by Brian Stephenson.

Advertising was an issue, radio and posters were done but not much else advertising was provided.

It was noted that better communication with farmers who host off shore workers would be required.

It was also noted that possibly only a section of the event should be fenced.

The Knights of Columbus had a profit with the bar and are donating those dollars to the J.L. Scott McLean Legacy fund.

The committee concluded that was a worthwhile event and received a number of recommendations from individuals that is should be done again next year.

There would need to be a council committee to do this event again next year as the Canada 150 Committee concludes at the end of 2017.

Moved by: Paul Weaver Seconded By: Irene Hurley

That the budget shortfall be expensed though the Canada 150 Committee budget
Carried.

Moved by: Brian Stephenson Seconded By: Josiane DeCloet

That the committee provides \$200.00 to Summers Country Wagon for her food services at Harvestfest.

Carried

7. 1867 Concert Update – Canada 150 Year End Finale

Paul Weaver provided a proposed budget for the event.

The budget are estimates and not actuals.

The event is to take place on December 2, 2017 at St. Pauls United Church.

InnerChamber will have to review the sound and lighting and additional equipment may not be required.

Inner Chamber website – www.innerchamber.ca

Tickets will be available on their website as well as printed tickets available for sale in Tillsonburg.

This event will be marketed as a Tillsonburg Canada 150 concert.

Moved By: Virginia Armstrong Seconded By: Tabitha Dalm

That the committee supports the Concert by the InnerChamber.

Carried

8. 24ft x 12ft Canada Flag Update

The flag will be at Seven Gables on Wednesday 13th for the final Tour. – Irene Hurley

Brian Stephenson and Jamie Stephenson have volunteered to help from 12:30 to 3:00 p.m.

The Flag will be at the Youth for Christ event in Oct. 23rd – Virginia Armstrong

9. Next Meeting

Next meeting to be October 16th at 4:30 in Council Chambers

10. Adjournment

THAT the September 5, 2017 Meeting of the Canada 150 Committee, be adjourned at 5:40 p.m.



The Corporation of the Town of Tillsonburg

HERITAGE, BEAUTIFICATION & CEMETERY ADVISORY COMMITTEE

September 7, 2017 9:00 a.m.

Corporate Annex
200 Broadway

MINUTES

ATTENDANCE, Penny Esseltine

MEMBERS PRESENT: Paul DeCloet, Robert Marsden, Christine Nagy, Marian Smith, Maurice Verhoeve, Paul Wareing

MEMBERS ABSENT/REGRETS: Charles Baldwin, Ken Butcher, Penny Esseltine, Corey Hill, Sue Saelens,

1. Call to Order

The meeting was called to order at 9:03 a.m.

2. Adoption of Agenda

Moved By: M. Verhoeve

Seconded By: P. Wareing

Proposed Resolution #1

THAT the Agenda for the Heritage, Beautification & Cemetery Advisory Committee meeting of September 7, 2017, be adopted with additions. Carried.

3. Disclosures of Pecuniary Interest and the General Nature Thereof: None

4. Adoption of Minutes of Previous Meeting

Moved By: C. Nagy

Seconded By: Paul D.

Proposed Resolution #2

THAT the minutes for the June 1, 2017 meeting be approved. Carried.

4.2 Minutes of the Meeting in August – as the minutes were not available, they will be approved at the next meeting.

5. Delegations and Presentations - none

6. General Business & Reports

6.1 Report from Tillsonburg Horticultural Society (THS) – C. Nagy reported that planning is beginning for the 2018 beautification. Tillsonburg BIA are purchasing 5 chrysanthemums for each of the downtown street urns for Fall. Rick Cox attended the September meeting and expressed his sincere appreciation for the work of THS members in beautifying the town. He looks forward to continuing the partnership with the Town and THS.

Moved By: P. Wareing

Seconded by: M. Verhoeve

Proposed Resolution #3

THAT the Heritage, Beautification & Cemetery Advisory Committee accept the report as submitted. Carried

7. **Correspondence** – M. Smith read an e-mail from Janet Wilkinson tendering her resignation with this committee.

8. Other Business

8.1 Heritage Designations – there are currently no properties willing to accept a designation. A discussion followed about approaching the churches to have the stained glass windows designated as historical. St. Paul's Church will be approached first.

8.2 Significant Tree program – this was originally intended to be only a recording of any significant or historical trees in town and a pamphlet produced listing the trees with their GPS coordinates.

8.3 Committee Vacancy - Clerks office asked to advertise for applicants to fill vacancies.

8.4 Invasive species – P. DeCloet informed the meeting that the trails are planted with beautiful trees, however there are also many invasive trees and plants that threaten the health of these trees. Current by-law does not permit removal of an invasive tree if it is still healthy. A revision is needed to effectively deal with invasive and unwanted trees.

Moved By: P. DeCloet

Seconded By: M. Verhoeve

Proposed Resolution #4

THAT R. Cox be requested to prepare a draft of the revision of the tree by-law for this committee to discuss at the next meeting. Carried.

8.5 Site Preparation for Keep Tillsonburg Beautiful tree planting for 2018 – P. DeCloet advised that site preparation (removal of grass) needs to be done in the fall rather than spring to be more successful with the trees. Focus should be on replacing and repairing on existing sites rather than starting a new planting site.

Moved By: P. DeCloet

Seconded By: M. Verhoeve

Proposed Resolution #5

THAT the 2018 Keep Tillsonburg Beautiful Day will focus on the four most recent planting sites with replacement of trees and in addition that Fall preparation would take place. Carried.

8.6 Joy Mausoleum – R. Cox circulated pictures of the before and after work on Joy Mausoleum. The work is almost completed at approximately \$11,500 (approved for \$20,000). It has been suggested to Council that the remaining funds be used to make repairs to the Tribe and Teall mausoleums. R. Cox also reported on the following: contractor has been selected for concrete work at the columbaria; memorial benches have been purchased; downtown urns will be switching to Fall flowers soon; watering gardens costs time and money so future planning will possibly install irrigation systems where it would be feasible.

8 Next Meeting

The next meeting of the Heritage, Beautification & Cemetery Advisory Committee will be on **October 5, 2017** at 9:00 a.m. in the **Annex Meeting Room, 200 Broadway**.

9 Adjournment

Moved By: R. Marsden

Proposed Resolution #4

THAT the Meeting of Heritage, Beautification & Cemetery Advisory Committee on September 7, 2017 be adjourned at 10:25 a.m. Carried.



**LONG POINT REGION CONSERVATION AUTHORITY
BOARD OF DIRECTORS – MINUTES of August 2, 2017
Approved September 6, 2017**

Members in attendance: Leroy Bartlett, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus, Roger Geysens, Craig Grice, Noel Haydt, David Hayes, John Scholten and Tom Southwick
Staff in attendance: C. Evanitski, J. Maxwell, L. Minshall, P. Walther-Mabee, J. Stefek and D. McLachlan
Regrets: none

The LPRCA Chair called the meeting to order at 6:30 pm Wednesday, August 2nd, 2017 in the Tillsonburg Administration Office Boardroom.

ADDITIONAL AGENDA ITEMS

MOTION A-179/17 moved: M. Columbus seconded: J. Scholten

THAT the LPRCA Board of Directors add a Property Matter and "Teeterville Dam Update" under Closed Session as item 11(c) and New Business as item 10 (E) respectively to the August 2nd, 2017 agenda.

CARRIED

DISCLOSURES OF INTEREST

None

R. Geysens joined the meeting.

DEPUTATIONS

None

MINUTES OF PREVIOUS MEETINGS

No questions or comments

MOTION A-180/17 moved: R. Geysens seconded: J. Scholten

THAT the minutes of the LPRCA Board of Directors Regular Meeting held July 5th, 2017 be adopted as circulated.

CARRIED

FULL AUTHORITY COMMITTEE MEMBERS

Leroy Bartlett, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus, Roger Geysens, Craig Grice, Noel Haydt, David Hayes, John Scholten, Tom Southwick

BUSINESS ARISING

a) Bill 139 – Building Better Communities and Conserving Watersheds Act, 2017

The GM noted that Bill 139 is an omnibus Bill that includes proposed changes to the Conservation Authorities Act. The Bill has passed first reading and the second and third readings are expected this fall. Discussion ensued.

MOTION A-181/17 moved: D. Brunton seconded: D. Hayes

THAT the LPRCA Board of Directors receives the Bill 139: Building Better Communities and Conserving Watersheds Report as information.

CARRIED

b) Waterford North Gatehouse

Staff reported that the current gatehouse at Waterford is located within the park away from the point of entry and creates the potential for lost revenue. Staff provided three options to correct the issue noting that the preferred option would be to locate the gate at the south end of the entry road and funneling vehicles through by narrowing the road entrance. Staff will research and review automated gates.

MOTION A-182/17 moved: D. Brunton seconded: D. Hayes

THAT the LPRCA Board of Directors accepts the Gatehouse report as information; AND THAT staff continues to explore options to be presented during the 2018 budget process.

CARRIED

REVIEW OF COMMITTEE MINUTES

No questions or comments.

MOTION A-183/17 moved: J. Scholten seconded: R. Geysens

THAT the minutes from the Backus Museum Committee meeting of May 25th, 2017 be received as information.

CARRIED

CORRESPONDENCE

Staff fielded questions from the Board.

FULL AUTHORITY COMMITTEE MEMBERS

Leroy Bartlett, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus, Roger Geysens, Craig Grice, Noel Haydt, David Hayes, John Scholten, Tom Southwick

- 2 -

MOTION A-184/17

moved: D. Hayes

seconded: D. Brunton

THAT the correspondence outlined in the Board of Director's Agenda of August 2nd, 2017 be received as information.

CARRIED

DEVELOPMENT APPLICATIONS

a) Staff Approved applications

Staff approved 34 applications since the last meeting: LPRCA-14/17, LPRCA-126/17, LPRCA-130/17, LPRCA-132/17, LPRCA-133/17, LPRCA-137/17, LPRCA-141/17, LPRCA-134/17, LPRCA-135/17, LPRCA-142/17, LPRCA-145/17, LPRCA-146/17, LPRCA-148/17, LPRCA-149/17, LPRCA-151/17, LPRCA-152/17, LPRCA-153/17, LPRCA-154/17, LPRCA-155/17, LPRCA-156/17, LPRCA-157/17, LPRCA-158/17, LPRCA-159/17, LPRCA-160/17, LPRCA-161/17, LPRCA-162/17, LPRCA-163/17, LPRCA-164/17, LPRCA-167/17, LPRCA-168/17, LPRCA-169/17, LPRCA-171/17, LPRCA-177/17 and LPRCA-181/17.

No questions or comments.

MOTION A-185/17

moved: R. Geysens

seconded: J. Scholten

That the LPRCA Board of Directors receives the Staff Approved Section 28 Regulation Applications report dated July, 2017 as information.

CARRIED

b) New applications

The Planning Department recommended approval for seven applications. Brian Duxbury, attorney for neighbouring landowners, spoke against recommending approval for applications LPRCA-85/17 and LPRCA-150/17 on Hastings Drive, Long Point. Mr. Duxbury listed a number of reasons for his request including:

- recent changes to the law derived from a recent court challenge;
- conservation authority decisions must be consistent with the Provincial Policy Statement;
- the structures addressed in the applications are over the size limit as per the Building Code;
- zoning on Hastings Drive is currently under appeal to the Ontario Municipal Board;
- the Norfolk County Official Plan states "No new development permitted on Hastings Drive;"
- the species at risk and the provincially significant wetland in the area; and
- public safety and perception.

FULL AUTHORITY COMMITTEE MEMBERS

Leroy Bartlett, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus, Roger Geysens, Craig Grice, Noel Haydt, David Hayes, John Scholten, Tom Southwick

Mr. Duxbury fielded questions from the Board.

No further questions were directed to staff.

MOTION A-186/17 moved: M. Columbus seconded: D. Hayes

THAT the LPRCA Board of Directors receives the deputation by Brian Duxbury as information.

CARRIED

MOTION A-187/17 moved: D. Hayes seconded: D. Beres

THAT the LPRCA Board of Directors approves the following Development Applications contained within the background section of the report:

- A. For Work under Section 28 Regulations, Development, Interference with Wetlands & Alterations to Shorelines and Watercourses Regulations (R.R.O. 1990 Reg. 178/06),

LPRCA-85/17
LPRCA-147/17
LPRCA-182/17

LPRCA-90/17
LPRCA-150/17

LPRCA-107/17
LPRCA-179/17

- B. That the designated officers of LPRCA be authorized to complete the approval process for this Development Application, as far as it relates to LPRCA's mandate and related Regulations.

CARRIED

NEW BUSINESS

a) GENERAL MANAGER'S REPORT

No questions or comments.

MOTION A-188/17 moved: R. Geysens seconded: J. Scholten

THAT the LPRCA Board of Directors receives the General Manager's Report for July 2017 as information.

CARRIED

b) LPRCA MARKETING UPDATE

Jarah Stefek introduced herself and provided information on her background and qualifications. Ms. Stefek presented the requirements for a website redesign and the

FULL AUTHORITY COMMITTEE MEMBERS

Leroy Bartlett, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus,
Roger Geysens, Craig Grice, Noel Haydt, David Hayes, John Scholten, Tom Southwick

outcome of a recent RFQ. Staff withdrew the recommendation for the website and requested that it be deferred until 2018 budget discussion. The Low Impact Development signage will be ready for installation the week of August 21st. Social media statistics were provided and upcoming projects detailed. Discussion ensued.

MOTION A-189/17 moved: D. Beres seconded: D. Brunton

THAT the LPRCA Board of Directors receives the Marketing Update as information.

CARRIED

c) HALDIMAND HYDRO UPDATE

Staff provided an update on the status of the 2017 Haldimand Hydro Capital project. The work completed was inspected and passed, but other issues have since arisen. To maintain compliance some trailers had to be moved and trees cut and some of the poles within the park will have to be replaced. Staff is meeting with the Hydro Safety Authority to help in producing a plan of action. A budget reallocation was requested.

MOTION A-190/17 moved: J. Scholten seconded: R. Geysens

THAT the LPRCA Board of Directors reallocates up to \$13,200 from the 2017 Capital Budget Waterford North CA Hydro Upgrade to the Haldimand CA for the necessary repairs to the hydro, water and septic systems.

CARRIED

d) 2nd QUARTER FINANCIALS

Staff reported a negative variance in seasonal revenues in comparison to the 2017 budget. The number of seasonal campers is down 41 sites from last year but the revenue is higher. Some expenses are currently tracking under at the parks.

Upon questions from the Board, staff indicated that the trail revitalization project at Backus is underway and will include accessibility access to some areas, bridge replacement to Backus Woods trails, stair replacement, widening of the Cottonwood trail and some interpretive signage placement. The project is expected to be completed by year-end. Staff plans to apply for funding to complete a phase 2. Further details were provided for the various capital projects including the upcoming Request for Proposals for the Sediment Management Plan at Teeterville Dam.

MOTION A-191/17 moved: T. Southwick seconded: D. Beres

THAT the LPRCA Board of Directors receives the Budget Performance Report as at June 30th, 2017 as information.

CARRIED

FULL AUTHORITY COMMITTEE MEMBERS

Leroy Bartlett, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus,
Roger Geysens, Craig Grice, Noel Haydt, David Hayes, John Scholten, Tom Southwick

e) TEETERVILLE DAM

The Legion has been notified that, as per the Board's decision, the stoplogs will remain as is - no logs will be added or removed. The GM offered to again speak with the Legion membership about the issues.

An abutting landowner had requested information as to how to irrigate at Teeterville. Information was forwarded by the GM.

MOTION A-192/17 moved: T. Southwick seconded: D. Beres

That the LPRCA Board of Directors does now enter into a closed session to discuss:

- personal matters about an identifiable individual, including Conservation Authority employees*
- a proposed or pending acquisition or disposition of land by the Conservation Authority*

CARRIED

MOTION A-193/17 moved: R. Geysens seconded: J. Scholten

That the LPRCA Board of Directors does now adjourn from the closed session.

CARRIED

MOTION A-194/17 moved: R. Geysens seconded: D. Beres

THAT the LPRCA Board of Directors approves the contract extension for Jarah Stefek as LPRCA's Marketing Coordinator to December 31st, 2018, as per the GM's verbal closed session report.

CARRIED

MOTION A-195/17 moved: D. Hayes seconded: J. Scholten

*THAT the LPRCA Board of Directors receives the GM's closed session report regarding a property matter as information;
AND THAT the matter be referred to the Strategic Plan Review Committee.*

CARRIED

The Chair adjourned the meeting at 8:30pm.



Noel Haydt
Chair



Dana McLachlan
Administrative Assistant

FULL AUTHORITY COMMITTEE MEMBERS

Leroy Bartlett, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus,
Roger Geysens, Craig Grice, Noel Haydt, David Hayes, John Scholten, Tom Southwick

THE CORPORATION OF THE
TOWN OF TILLSONBURG
BY-LAW NUMBER 4137

A By-Law to Designate a Plan of Subdivision or part thereof, to not be a registered plan of subdivision for the purposes of Subsection 50(3) of the Planning Act.

WHEREAS the Council of The Corporation of the Town of Tillsonburg has authority pursuant to subsection 50(4) the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to designate a Plan of Subdivision, or part thereof, to be deemed not to be lots in a registered Plan of Subdivision for the purpose of subsection 50(3) of *Planning Act*;

AND WHEREAS the lands described below are currently lots within a registered plan of subdivision;

AND WHEREAS Registered Plan No. 41M-218 has been registered in the Registry Office for the Registry Division of the County of Oxford for eight (8) years or more;

Now therefore the Council of the Corporation of the Town of Tillsonburg hereby enacts as follows:

1. That the lands described below and shown more particularly on Schedule "A" as affixed hereto are hereby deemed to not be separate lots within a registered Plan of Subdivision of the purposes of Subsection 50(3) of the *Planning Act*.

PIN: 00026-1362 (LT), 00026-1363 (LT), 00026-1364 (LT), 00026-1365 (LT),
00026-1366 (LT), 00026-1367 (LT)

LOTS 68-73, INCLUSIVE, REGISTERED PLAN 41M-218, TOWN OF
TILLSONBURG

2. THAT this By-law shall come into full force and take effect on the date it is passed by the Council of The Corporation of the Town of Tillsonburg, subject to the provisions of subsection 50(27) of the *Planning Act*.
3. THAT this By-law be registered in the Registry Office for the Registry Division (41) of the County of Oxford.

READ a first and second time this 25th day of September, 2017.

READ a third time and finally passed this 25th day of September, 2017.

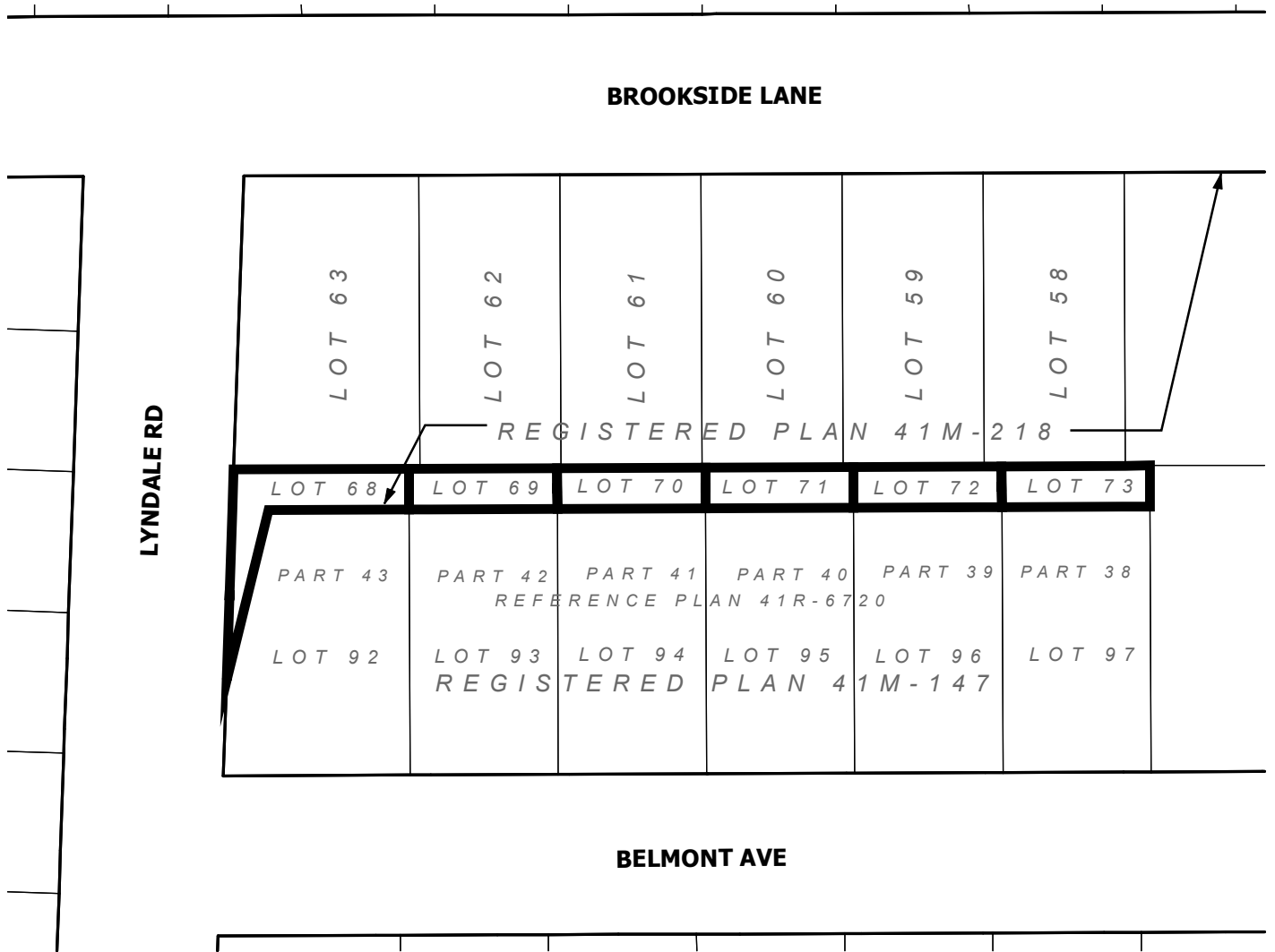
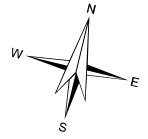
Mayor

Clerk

SCHEDULE "A"

TO BY-LAW No. 4137

LOTS 68 TO 73 (INCLUSIVE) REGISTERED PLAN 41M-218
TOWN OF TILLSONBURG



LANDS TO WHICH BYLAW 4137 APPLIES

NOTE: ALL DIMENSIONS IN METRES

THIS IS SCHEDULE "A"

TO BY-LAW No. 4137, PASSED THE

25th DAY OF SEPTEMBER, 2017

MAYOR

CLERK

THE CORPORATION OF THE
TOWN OF TILLSONBURG
BY-LAW NUMBER 4138

A By-Law to amend Zoning By-Law Number 3295, as amended.

WHEREAS the Municipal Council of the Corporation of the Town of Tillsonburg deems it advisable to amend By-Law Number 3295, as amended.

THEREFORE, the Municipal Council of the Corporation of the Town of Tillsonburg, enacts as follows:

1. That Section 9.5 to By-Law Number 3295, as amended, is hereby further amended by adding the following subsection at the end thereof:

“9.5.4 **LOCATION: NORTH SIDE OF JOHN POUND ROAD – PART LOTS 1463 & 1464, PLAN 500, PART 2 OF 41R-7261, RM-4 (KEY MAP 28)**

9.5.4.1 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any RM-4 zone *use any lot, or erect, alter, or use any building or structure* for any purpose except the following:

An apartment dwelling.

9.5.4.2 Notwithstanding any provisions of this By-Law to the contrary, no person shall within any RM-4 Zone *use any lot, or erect, alter or use any building or structure* except in accordance with the following provisions:

9.5.4.2.1 PROVISIONS FOR AN APARTMENT DWELLING

9.5.4.2.1.1 NUMBER OF DWELLING UNITS

Maximum **33**

9.5.4.2.1.2 FRONT YARD DEPTH

Minimum **4.5 m (14.7 ft)**

9.5.4.2.1.3 EXTERIOR SIDE YARD WIDTH

Minimum **4.5 m (14.7 ft)**

9.5.4.2.1.4 INTERIOR SIDE YARD WIDTH

Minimum **4.5 m (14.7 ft)**

9.5.4.2.1.5 SETBACK FROM CENTRELINE OF AN ARTERIAL ROAD

Minimum **16 m (52 ft)**

9.5.4.2.1.6 LOT AREA

Minimum per dwelling unit **115 m² (1238 ft²)**

9.5.4.2.1.7 PARKING SPACES

Minimum **1.2 parking spaces per apartment dwelling**

9.5.4.2.1.8 SETBACK OF PARKING AREAS

Notwithstanding Section 5.24.3.1, the minimum distance between a parking space and an interior lot line may be **0 m**.

9.5.4.2.1.9 Notwithstanding any provisions of this By-Law to the contrary, within any RM-4 Zone, the provisions of Section 5.30.2 (Environmental Protection 2 Overlay and Fish Habitat) shall not apply.

9.5.4.3 That all of the provisions of the RM Zone in Section 9.2 of this By-Law, as amended, shall apply and further, that all other provisions of this By-Law, as amended, that are consistent with the provisions herein shall continue to apply mutatis mutandis.”

2. This By-Law comes into force in accordance with Sections 34(21) and (30) of the Planning Act, R.S.O. 1990, as amended.

READ a first and second time this 25th day of September, 2017.

READ a third time and finally passed this 25th day of September, 2017.

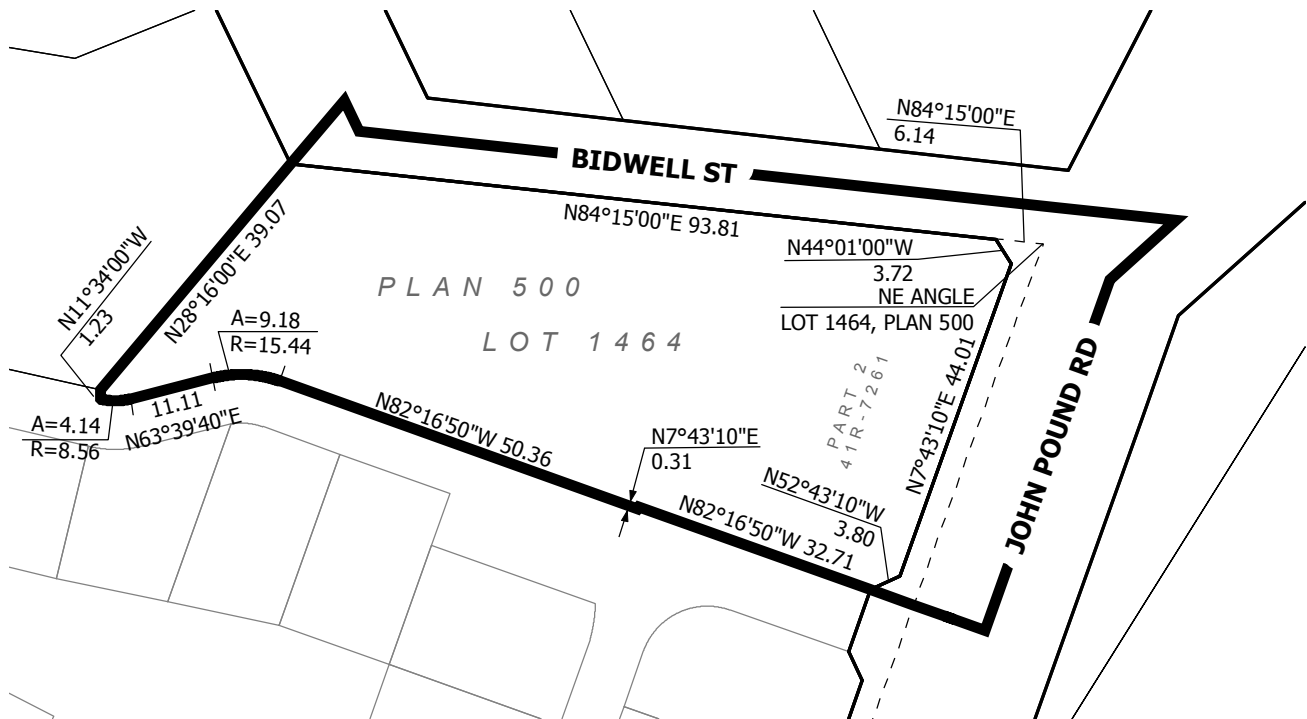
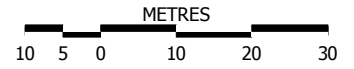
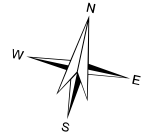
Mayor

Clerk

SCHEDULE "A"

TO BY-LAW No. 4138

PART OF LOT 1464, PLAN 500
PART 2, REFERENCE PLAN 41R-7261
TOWN OF TILLSONBURG



 AREA OF ZONE CHANGE TO RM-4

NOTE: ALL DIMENSIONS IN METRES

THIS IS SCHEDULE "A" TO

BY-LAW No. 4138, PASSED

THE 25th DAY OF SEPTEMBER, 2017

MAYOR

CLERK

ZN 7-17-10

TOWN OF TILLSONBURG

BY-LAW NUMBER 4138

EXPLANATORY NOTE

The purpose of By-Law Number 4138 is to rezone the subject property from 'Special Low Density Type 3 Zone (R3-6)' to 'Special Medium Density Residential Zone (RM-4)' to facilitate the construction of an apartment building with 33 apartment dwelling units. Special provisions are also included to permit a reduced front yard depth, reduced interior side yard and exterior side yard widths, permit a reduced minimum lot area per dwelling unit, reduced setback from the centerline of John Pound Road, reduced number of parking spaces and reduced setback of parking areas from interior lot lines. Provisions are also included to remove the EP2 Overlay affecting the subject lands.

The subject property is described as Part Lots 1463 & 1464, Plan 500, and Part 2 of Reference Plan 41R-7261, in the Town of Tillsonburg. The lands are located on the west side of John Pound Road, lying between Bidwell Street (closed) and Savannah Court, and are municipally known as 3 John Pound Road.

The Municipal Council, after conducting the public hearing necessary to consider any comments to the proposed zone change application, approved By-Law Number 4138. The public hearing was held on September 25, 2017. Public input was received for this application from neighbouring residents and has been considered by Municipal Council in arriving at their decision.

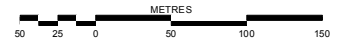
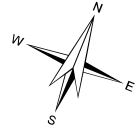
Any person wishing further information relative to Zoning By-Law Number 4138 may contact the undersigned:

Ms. Donna Wilson
Clerk
Town of Tillsonburg
200 Broadway, 2nd Floor
Town Centre Mall
Tillsonburg, ON N4G 5A7

Telephone: 842-9200

File: ZN 7-17-10 (2412374 Ontario Ltd)
Report No: 2017-263

KEY MAP



 LANDS TO WHICH BYLAW 4138 APPLIES

THE CORPORATION OF THE TOWN OF TILLSONBURG

BY-LAW NUMBER 4139

A BY-LAW to appoint a Deputy Clerk for the Town of Tillsonburg.

WHEREAS the Municipal Act, 2001, S.O. C 25, allows for the appointment of officers of the Municipality;

AND WHEREAS The Council of the Corporation of the Town of Tillsonburg deems it is necessary and expedient to appoint a Deputy Clerk for the Corporation of the Town of Tillsonburg;

THEREFORE the Council of the Town of Tillsonburg enacts as follows:

1. THAT Lana White is hereby appointed as Deputy Clerk.
2. THAT this By-Law is passed pursuant to the Municipal Act, 2001 S.O. 2001, Chapter 25.
3. THAT By-Law 3930, to appoint a Deputy Clerk on August 10, 2015, is hereby repealed and any previously enacted By-Laws which are inconsistent with the purpose and intent of this By-Law are hereby repealed.
4. THAT This By-Law shall come into full force and effect on the day of passing.

READ A FIRST AND SECOND TIME THIS 25th DAY OF SEPTEMBER, 2017.

READ A THIRD AND FINAL TIME AND PASSED THIS 25th DAY OF SEPTEMBER, 2017.

MAYOR – Stephen Molnar

TOWN CLERK - Donna Wilson

THE CORPORATION OF THE TOWN OF TILLSONBURG

BY-LAW NUMBER 4140

BEING A BY-LAW to confirm the proceedings of Council at its meetings held on the 25th day of September, 2017

WHEREAS Section 5 (1) of the *Municipal Act, 2001*, as amended, provides that the powers of a municipal corporation shall be exercised by its council;

AND WHEREAS Section 5 (3) of the *Municipal Act, 2001, as amended*, provides that municipal powers shall be exercised by by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Town of Tillsonburg at this meeting be confirmed and adopted by by-law;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF TILLSONBURG ENACTS AS FOLLOWS:

1. All actions of the Council of The Corporation of the Town of Tillsonburg at its meeting held on September 25, 2017, with respect to every report, motion, by-law, or other action passed and taken by the Council, including the exercise of natural person powers, are hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this or a separate by-law.
2. The Mayor and Clerk are authorized and directed to do all the things necessary to give effect to the action of the Council of The Corporation of the Town of Tillsonburg referred to in the preceding section.
3. The Mayor and the Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the Town of Tillsonburg.
4. This By-Law shall come into full force and effect on the day of passing.

READ A FIRST AND SECOND TIME THIS 25th DAY OF September, 2017.

READ A THIRD AND FINAL TIME AND PASSED THIS 25th DAY OF September, 2017.

MAYOR – Stephen Molnar

TOWN CLERK – Donna Wilson