

**THE CORPORATION OF THE UNITED COUNTIES**  
**OF STORMONT, DUNDAS AND GLENGARRY**

**BY-LAW NO. 5228**

**A BY-LAW to establish a tariff of fees for the processing of applications made in respect of planning matters for the United Counties of Stormont, Dundas and Glengarry.**

**WHEREAS** Section 69 (1) of the Planning Act, R.S.O., 1990, c.P. 13, as amended, provides that the Council of a Municipality, may by by-law, prescribe a Tariff of Fees for the processing of applications made in respect of planning matters, which tariff shall be designed to meet only the anticipated costs to the Municipality in respect of the processing of each type of application provided for in the tariff.

**WHEREAS** Section 69 (2) of the Planning Act, R.S.O., 1990, c.P.13, as amended, provides that the council of a municipality may reduce the amount of or waive the requirement for the payment of a fee in respect of the application where the council is satisfied that it would be unreasonable to require payment in accordance with the tariff.

**WHEREAS** it is deemed desirable to prescribe a Tariff of Fees establishing a fee for the processing of applications to the United Counties of Stormont, Dundas and Glengarry outlined below and;

**WHEREAS** it is deemed desirable to prescribe a Tariff of Fees establishing fees for the processing of applications made in respect of planning matters to the local municipalities of the United Counties of Stormont, Dundas and Glengarry.

**NOW THEREFORE** the Council of the Corporation of the United Counties of Stormont, Dundas and Glengarry enacts as follows:

- 1) That the tariff of fees in respect of planning matters be as set out in Schedule "A" to this by-law.
- 2) That this By-law shall come into force and effect on the 1<sup>st</sup> day of April, 2020 and By-law No. 4924 shall be repealed as of that date.

**READ** and passed in Open Council, signed and sealed this 18<sup>th</sup> day of February 2020.

  
WARDEN

  
CLERK

## SCHEDULE 'A' TO BY-LAW NO. 5228

### TARIFF OF FEES

#### 1. APPLICATION FOR CONSENT

a) Application fee for each new lot created	\$1,215.00
b) Application fee that does not create a new lot (i.e., lot addition, right-of-way, easement, long term leases, etc.)	\$1,215.00
c) Final Consent Certificate (stamping Deeds)	\$220.00
d) Each revised consent application requiring recirculation	\$440.00
e) Validation of Title application fee in addition to any legal or other costs	\$680.00
f) Each change to approved conditions	\$370.00

#### 2. SUBDIVISION/CONDOMINIUM / PART LOT CONTROL BY-LAWS

##### a) Subdivisions

i) <u>Initial Application Fee</u>	
Up to 20 developable lots/blocks/units	\$3,690.00
21 to 50 developable lots/blocks/units	\$4,960.00
More than 50 developable lots/blocks/units	\$6,825.00
ii) <u>Notice of Application</u>	
Municipality advertises notice of subdivision application in accordance with the Planning Act, the applicant is responsible for all costs.	
iii) <u>Major Plan Revision (Re-circulation)</u>	\$1,100.00
Major revision to the draft plan or to the conditions of draft approval either of which require a re-circulation	
iv) <u>Minor Revision or Emergency Extension</u>	\$440.00
Minor revisions to the draft plan and/or draft conditions, which do <u>not</u> require re-circulation and for each emergency extension to draft approval of not more than three (3) months	

- v) Draft Approval Extension (Annual) \$660.00  
Each extension of draft approval of not more than twelve (12) months beyond the usual three (3) years draft approval granted by the County
- vi) Final Approval of Subdivision Plan \$550.00  
Each final approval of a draft plan of subdivision or phase

b) Condominiums

- i) Initial Application Fee  
Up to 20 units \$3,690.00  
21 to 50 units \$4,960.00  
More than 50 units \$6,825.00
- ii) Exemption \$1,250.00  
Exemption under Section 50 of the Condominium Act, R.S.O. 1990, c.C.26, as amended
- iii) Major Plan Revision (Re-circulation) \$1,100.00  
Major revision to the draft plan or to the conditions which require re-circulation
- iv) Minor Revision or Emergency Extension \$440.00  
Minor revisions to the plan or conditions which do not require re-circulation and for each emergency extension to draft approval of not more than three (3) months
- v) Draft Approval Extension (Annual) \$660.00  
Each extension of draft approval of not more than twelve (12) months beyond the usual three (3) years draft approval granted by the County
- vi) Final Approval of Condominium Plan \$550.00  
Each final approval of plan or phase

c) Part Lot Control By-law

- i) County Final Approval \$770.00

### 3. AMENDMENTS TO COUNTY OFFICIAL PLAN

- a) Application fee           \$3,100
- b) Fee charged in any given year may be reduced by \$500 where both an amendment to the County Official Plan and the Township Zoning By-law is required. The County may share \$500 of the application fee with the local municipality where the local municipality's staff perform some of the work to process or evaluate the application.
- c) Where the applicant requests a revision to an application that requires additional processing or public meeting, the fee shall be \$440.00.

### 4. LOCAL OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS

- a) Hourly rates will be charged to the applicant for County review, preparation or processing of an amendment submitted by an individual to a municipality pursuant to Section 21 of the Planning Act (Official Plan Amendment) or Section 34 (Zoning By-law Amendment).
- b) Where the County is asked by a local Municipality to prepare a major Official Plan Amendment or Zoning By-law amendment the amount to be charged for the services shall be determined by mutual agreement between the local Municipality and the County.

### 5. OTHER

- a) The County shall determine if any technical studies are required for any planning matter and the applicant shall be responsible for all costs. The applicant is required to reimburse the County for the fees and expenses of the County's peer review professionals which are beyond the review of the applicant's technical studies (e.g., preconsultation, dispute resolution, municipal board hearings). Technical studies include, but are not limited to: hydrogeology studies, environmental impact studies, servicing options studies, traffic studies, soil studies and noise assessment studies.
- b) The applicant shall be responsible for all actual costs incurred by the County in relation to processing their application for any planning matter including, but not limited to, advertising, legal, survey, professional fees, technical reports, peer review, appeal costs, County staff hours spent on Local Planning Appeals Tribunal activities, etc. Where any planning matter is appealed to the Local Planning Appeals Tribunal the applicant shall be responsible for all costs.

- c) For any planning matters where cost recovery applies, the following rates shall be invoiced according to the actual time taken on the matter by the respective staff member:
- County Planner \$95.00
  - GIS Support \$45.00
  - Planning Administrative Assistant \$40.00
  - Mileage charged at the approved County rate
  - All other services at actual cost
- d) Any request for a letter or document of opinion or confirming compliance or conformity to any planning matter will be produced at a fee of \$50.00. Any request for retrieval of a file in storage will be charged a fee of \$50.00.
- e) All outstanding amounts owing in relation to processing any planning matter shall be paid in full before the signing of the documents by County employees.
- f) Fees, charges and costs that have been imposed in accordance with this by-law that remain unpaid after the date on which they are due shall be subject to interest at a rate of 1.25% per month calculated daily for each day outstanding.
- g) When providing planning services to a local municipality, there shall be no charge for the time of planning staff for any project lasting one day or less.
- h) No refund of any fees will be processed unless otherwise determined appropriate by Council. In no case shall a fee be refunded after a decision has been rendered on an application or a service provided.
- i) All fees outlined in this by-law and its schedules shall be increased annually by the Consumer Price Index for Ontario and rounded to the closest \$5.00 value. The adjustment will be effective April 1<sup>st</sup> each year and be based on the annual Consumer Price Index for Ontario as at December 31<sup>st</sup> of the previous year as published by Statistics Canada.
- j) In the event that any part of this by-law, including any part of any schedule, are determined by a Court of competent jurisdiction to be invalid or of no force and effect, it is the stated intention of Council that such invalid part of the by-law shall be separate and that the remainder of this by-law and schedules shall continue to operate and be in force and effect.