

**THE CORPORATION OF THE UNITED COUNTIES**

**OF STORMONT, DUNDAS AND GLENGARRY**

**BY-LAW NO. 5356**

**A BY-LAW to provide for Fees and Cost Recovery Charges.**

**WHEREAS** Section 304 of the Municipal Act, R.S.O. 2001, as amended, provides that if a municipality uses a registered collection agency in good standing under the *Collection Agencies Act* to recover debt, including taxes, payable to the municipality, the collection agency may also recover its reasonable costs of collecting the debt but those costs shall not exceed an amount approved by the municipality;

**AND WHEREAS** Section 391(1) of The Municipal Act, R.S.O. 2001, as amended, provides that without limiting sections 9, 10, and 11, those sections authorize a municipality to impose fees or charges on persons:

- a) for services or activities provided or done by or on behalf of it;
- b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and
- c) for the use of its property including property under its control.

**AND WHEREAS** Section 391(3) of the Municipal Act, R.S.O. 2001, as amended, provides that the costs included in a fee or charge may include costs incurred by the municipality or local board related to administration, enforcement and the establishment, acquisition and replacement of capital assets.

**AND 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.

**AND WHEREAS** Section 398(1) of the Municipal Act, R.S.O. 2001, as amended, provides that fees and charges imposed by a municipality or local board on a person constitute a debt of the person to the municipality or local board, respectively.

**AND WHEREAS** Section 398(2) of the Municipal Act, R.S.O. 2001, as amended, provides that the treasurer of a local municipality may, and upon the request of its upper-tier municipality, if any, or of a local board whose area of jurisdiction includes any part of the municipality shall , add fees and charges imposed by the municipality, upper-tier municipality or local board, respectively, to the tax roll for the following property in the local municipality and collect them in the same manner as municipal taxes:

1. in the case of fees and charges for the supply of a public utility, the property to which the public utility was supplied.
2. In all other cases, any property for which all of the owners are responsible for

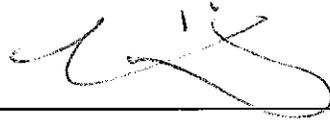
paying the fees and charges.

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

1. That the fees and charges be as in Schedule "A" and Schedule "B" attached hereto and forming part of this By-law.
2. That By-law No. 5228 and 5249 are hereby rescinded.
3. Fees and charges 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.
4. Fees, charges and interest which are unpaid may be added to the tax roll of the property owned by the persons responsible for paying the fees and charges and collected in the same manner as municipal taxes.
5. The Director of Finance and Department Head have the authority to waive fees:
  - a) When a local municipality within SDG is undertaking work that requires a permit, or, the Municipality is being billed as part of a joint tender or for cost recovery purposes.
  - b) In extenuating circumstances where the charging of a fee would be considered unreasonable, impractical or not in the best interest of the Corporation.
6. 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.
7. All Transportation and Planning fees outlined in this by-law and its schedules shall be reviewed on an annual basis and, be changed by the Consumer Price Index (CPI) for Ontario once the CPI increase results in a fee change greater than \$5.00. Fees will be rounded to the closest \$5.00 value. The adjustment will be effective April 1st 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.

8. Should any provision of this by-law including any provision contained in one or more of any attached schedules be determined by a court of competent jurisdiction to be invalid or void and of no force and effect, it is the stated intention of Council that such invalid provision shall be severable and the remainder of this by-law including any schedule shall continue in full force and effect.

**READ** and passed in Open Council, signed and sealed the 20<sup>th</sup> day of June, 2022.



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WARDEN



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CLERK

**Schedule "B" to By-Law No. 5356**

**Planning Service Fees**

**Consent**

Consent Application Fee	\$	1,265.00
Final Consent, Stamping of Deed	\$	230.00
Reduced fee for additional application(s) submitted concurrently on same property	\$	950.00
Revised Consent Application (recirculation)	\$	460.00
Validation of Title/Consent Cancellation Application Fee	\$	710.00
Each change to approved conditions	\$	385.00

**Subdivision**

Initial application fee		
-Up to 20 lots/blocks/units	\$	3,845.00
-21 to 50 lots/blocks/units	\$	5,170.00
-More than 50 lots/blocks/units	\$	7,115.00
Major plan/condition revision (recirculation)	\$	1,145.00
Minor plan/condition revision (no recirculation)	\$	460.00
Each extension of draft approval (not more than 3 months)	\$	460.00
Each extension of draft approval (not more than 12 months)	\$	690.00
Each final approval of plan or phase	\$	575.00
Part Lot Control	\$	805.00

**Condominiums**

Initial application fee		
-Up to 20 units	\$	3,845.00
-21 to 50 units	\$	5,170.00
-More than 50 units	\$	7,115.00
Exemption under Section 50 of the <i>Condominium Act</i>	\$	1,300.00
Major plan/condition revision (recirculation)	\$	1,145.00
Each extension of draft approval (not more than 3 months)	\$	460.00
Each extension of draft approval (not more than 12 months)	\$	690.00
Each final approval of plan or phase	\$	575.00

**Official Plan**

Official Plan Amendment application fee (standalone)	\$	3,230.00
Official Plan Amendment application fee (submitted with Zoning)	\$	2,730.00
Revision to application that requires additional public meeting	\$	460.00

**Other**

Technical studies, Peer review, legal, advertising, appeal costs, etc		Full Cost Recovery + Processing Fee
County Planner hourly rate	\$	102.00
Community Planner hourly rate	\$	68.00
Planning Technician hourly	\$	48.00
Administrative Assistant hourly	\$	42.00
Mileage, approved County KM rate		Current
Opinion/confirmation letter	\$	50.00
Retrieval from file storage	\$	50.00

**Implementation:**

- 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., pre-consultation, dispute resolution, Ontario Land Tribunal 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 Ontario Land Tribunal activities, etc. Where any planning matter is appealed to the Ontario Land Tribunal, the applicant shall be responsible for all costs.
- c) The Director of Planning Services is delegated authority to waive fees for municipalities, public agencies and charitable/non-profit organizations that are not exempt under the Planning Act if the project is deemed to be in the public interest and supports the goals of the County Official Plan.
- d) 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.
- e) The County may collect fees and charges on behalf of a local municipality or conservation authority and remit funds to that organization on a regular basis.