

# THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

## BY-LAW NO. 2008 -

### Being a By-law to adopt Fees and Service Charges related to Processing of Planning Applications and Related Engineering & Public Works Services

**WHEREAS** in accordance with Section 69(1) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the Council of The Corporation of the Town of The Blue Mountains considers it necessary to establish a tariff of fees for the processing of applications under this Act, that said tariffs shall be designed to meet only the anticipated cost to the municipality or to a Committee of Adjustment constituted by the Council of the municipality in respect of the processing of each type of application provided for the tariff;

**AND WHEREAS** in accordance with Sections 391 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, the Council of The Corporation of the Town of The Blue Mountains considers it necessary to impose fees for services rendered under this Act;

**AND WHEREAS** Council has held a public meeting before passing this By-law and has provided notice of the public meeting and its intention to pass this By-law and made available to members of the public information with respect to the Fees and Service Charges related to Processing of Planning Applications and Related Engineering & Public Works Services.

**NOW THEREFORE** the Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. THAT a tariff of fees is hereby established for the processing of Applications in respect of Planning matters and shall be set out as Schedule "A".
2. THAT a tariff of fees or charges is hereby imposed for services provided by the Engineering and Public Works Department and shall be set out as Schedule "A".
3. Notwithstanding the tariff of fees prescribed in paragraph 1 of this By-law and contained in Schedule "A" hereto, Council or the Committee of Adjustment may, at their discretion, reduce the amount of or waive the requirement of the payment of the fee in respect of the application where the Council or the Committee of Adjustment is satisfied that it would be unreasonable to require payment in accordance with the tariff of fees described in the attached Schedule "A".
4. THAT all other By-laws that are inconsistent with the provisions of this By-law are hereby repealed insofar as it is necessary to give full effect to the provisions of this By-law.

Enacted and passed this 5<sup>th</sup> day of May, 2008.

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Ellen Anderson, Mayor

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Corrina Giles, Deputy Clerk

# SCHEDULE 'A' - Fees in Respect of Planning Matters and Related Engineering Services

Application	2008 Planning		2008 Works Fee		
	2008 Fee	Security Deposit	2008 Fee (Note # 1)	Prepay't of Works Fee	Minimum Works Fee
<b>Official Plan Amendment</b>					
Major	2,900	5,000			
Minor	2,000	2,500			
<b>Zoning By-law Amendment</b>					
Major	2,900	5,000			
Minor	1,700	2,500			
Remove Holding Symbol	800	0			
Temporary Use By-law (Note # 2)	1,600	0			
<b>Draft Plan/Site Plan Review</b>					
<u>Residential</u>					
Major > 10 units	3,300	5,000	3% / 2%	15,000	5,000
Minor < 10 units	2,000	2,500	3% / 2%	3,500	5,000
<u>Comm/Ind/Recreational</u>					
Major >1000 sq.m. floor area	3,100	5,000	3% / 2%	7,500	5,000
Minor <1000 sq.m. floor area	1,500	2,500	3% / 2%	2,500	5,000
<b>Consent to sever</b>	1,500	0			
deed stamping	incl in consent fee				
validation	1,500	0			
<b>Minor variance</b>	900	0			
<b>Develop. Agree.</b>					
Major / Master	6,900	5,000	3% / 2%	15,000	5,000
Minor	4,100	2,500	3% / 2%	3,500	5,000
Pre-servicing	700	0	3% / 2%	100% of Fee	
<b>Site Plan Agree.</b>					
Major	4,400	5,000	3% / 2%		5,000
Minor	2,200	2,500	3% / 2%		5,000
Modification	50% of initial fee				
<b>Part Lot Control By-law</b>	500				
<b>Deeming By-law</b>	500				
<b>O.M.B. Attendance</b>	1,500 1st day, incl prep time 750 each addtl day 100 per hour				
<b>Planning Opinion Letters</b>	50 each				
<b>Printing</b>					
Map Copies	10				
Photocopies	0.50				
<b>Documents</b>					
TBM Official Plan	50				
By-law No. 10-77	35				
By-law No. 83-40	35				

## Notes:

#1 - Fee is 3% of the first \$1,000,000 of the estimated cost of the Works plus 2% of the estimated cost of the Engineering Works in excess of \$1,000,000

#2 - When ZBA is submitted in conjunction with OPA, a 25% reduction in the ZBA shall be applied

#3 - A 50% fee for modification of any application (i.e. consent/zba/minor variance) where change made by applicant

## **Notes to Schedule A:**

1. All fees are cumulative for multiple applications save and except for OPA and ZBA's. In most cases, multiple applications should be considered concurrently, however, Council may defer certain components, at the request of the proponent, where it is not considered necessary or appropriate to require all applications for initial consideration. Council may also reduce portions of certain fees where concurrent review deals with the recurring reports and issues.
2. The Peer Review / Security Deposit is for legal, specialized engineering and other similar expenses incurred by the Town as a result of the application review process. Such expenses shall be as billed to the applicant and shall be reimbursed directly to the peer review body. Once the approval process is completed by Council, and such expenses have been fully reimbursed by the proponent, any unused portion of the security deposit shall be returned to the proponent. For multiple applications, only one security deposit shall be required at any given time, in which case the largest applicable single security deposit shall be required. Actual costs may exceed the amount of the security deposit in some cases. The Town reserves the right to seek legal remedies for default, damages or any other costs in excess of the security deposits.
3. Additional security deposits beyond those specified in this By-law may be required based on the identified needs of any agreement entered into between the Town and an applicant. Such additional securities are typically required for the purpose of default or damages, to ensure the provision and maintenance of certain facilities and works, or to guarantee the fulfilment of any other requirements deemed appropriate by Council.
4. Refunds may be considered in circumstances where the file does not proceed to the completion of the public hearing process. A 50% refund may be awarded by Council if an application has not proceeded to public meeting. A greater refund may be considered if the applicant has withdrawn the application before any public notice is circulated. No refund will be considered after the public meeting.
5. All requests for applications, land use inquiries and other services must be made on the required municipal forms, where applicable, or otherwise in writing, and must be accompanied by the required security deposit and fee. In addition, an application or request will not be processed until all information required by the Town is received from the applicant. The Town may also defer consideration of an application until such time as other applications and applicable fees to agencies (i.e. Conservation Authority, Health Unit) have been paid and circulated comments have been received.