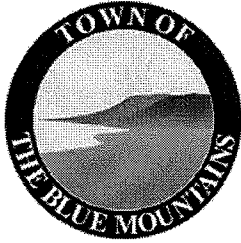


STAFF REPORT: Planning & Building Services Department



REPORT TO: Planning Committee
MEETING DATE: March 02, 2009
REPORT NO.: PL.09.26
SUBJECT: Planning Application Fees & Charges
**PREPARED BY: David Finbow, Director,
Planning & Building Services**

A. Recommendations

THAT Council receive Staff Report PL.09.26, "Planning Application Fees & Charges", and that Council confirm that it is their desire that Planning Application Fees & Charges be developed on the basis of full cost recovery.

B. Background

On May 5, 2008, Council enacted By-law No. 2008-42 related to fees and service charges for the processing of Planning Applications and related Engineering & Public Works Services. Housekeeping amendments to this By-law were subsequently approved by Council with the enactment of By-law No. 2008-114 on December 8, 2008. Given that the majority of the background work for the current fees and service charges is from 2007, it is appropriate that Staff update the By-law. In this regard, Planning Services Staff are currently tracking tasks/work associated with various applications to assist in arriving at recommended fees and charges. Prior to finalizing recommendations and proceeding to a Public Meeting as required, Staff request that Council confirm that it is their desire that Planning Application Fees & Charges be developed on the basis of full cost recovery (including both direct and indirect costs).

C. Strategic Plan

Providing a strong, well managed municipal government.

D. Budget Impact

To be determined.

E. Attachment

By-law No. 2008-114

Respectfully submitted:

David Finbow, Director, Planning &
Building Services/CBO

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

By-Law No. 2008- 114

BEING A BY-LAW TO AMEND SCHEDULE "A" OF BY-LAW 2008-42,
BEING A BY-LAW TO ADOPT FEES AND 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;

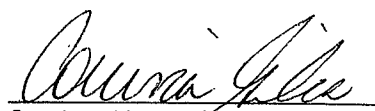
AND WHEREAS Council has held a public meeting before passing this By-law and has provided notice of the public meeting and its intention to pass this By-law and made available to members of the public information with respect to the Fees and Service Charges related to Processing of Planning Applications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

NOW THEREFORE the Council of the Corporation of The Town of The Blue Mountains hereby enacts the following

1. THAT Schedule "A" (including notes to Schedule "A") of By-law 2008-42 be amended as per Schedule "A" attached hereto and forming part of this By-law
2. THAT this By-law shall come into full force and effect upon the enactment thereof.

Enacted and passed this 8th day of December, 2008.


Ellen Anderson, Mayor


~~Stephen Keast, Clerk~~
Corrina Giles, Deputy Clerk

Notes to Schedule A:

1. All fees are cumulative for multiple applications save and except for OPA/Consent 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 fulfillment 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 Department Head 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.

SCHEDULE A
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
Official Plan Amendment					
Major	\$ 2,900	\$ 5,000			
Minor	\$ 2,000	\$ 2,500			
Zoning By-law Amendment					
Major	\$ 2,900	\$ 5,000			
Minor	\$ 1,700	\$ -	(Note # 4)		
Remove Holding Symbol	\$ 800	\$ -			
Temporary Use By-law (Note # 2)	\$ 1,600	\$ -			
Draft Plan/Site Plan Review					
<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
Consent to sever					
deed stamping	\$ 1,500	\$ -			
validation	incl in consent fee				
Minor variance	\$ 1,500	\$ -			
	\$ 900	\$ -			
Develop. Agree.					
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	\$ -	3% / 2%	100% of Fee	
Site Plan Agree.					
Major	\$ 4,400	\$ 5,000	3% / 2%		\$ 5,000
Minor	\$ 2,200	\$ 2,500	3% / 2%		\$ 5,000
Modification	50% of initial fee				
Part Lot Control By-law					
Deeming By-law	\$ 500				
	\$ 500				
O.M.B. Attendance					
	\$ 1,500	1st day, incl prep time			
	\$ 750	each addtl day			
	\$ 100	per hour			
Planning Opinion Letters					
	\$ 60	each			
Printing/Plotter					
Copies (site plans)	\$ 1	per inch			
Photocopies	\$ 1				
Documents					
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 and/or consent, a 25% maximum reduction in the ZBA fee shall be applied

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

#4 - Refer to #3 of the Notes to Schedule A