

THE CORPORATION OF THE TOWNSHIP OF TERRACE BAY

By-Law No. 16 -2019

Being a By-Law to prescribe a tariff of fees for applications made in respect of Land Use Planning Matters.

WHEREAS, section 69 of the *Planning Act*, Chapter P.13, R.S.O. 1990, provides that the Council of a Municipality, by By-Law, may establish a tariff of fees for the processing of applications made in respect of planning matters;

AND WHEREAS the tariff shall be designed to meet the anticipated cost to the Municipality or to a Committee of Adjustment or Land Division Committee constituted by the Council of the Municipality in respect of the processing of each type of application provided for in the tariff;

AND WHEREAS Section 391 of the *Municipal Act, 2001* permits a Municipality to pass By-Laws imposing fees or charges for services and activities provided or done by or on behalf of it and for the use of its property;

AND WHEREAS the Council of the Corporation of the Township of Terrace Bay is desirous of establishing fees and charges to recover the costs for services provided by the Corporation;

AND WHEREAS the Council of the Corporation of the Township of Terrace Bay deems it advisable to repeal the current prescribed tariff of fees for the processing of applications made in respect of planning matters and replace it with updated fees;

NOW THEREFORE the Council of the Corporation of the Township of Terrace Bay

ENACTS AS FOLLOWS:

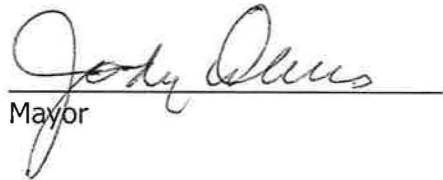
1. That Schedule "A" attached hereto shall be the fee structure for applications made in respect of planning matters and forms part of this By-Law.
2. That reference and fees associated with "Compliance Letter" and "Minor Variance" in "Schedule "C"—Building Department of Bylaw 43-2018, Being a bylaw to Establish 2019 fees for services provided by the Municipality; are hereby repealed.
3. That the Municipal application fee for an Official Plan Amendment, Zoning By-law Amendment, Minor Variance, Subdivision Approval, or Consent , Site Plan Control Agreement, and cost to process requests for Part-Lot Control, Deeming By-law, or Validation of Title shall be an amount equal to the cost incurred by the Township in processing the application or request. Without limiting the generality of this paragraph, the amount incurred by the Municipality shall be deemed to include professional services retained by the Municipality including planners' fees, engineering fees, legal fees, registration fees, Local Planning Appeal Tribunal fees and administration fees for reviewing, evaluating, processing, advertising, photocopying, and postage. The deposit is hereby established according to Schedule "A".
4. That a flat rate fee for Zoning Compliance is hereby established according to Schedule "A".
5. That all peer review costs shall be an amount equal to the cost incurred by the Township in processing the development application. The deposit is hereby established according to Schedule "A".

6. That the applicant for a planning matter shall submit, at the time of application, the fee / deposit toward such cost in an amount equal to that established in Schedule "A" to this By-Law. No application shall be **accepted or processed unless and until the deposit has been paid.**
7. That all fees / deposits shall be applied by the Municipality against the cost incurred in processing the application. The applicant shall pay the balance of the cost on receipt of the decision in regard to a planning application.
8. That failure by the applicant **to pay the balance of the fee** within thirty (30) days of receipt of a notice from the Municipality shall result in the unpaid portion of the fee being added to and collected in a like manner as taxes pursuant to Section 398 of the *Municipal Act, 2001* as amended.
9. That notwithstanding Clause 4, the Municipality may reduce the amount of or waive the requirement for the payment of the fees / deposits set out herein, where Council is satisfied that it would be unreasonable to require payment.
10. That any person required to pay a fee / deposit under the provisions of this by-law may do so under protest and thereafter appeal to the Local Planning Appeal Tribunal against the levying of the fee or the amount thereof by giving written notice of appeal in accordance with the *Planning Act*, as amended.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 27TH DAY OF MAY, 2019.




Chief Administrative Officer/Clerk


Mayor

THE CORPORATION OF THE TOWNSHIP OF TERRACE BAY

Schedule "A" to By-law No. 16-2019

Tariff of Fees for Planning Matters

The fee for processing the following planning applications shall be an amount equal to the amount incurred by the Municipality. Costs incurred by the municipality or committee of adjustment shall include but not be limited to planner's fees, engineering fees, legal fees, registration fees, technical peer review, Local Planning Appeal Tribunal fees, and internal administration fees.

Notwithstanding the above, a deposit toward such fees in the amount shown shall accompany each application:

Official Plan Amendment	\$2,000 –minor \$3,000 - major
Zoning By-law Amendment	\$1,800
Minor Variance	\$900
Plan of Subdivision	\$2,500 up to 10 lots \$4,500 up to 20 lots \$6,500 more than 20 lots
Consent	\$1,100
Part-Lot Control, Deeming By-law, Validation of Title	\$800
Site Plan Control Agreement	\$1,500 - minor \$2,000 - major

Where supporting technical studies have been submitted for a development application for processing (i.e. Plan of Subdivision; Plan of Condominium; Official Plan Amendment; Zoning By-law Amendment; Consent), and where it has been determined that the Municipality's peer review consultants and/or other professional advisors are required to review the related studies, the following deposit shall be required for each *Planning Act* application:

Peer Review	\$1,500 per technical review
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The following are fixed fees for the services noted:

Zoning Compliance	\$150
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