

THE CORPORATION OF THE TOWNSHIP OF MULMUR

BY-LAW NO. 6 – 2014

Being a by-law to prescribe a tariff for the processing of planning applications.

WHEREAS sub-section 69(1) of the Planning Act, R. S. O. 1990, Chapter 1, as amended, provides that a Council of a municipality may, by by-law, prescribe a tariff of fees for the processing of applications made in respect of planning matters;

AND WHEREAS the Township has a Tariff of Fees By-law, being By-law and;

AND WHEREAS Council deems it necessary and appropriate to further amend its current requirements to adjust the required fees and deposits relating to certain types of planning applications to ensure that costs relating to the processing of all such applications are fully recoverable;

NOW THEREFORE the Council of the Corporation of the Township of Mulmur enacts as follows:

1. That By-law No. 3-13 be and is hereby repealed and replaced with this By-law, to prescribe a tariff for the processing of planning applications, and;
2. That Schedule “A”, attached hereto, which sets out the current tariffs and related requirements, forms a part of this by-law, and;
3. That this By-law shall come into force and take effect on the date of passage hereof.

By-law read a first and second time this 5th day of February, 2014.

By-law read and third time and finally passed this 5th day of February, 2014.

Terry Horner

Terry Horner, Clerk

Paul Mills

Paul Mills, Mayor

SCHEDULE 'A' to By-Law No. 6-2014

(as amended by By-law 30-17)

The following are the tariff of fees and related terms pertaining to the processing of applications made pursuant to the Planning Act.

Application	Fee (non-refundable)	Deposit
Pre-consultation	No fee	
Review of materials for pre-consultation	\$250	Deposit estimated by staff (Minimum \$1000)
Consent Application (lot creation, boundary adjustment) (s. 53)	\$800	\$1000
Easement	\$800	\$1000
Any other Consent Application	\$250	\$1000
Consent Agreement (s. 53 and 51)	\$250	\$1250
Encroachment Agreement/Approval	\$250	\$1000
Change of conditions to a Consent Decision	\$500	
Validation of Title (s. 57)	\$800	
Entrance Letter related to Consent application	\$50	
Parkland Dedication Fee (s. 41 or 53)	See By-law 16-2016 as may be amended from time to time	
Minor Variance, extension of a legal non-conforming use (s. 45)	\$800	
Removal of Holding By-law (s. 36)	\$250	\$750
Temporary Use By-law (s. 38)	\$250	\$750
Bonusing By-law (s. 37)	\$250	\$750
Minor Zoning By-law Amendment	\$250	\$1250
Minor Official Plan Amendment	\$500	\$2000
Combined minor Official Plan Amendment and minor Zoning By-law Amendment	\$750	\$2750
Major Zoning By-law Amendment	\$1000	Deposit estimated by staff (Minimum \$1250)
Major Official Plan Amendment	\$2000	Deposit estimated by staff (Minimum \$2000)
Combined Major Official Plan Amendment and Major Zoning By-law Amendment	\$2500	Deposit estimated by staff (Minimum \$2000)

Draft Plan of Subdivision/ Condominium	\$3000	Deposit estimated by staff (Minimum \$10,000)
Final Approval of Plan of Subdivision/Condo	\$2000	
Part Lot Control	\$1000	\$2000
Pit or Quarry	\$1000	Deposit estimated by staff (Minimum \$10,000)
Lot Grading/ Drainage Plan review	\$200	\$2000
Minor Site Plan Approval or amendments	\$250	\$1750
Second Dwelling Agreements	\$250	\$750
Major Site Plan Approval	\$500	\$3500
Development Agreement and any other agreement	\$1000	Deposit estimated by staff (Minimum \$1000)
Risk Management Plan Application / Source Protection Plan Agreement	\$250	Deposit estimated by RMO/RMI
Amendment to Risk Management Plan	\$250	Deposit estimated by RMO/RMI
Any other requirements of the RMO/RMI		As estimated by RMO/RMI
Fill Application	See Fill By-law	See Fill By-law
Special Event Agreement	See Event By-law	See Event By-law
Noise Permit	No Fee	
Paper Copy of Planning Documents (double sided, B&W)	Official Plan = \$75 Zoning By-law = \$40	
Municipal Approval	\$100 (\$20 for demo only). Full fee required to amend municipal approval.	
Municipal Approval after construction has commenced	\$200	
Zoning/Subdivision Compliance Letter	\$80	
Posting Sign	\$75	
Security for new dwelling without proof of demolition of previous dwelling unit		\$10,000 (Note: deposit may be used for enforcement)
By-law Enforcement	First Letter : no charge Second Letter and enforcement: time charged at hourly rate and added to taxes	
Any other application or approval not provided above	Staff or consultant rates plus disbursements and third party fees	Deposit estimated by staff
Penalty for Illegal Construction after Amnesty Period (January 1, 2019)	\$25,000 non-refundable	

1. The fees above are required by the Township of Mulmur for the purposes of the administrative processing of applications, including the use of office equipment, supplies, postage and advertising. The fees are required for a complete application and are non-refundable.
2. The deposits are not intended to be sufficient to cover the costs of third party fees, including consultation with a Solicitor, Profession Engineer, Planning Consultant or Surveyor or other consultants, or recirculation that may be deemed necessary in processing of an application. Third party fees may include legal costs and the costs of supporting an application, or a decision of Council to approve any such application at a hearing of the Ontario Municipal Board or any other similar tribunal, and all such other expenditures incurred by the Township, which shall be borne by the applicant and shall be levied against the required deposit.
3. Third party fees shall be taken from the deposit. Deposits shall be immediately replenished to the full deposit amount by the applicant in order to keep an application active.
4. Disbursements are recovered at cost from the deposit and may include but are not limited to: postage, laminating, registration of documents.
5. An administration charge of ten percent (10%) of all costs of disbursements and third party fees shall be applied to cover the Township's administration costs and charged back against the required deposit.
6. Any required amount not paid to the Township over and above that which is recoverable from the deposit may be levied in the same manner as unpaid taxes, and recovered by the Township under the provisions of the Municipal Act.
7. The unused balance of any deposit shall be refunded to the applicant following the completion of the work or the withdrawal of the application upon confirmation from the Clerk that all invoices and other claims in respect of the application have been received and paid.
8. Where the zoning of a property restricts the construction of more than one dwelling unit, and where an owner has applied to demolish a dwelling for the purpose of replacing it with a new dwelling, the Township shall be entitled to a \$10,000 deposit prior to the issuance of a Municipal Approval for a new dwelling, to ensure that the original dwelling is demolished within 6 months of the municipal approval for the demolition being issued by the Township. The Township is also entitled to a \$10,000 deposit where an accessory structure is being applied for at the same time as the principle dwelling unit, to ensure that the dwelling unit is constructed within 6 months.