

THE CORPORATION OF THE TOWNSHIP OF MULMUR

BY-LAW NO. 25 –18

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*, c.P 13 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;

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. 6-14 is further amended by replacing Schedule “A” to By-law 6-14 with Schedule “A”, attached hereto, which sets out the current tariffs and related requirements, forms a part of this by-law, and;
2. 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 6th day of June, 2018.

By-law read and third time and finally passed this 6th day of June, 2018.

Terry Horner
Terry Horner, Clerk

Paul Mills
Paul Mills, Mayor

SCHEDULE 'A' to By-Law No. 6-2014, as Amended

(as further amended by by-law 25-18)

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	\$500	Deposit estimated by staff (Minimum \$1000)
Consent Application (lot creation, boundary adjustment) (s. 53)	\$2500	
Easement	\$2000	
Any other Consent Application	\$2000	
Consent Agreement (s. 53 and 51)	\$2000	
Encroachment Agreement/Approval	\$2000	
Change of conditions to a Consent Decision	\$1000	
Validation of Title (s. 57)	\$800	
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)	\$1000	
Removal of Holding By-law (s. 36), Temporary Use By-law (s. 38), Bonusing By-law (s. 37)	\$1000	
Minor Zoning By-law Amendment	\$1500	
Minor Official Plan Amendment	\$2500	Deposit as estimated by staff may be required for consultant peer-reviews
Major Zoning By-law Amendment	\$2500	Deposit as estimated by staff may be required for consultant peer-reviews
Major Official Plan Amendment	\$5000	Deposit as estimated by staff may be required for consultant peer-reviews
Draft Plan of Subdivision/Condominium	\$10000	Deposit as estimated by staff may be required for consultant peer-reviews
Final Approval of Plan of Subdivision/Condo	\$3000	Deposit as estimated by staff may be required for consultant peer-reviews
Part Lot Control	\$3000	Deposit as estimated by staff may be required for consultant peer-reviews
Lot Grading/ Drainage Plan review	\$500	\$2000 Deposit for Engineering Review
Minor Site Plan Approval or	\$3000	Deposit as estimated by staff may be

amendments		required for consultant peer-reviews
Second Dwelling Agreements	\$1500	
Major Site Plan Approval	\$5000	Deposit as estimated by staff may be required for consultant peer-reviews
Development Agreement and any other agreement	\$2000	Deposit as estimated by staff may be required for consultant peer-reviews
Risk Management Plan Application / Source Protection Plan Agreement, RMO and amendments thereto	\$250	Deposit 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	Official Plan = \$75 Zoning By-law = \$40	
Municipal Approval	\$125 (\$25 for demo only). Full fee required to amend municipal approval.	
Municipal Approval after construction has commenced	\$250	
Property Information Report, Zoning/Subdivision Compliance Letter	\$100	
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 Treasurer 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 deposit equivalent to the applicable Development Charge 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 such 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.
9. Deposits taken prior to June 6, 2018 will continue to be used to cover costs outlined under section 2, and In-House planning services will be charged out at a rate of \$100/hour.