

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 10-026

A By-law to prescribe a tariff of fees for the processing of land use planning applications and miscellaneous services.

WHEREAS pursuant to Section 69 of the *Planning Act, Chapter P.13, R.S.O. 1990* the council of a municipality, by by-law, and a planning board, by resolution, may prescribe a tariff of fees for the processing of applications made in respect of planning matters which tariff shall be designed to meet only the anticipated cost to the municipality or to a committee of adjustment or land division committee constituted by the council of the municipality or to the planning board in respect of the processing of each type of application provided for in the tariff; and

WHEREAS pursuant to Section 391 of the *Municipal Act, 2001* as amended, the municipality is authorized to impose fees or charges on any class of persons;

NOW THEREFORE the Municipal Council of the Corporation of Tay Valley Township enacts as follows:

A – LAND USE PLANNING

1. The Township application fee for an Official Plan Amendment, Zoning By-law Amendment, Committee of Adjustment Minor Variance or a Lanark County Subdivision Approval or Land Division Consent Preliminary Comment shall be an amount equal to the cost incurred by the Township in processing the application. Without limiting the generality of this paragraph, the amount incurred by the Township shall be deemed to include planners' fees, legal fees, registration fees, Ontario Municipal Board fees and administration fees for reviewing, evaluating, processing, advertising, photocopying and postage. The deposit is hereby established according to Schedule "A".
2. A flat rate fee for Site Plan Control Agreements, Limited Services Agreements, internal administration activities, including circulation lists is hereby established according to Schedule "A".
3. 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 unless and until the deposit has been paid.

B – MISCELLANEOUS SERVICES

1. A flat rate fee for certain miscellaneous services is hereby established. Each service shall be considered a separate and distinct item and the applicable fee for service shall be calculated separately for each regardless of whether a number of services are requested or contained in a single application.

Certain services may be defined as follows:

"Tax Certificate" shall mean a written statement of arrears due on each separate parcel of land, certified by the Tax Collector/Deputy Treasurer or Treasurer.

"Zoning Certificate" shall mean a written statement of the current zoning, in accordance with the then current Zoning By-law, as amended, on each separate parcel of land, certified by the CAO.

"Work Order" shall mean a written statement confirming the existence of any valid and binding work orders issued by a municipal official in each separate parcel of land or requests for confirmation of any amounts which are collectable in a like manner as taxes.

"Compliance Certificate" shall mean a written statement confirming or denying compliance with any regulation established and / or administered by the municipality. Such certificate shall be signed by the proper officer of the municipality responsible for the subject function.

"Returned Cheque" shall mean an additional replacement charge for each cheque returned for "insufficient funds" or such similar wording. In addition replacement of the original payment shall be by cash or certified cheque only.

"Photocopy" shall mean a mechanically produced reproduction of an extract from any document, record, book or account under the control of the Clerk, except as exempted from disclosure pursuant to the Municipal Freedom of Information and Protection of Privacy Act or any other applicable Act. For the sake of convenience and consistency flat rate charges for copies of complete documents may be established.

2. The fees for miscellaneous services and information of a public nature are hereby established per Schedule "A" attached hereto and forming part of this By-law.

C – GENERAL PROVISIONS


1. 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.
2. The Township may reduce the amount of or waive the requirement for the payment of the fees / deposits set out herein, where the Council is satisfied that it would be unreasonable to require payment.
3. 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 Ontario Municipal Board against the levying of the fee or the amount thereof by giving written notice of appeal to the Ontario Municipal Board within thirty (30) days of payment of the fee.
4. Failure by the applicant to pay such fees / deposits 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.
5. The terms of any by-law or motion inconsistent with the terms of this By-law are hereby repealed, specifically By-law No 08-019.
6. That the provisions of this by-law shall come into force and take effect on the 1st day of April, 2010.

Read a first and second time this 23rd day of March, 2010.

Read a third time and passed this 23rd day of March, 2010.



Reeve



Clerk

CORPORATION OF TAY VALLEY TOWNSHIP
 SCHEDULE "A" TO BY-LAW NO. 10-026

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, legal fees, registration fees, technical peer review, Ontario Municipal Board fees and internal administration fees.

Notwithstanding the above, each application shall be accompanied by a deposit toward such fees in the amount shown:	
OFFICIAL PLAN AMENDMENT	\$1,200.00
ZONING BY-LAW AMENDMENT	\$1,500.00
COMMITTEE OF ADJUSTMENT MINOR VARIANCE	\$500.00
SUBDIVISION APPROVAL	\$5,000.00
In addition, every Site Plan Control Agreement shall include a security deposit in an amount equal to:	
Minor Additions / Renovations, Accessory Buildings, Agricultural Buildings, Site / Shoreline Work or combination	\$1,000.00
New Dwellings or major Additions / Renovations (> 20% increase in floor space)	\$1,500.00
Commercial, Industrial, Institutional or Multi-Residential Work	\$2,000.00 or the estimated costs, which ever is the lesser
Developments subject to Site Plan Control, will be required to pay a security deposit authorized under the Planning Act, at the time execution of the Site Plan Control Agreement. A security deposit required under the authority of the Building Code will not be payable if one has already been paid for the same development.	
Following are fixed fees for the services noted:	
SITE PLAN CONTROL AGREEMENT	\$350.00
LIMITED SERVICES AGREEMENT	\$100.00
LAND DIVISION CONSENT – PRELIMINARY COMMENT	\$75.00
LAND DIVISION CONSENT – CIRCULATION LIST	\$35.00
CASH IN LIEU OF 5% PARKLAND CONTRIBUTION (NON-WATERFRONT)	\$100.00
(WATERFRONT)	\$200.00

CORPORATION OF TAY VALLEY TOWNSHIP
 SCHEDULE "B" TO BY-LAW NO. 10-026

TARIFF OF FEES FOR MISCELLANEOUS SERVICES

TAX CERTIFICATE	\$35.00
ZONING CERTIFICATE	\$35.00
COMPLIANCE CERTIFICATE	\$35.00
WORK ORDER COMPLIANCE	\$35.00
REALTOR' ENQUIRY RE ZONING	\$35.00
PHOTOCOPIES Official Plan – cost plus GST Zoning By-law – cost plus GST Maps – cost plus GST	\$0.20 / PAGE
NSF CHEQUES	\$35.00
FAX TRANSMISSION	\$2.00 / FIRST PAGE \$1.00 / PAGES AFTER
RURAL ADDRESSING (911 Sign & Post Installed)	\$75.00
RURAL ADDRESSING (911 Sign Only)	\$19.00
RURAL ADDRESSING (911 Post Only)	\$21.00
RURAL ADDRESSING / SIGNS – Installed by staff	\$35.00
ROAD NAME SIGN	\$52.00
ROAD SIGN (Green Blade)	\$40.00
SIGN POST	\$40.00
SIGN CAP	\$7.00
SIGN CROSSER T'S	\$7.00
ROAD ENTRANCE PERMIT	\$80.00
BASEBALL REGISTRATION	\$25.00
SOCCER REGISTRATION	\$30.00
TENNIS REGISTRATION	\$5.00
HOCKEY REGISTRATION	\$150.00
CHOIR REGISTRATION ONE SESSION (FALL OR SPRING) TWO SESSIONS (FALL & SPRING SESSION)	\$35.00 \$65.00
RECREATION PROGRAMS - LATE REGISTRATION	\$10.00 per registration