

CORPORATION OF THE TOWN OF SMOOTH ROCK FALLS

BY-LAW #2015-22

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 Town of Smooth Rock Falls 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 Town of Smooth Rock Falls 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 Town of Smooth Rock Falls
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 the Municipal application fee for an Official Plan Amendment, Zoning By-law Amendment, Minor Variance, Subdivision Approval, or Land Division Consent Preliminary Comment shall be an amount equal to the cost incurred by the Town in processing the application. 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, Ontario Municipal Board fees and administration fees for reviewing, evaluating, processing, advertising, photocopying, and postage. The deposit is hereby established according to Schedule "A".
3. That a flat rate fee for Site Plan Control Agreements and Zoning Compliance is hereby established according to Schedule "A".
4. 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.
5. 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.
6. 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.
7. 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.
8. 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 Ontario Municipal Board against the

levying of the fee or the amount thereof by giving written notice of appeal in accordance with the *Planning Act*, as amended.

9. That By-Law # 94-07 is hereby repealed.

10. That the provisions of this by-law shall come into force and take effect on the 21st day of September, 2015.

READ this FIRST and SECOND time this 21st day of September, 2015


MAYOR – Michel Arseneault


CLERK – Veronique Dion

READ a THIRD and final time this 21st day of September, 2015


MAYOR – Michel Arseneault


CLERK – Veronique Dion

THE CORPORATION OF THE TOWN OF SMOOTH ROCK FALLS

Schedule "A" to By-law No. 2015-04

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, Ontario Municipal Board fees, and internal administration fees.

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

Pre Application Consultation Fee	\$150.00
Consent **	\$1,000.00
Deeming By-Law	\$800.00 plus \$100.00 per lot
Plan of Subdivision**	
Up to 20 lots	\$2000.00
21 to 50 lots	\$3000.00
Over 50 lots	\$4000.00
Plans of Condominium	
Up to 20 units	\$2000.00
21 to 50 units	\$3000.00
Over 50 units	\$4000.00
Zoning By-law Amendment	\$1500.00
Official Plan Amendment	\$2000.00
Site Plan Approval	\$1000.00
Minor Variance	\$500.00
Zoning Compliance letter	\$65.00

*Note that the Ministry of Municipal Affairs and Housing is the Approval Authority.

** Note that the Smooth Rock Falls Planning Board is the Approval Authority.