

**THE CORPORATION OF THE MUNICIPALITY OF HIGHLANDS EAST**

**BY-LAW NO. 2017-**

**BEING A BY-LAW TO PRESCRIBE A TARIFF OF FEES RELATING TO THE  
PROCESSING OF APPLICATIONS MADE IN RESPECT TO PLANNING MATTERS**

WHEREAS Section 69 of the Planning Act, R.S.O. 1990 c.P 13, as amended gives Council the authority to prescribe a tariff of fees for the processing of applications made in respect of planning matters.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF HIGHLANDS EAST ENACTS AS FOLLOWS:

1. That fees and charges as set out in schedules to this By-law shall be imposed.
2. That Schedule A to this By-law be the schedule of fees related to the Planning Department;
3. The Treasurer of the Municipality is hereby appointed and authorized to take all necessary procedures for the billing and collection of the said fees.
4. Any payments for fees regarding Planning Matters not received by the Treasurer within 60 days of the invoicing date shall be added by the Treasurer to the tax roll of the property owner to be collected in the same manner as municipal taxes.
5. There shall be added to any fee thereof due, but unpaid, the sum of 1.25% on the unpaid balance on the day following the due date, and the first day of each calendar month thereafter.
6. If any section or part of this By-law is found to be illegal or beyond the power of the Municipal Council to enact, such section shall be deemed to be severable and all other sections or parts of this By-law shall be deemed to be separate and independent there from and to be enacted as such.
7. That **By-law No. 2010-35** Tariff of Fees relating to the processing of applications made in respect of planning matters for the Corporation of the Municipality of Highlands East be hereby repealed.
8. This By-law shall come into force and take effect upon the date of its passage.

**READ A FIRST AND SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.**

**READ A THIRD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.**

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Deputy Clerk

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SCHEDULE "A"**

**Planning Department Fees**

<b>SERVICE</b>	<b>FEE</b>	<b>Proposed/new</b>
<b>Zoning By-law Amendments</b> <b>Deposit</b> to be filed with the application	\$1,200.00 \$ 350.00 - Non-refundable administration fee included in deposit	\$1,200.00 \$ 350.00 - Non-refundable administration fee included in deposit
<b>Official Plan Amendments</b> <b>Deposit</b> to be filed with the application	\$2,000.00 \$ 350.00 - Non-refundable administration fee included in deposit  Plus additional fee payable to the County of Haliburton (non-refundable)	\$2,000.00 \$ 350.00 - Non-refundable administration fee included in deposit  Plus additional fee payable to the County of Haliburton (non-refundable)
<b>Site Plan Agreement</b> <b>Deposit</b> to be filed with the application	\$1,000.00 \$ 350.00 - Non-refundable fee included in deposit	\$1,000.00 \$ 350.00 - Non-refundable fee included in deposit
<b>Site Plan Agreement-Application to amend</b> <b>Deposit</b> to be filed with the application	\$ 300.00	<b>\$1,000.00</b> <b>\$ 350.00 - Non-refundable fee included in deposit</b>
<b>Plan of Subdivision</b> <b>Deposit</b> to be filed with the application	\$2,000.00 \$ 350.00 - Non-refundable fee included in deposit  Plus additional fee payable to the County of Haliburton (non-refundable)	<b>\$2,500.00</b> <b>\$1,000.00 – Non-refundable fee included in deposit</b>  Plus additional fee payable to the County of Haliburton (non-refundable)
<b>Minor Variance</b> <b>Deposit</b> to be filed with the application	\$ 1,200.00 \$ 350.00 - Non-refundable administration fee included in deposit  \$ 200.00 – Non-refundable fee if building already constructed	\$ 1,200.00 \$ 350.00 - Non-refundable administration fee included in deposit  \$ 200.00 – Non-refundable fee if building already constructed

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<p><b>Minor Variance - Application to modify a Condition of the Committee of Adjustment</b></p> <p><b>Fee</b> to be filed with the application</p> <p><b>Application to re-hear an application</b></p> <p><b>Fee</b> to be filed with the application</p>	<p>\$175.00</p> <p>\$ 550.00</p>	<p>\$175.00</p> <p>\$ 550.00</p>
<p><b>Temporary Use By-law Deposit</b> to be filed with the application</p>	<p>\$ 1,000.00</p> <p>\$ 350.00 - Non-refundable Fee included in deposit</p>	<p><b>\$ 1,200.00</b></p> <p>\$ 350.00 - Non-refundable Fee included in deposit</p>
<p><b>Temporary Use By-law</b> (granny flats/garden suites)</p> <p><b>Deposit</b> to be filed with the application</p>	<p>\$ 750.00</p> <p>\$ 350.00 - Non-refundable Fee included in deposit</p>	<p><b>\$ 1,200.00</b></p> <p>\$ 350.00 - Non-refundable Fee included in deposit</p>
<p><b>Consent Administration Fee</b></p>	<p>\$ 350.00</p>	<p>\$ 350.00</p>
<p><b>Pre-consult Fee</b></p>		<p><b>Lot creation/addition to a lot \$450.00 - Non-refundable administration fee to be filed with the pre-consultation form</b></p>
<p><b>Holding Provision – Removal Deposit</b> to be filed with the application</p>	<p>\$ 350.00 - Non-refundable fee</p>	<p><b>\$1,000.00</b></p> <p>\$ 350.00 - Non-refundable Fee included in deposit</p>
<p><b>Deeming By-law</b></p>	<p>\$ 350.00</p>	<p>Deposit to be filed with the application <b>\$650.00</b></p> <p><b>\$ 350.00 - Non-refundable</b></p>

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		<b>Admin Fee included in deposit</b>
<b>Zoning By-law &amp; Official Plan Sales</b>	Costs only	Costs only
<b>Legal Agreements</b> - Prepared and administered by municipal staff (i.e. Encroachment Agreement/Construction Agreement)  <b>Deposit to be filed with the application</b>		<b>\$1,000.00 Deposit to be filed with the application</b>  <b>\$350.00 – Non-refundable administration fee included in deposit</b>  <b>Plus any legal fees incurred on behalf of the applicant (costs only)</b>

**Solar Projects – Fees and Charges:**

**Rooftop Solar**

The usual fees for building permits and/or site plan approval shall apply to Rooftop Solar.

In the event that a Municipal Official is required to sign a form in conjunction with any Rooftop Solar Application, this Authority is delegated to the CBO and Clerk (second signature) and no Council approval is required provided that the Applicant has met or will meet the requirements set out in this Policy prior to installation.

**Ground Mount Solar:**

**Micro**

The Application Fee for Micro Ground Mount Solar Clearance is \$350 which is non-refundable.

**Small Scale**

The Application Fee for a Small Scale Ground Mount Solar Clearance is \$1,200 (\$350 non-refundable fee included in deposit).

In the event that the Applicant for a Small Scale Ground Mount Solar has preconsulted with the Chief Building Official or designate and the Application meets the Municipal requirements, half of the non-refundable Application Fee (\$425) will be returned to the Applicant at the time of Council endorsement provided that no external costs have been incurred while processing the Application. In the event that the Applicant does not preconsult and/or the Application does not meet the requirements set out in this Policy, the entire Application Fee is non-refundable.

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In the event that the Application is a resubmission for a Council resolution only and there are no changes and no Delegation or Report to Council required, no Application Fee would apply. If there are any changes to the Application at the time of resubmission which require a Report to Council, an Application Fee of \$600 is required.

**Large Industrial Scale**

The Application Fee for a Large Industrial Scale Ground Mount Solar Clearance is \$2,000 (\$350 non-refundable fee included in deposit).

In the event that the Applicant for a Large Industrial Scale Ground Mount Solar has preconsulted with the Chief Building Official or designate and the Application meets the Municipal requirements, half of the non-refundable Application Fee (\$825) will be returned to the Applicant at the time of Council endorsement provided that no external costs have been incurred while processing the Application. In the event that the Applicant does not preconsult and/or the Application does not meet the requirements set out in this Policy, the entire Application Fee is non-refundable.

In the event that the Application is a resubmission for a Council resolution only and there are no changes and no Delegation or Report to Council required, no Application Fee would apply. If there are any changes to the Application at the time of resubmission which require a Report to Council, an Application Fee of \$1,000 is required.

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**Deposit** fees set out in Schedule 'A' shall be used against all disbursements, including the fees of a Registered Professional Planner, incurred in the pre-consultation and/or processing of the application in relation to which they were paid, and any part of the fee not so used at the time of completion of the processing the application shall be returned to the applicant.

If the disbursements incurred by the Municipality equal or exceed the amount of the specified fee before completion of the application, the applicant shall pay additional fees to the Municipality as is deemed reasonable to complete processing of the application.

**Development Proposals** that require the Municipality to retain the services of an Engineer, Hydrogeologist, Lawyer or other professional, a **deposit of \$1,200.00 will be required.**

**Development Proposals Deposit** fees shall be used against all disbursements, incurred in the processing of the development proposal in relation to which they were paid, and any part of the fee not so used at the time of completion of processing the development proposal shall be returned to the applicant. If the disbursements incurred by the Municipality exceed \$1,200.00, the applicant shall pay additional fees to the Municipality as required to complete processing of the application.

Any other Planning Act approval or related agreement shall require a **deposit of \$1,000.00, a \$350.00 non-refundable administration fee is included in deposit.**

#### **NEW**

#### **Ontario Municipal Board (OMB)**

If an Ontario Municipal Board Hearing is required, a deposit of \$2,000.00 is required upon submission of the request for referral to the Ontario Municipal Board. This amount shall be applied toward any costs incurred by the Municipality during the preparation for this Hearing and during the presentation of the Municipality's case at the Hearing. The applicant is responsible for any cost incurred by the Municipality including but not limited to:

- All fees and disbursements paid by the Municipality to the Municipal Solicitor and the Municipal Planner;
- All fees and disbursements paid to any expert witness; and
- All disbursements incurred by the Municipality.

If the disbursements incurred by the Municipality exceed \$2,000.00, the applicant shall pay additional fees to the Municipality as required.