# CORPORATION OF THE TOWN OF HAWKESBURY BY-LAW N° 56-2024

**A By-law to prescribe a tariff of fees for the processing**

**of applications made in respect of planning matters**

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**REFERENCE:** Section 69, Chapter 13, Subsection 1 of the *Planning Act*, R.S.O. 1990.

**WHEREAS** Section 69 of the *Planning Act*, Chapter 13, R.S.O. 1990, empowers the municipality Council to adopt a by-law establishing a tariff of fees for the processing of applications made in respect of planning matters, which tariffs shall be designed to meet only the Corporation anticipated costs and;

**WHEREAS** the Corporation of the Town of Hawkesbury has passed By-law N° 73-2021 consolidated with By-laws N° 60-2020, N° 4-2017 and N° 51-2009 which prescribe a tariff of fees for the processing of certain applications made in respect of planning matters and the Council deems it necessary and expedient to revise the said by-law.

**NOW THEREFORE** the Council of the Corporation of the Town of Hawkesbury enacts as follows:

1. **THAT** a tariff of fees is hereby established for the processing of applications made in respect of planning matters as set out in the Schedule "A" hereto attached and forming part of this by-law.
2. **THAT** an applicant shall be required to meet only the Town’s anticipated costs for the processing of an application which shall include, but shall not be limited to, surveyors' fees, legal fees, consultant fees including administration staff time and other associated costs needed to proceed with the review of the application in question. In addition to all post notification as is required under the provisions of the *Planning Act* and its regulations thereto.
3. **THAT** the processing of any application shall only begin once the applicable fees are paid in full.
4. **THAT** all applicants shall pay to the Town an amount equal to all legal, engineering and planning fees and all other expenses incurred by the Municipality in order to obtain an opinion concerning all planning requests, plans and files review, and all other similar interventions including updating the Zoning By-law, if required.
5. **THAT** should the Zoning and/or Official Plan amendment application requires an appeal to the Ontario Land Tribunal (OLT), the applicant shall pay the OLT application fees as established by OLT. In the event the Town attends the OLT hearing on behalf of the applicant to defend the Official Plan or Zoning By-law or any other related planning matters, the applicant shall deposit to the Town a sum of $ 10,000.00 to cover all professional and administrative fees.
6. **THAT** By-law N° 73-2021 consolidated with By-laws N° 60-2020, N° 4-2017 and N° 51-2009 are hereby repealed in their entirety.
7. **THAT** this by-law shall come into effect on the day of its adoption.

# READ A FIRST, SECOND AND ADOPTED UPON THIRD READING THIS 23rd DAY OF SEPTEMBER 2024.

**Robert Lefebvre, Mayor** **Sonia Girard, Clerk**

SCHEDULE “A” PLANNING & ENGINEERING FEES, BY-LAW N° 56-2024

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| **DESCRIPTION** | **FEES EFFECTIVE SEPTEMBER 23, 204 AND YEAR 2025** |
| **Sales of Official Plan (OP), Zoning By-law Schedules and civic address map - Format:** |
| Small (11X17) | $20 |
| Large (2'X3')  | $35 |
| **Official Plan Amendment (OPA)** |
| Basic OPA(modification of the designation. Development less than 1858m' or 20 dwelling units or block) | $ 3 400 |
| Major OPA (creation of new policy. Development in excess than 1858m' or 20 dwelling or block) | $ 5 700 |
| **Zoning By-Law Amendment (ZBLA)** |
| Basic ZBLA(modification to provisions and boundaries) | $ 3 400 |
| Major ZBLA(requires an OPA and development of more than 1858m' or 20 dwelling units and any application other than a basic amendment) | $ 5 700 |
| Temporary ZBLA | $ 3 400 |
| Removal of Holding provision | $ 1 800 |
| **Variance** |
| Minor Variance | $ 1 200 |
| Permission | $ 1 200 |
| **Subdivision Plan\*IMPORTANT - The Town may charge any professional fees and expenses incurred related to peer review. Cost borne 100% by the applicant.**  |
| Application of draft submission plan | **(For 1-20 units)** $ 375 /unit + additional engineering fee beyond 70 hours of staff time + $15 000 (Deposit) |
| **(For 21-50 units)** $ 360/unit + additional engineering fee beyond 160 hours of staff time + $ 20 000 (Deposit) |
| **(For 51-100 units)** $ 353 /unit + additional engineering fee beyond 240 hours of staff time + $ 25 000 (Deposit) |
| **(For 101 or more units)** $ 350 /unit + additional engineering fee beyond 320 hours of staff time + $ 35 000 (Deposit) |
| Revision of a draft submission plan after issuance of a decision by the approval authority  | $2 000 + $ 80/dwelling unit or block |
| Re-Submission of a draft submission plan following the lapse of approval | $1 500 + $ 70/dwelling unit or block |
| Amendment to the subdivision agreement  | $1 100 |
| Pre-service agreement preparation fee | $1 200 |
| Subdivision Agreement preparation fee  | $2 700 |
| Minor amendment to an existing registered site plan agreement  | $1 000 |
| Plan agreement extension fee | $ 2 000 |
| **Condominium\*IMPORTANT - The Town may charge any professional fees and expenses incurred related to peer review. Cost borne 100% by the applicant.** |
| Condominium Applications to Council for an exemption of condominium plans | $ 3 850 + all professional fees |
| Condominium Plans  | $3 000 + $ 115/dwelling unit or block |
| Plan agreement extension fee | $ 2 000 |
| Part Lot Control | $ 400 + all legal fees |
| Consent and Severance Application | $800 |
| Encroachment Agreement | $ 400 + all legal fees |
| **Site Plan Control\*IMPORTANT - The Town may charge any professional fees and expenses incurred related to peer review. Cost borne 100% by the applicant.**  |
| Site Plan Application Agreement (SPA)Town Engineering review fee | $700 / Review + additional engineering fee beyond 7 hours of staff time |
| Payable at submissionApplication - Residential Application - Commercial, Industrial, Institutional (less than 5000 sq ft)Application - Commercial, Industrial, Institutional (more than 5000 sq ft) | $ 2 600 (Application fee) + $ 7 000 (Deposit) $ 3 000 (Application fee) + $ 7 000 (Deposit)$ 4 500 (Application fee) + $ 7 000 (Deposit) |
| Site Plan Agreement Amendment (SPAA) | $1 500 (Application fee) + $2 500 (Deposit) |
| Plan agreement extension fee | $ 2 000 |
| Administrative fees (applicable when requesting an invoice payment) | 15% |
| **Miscellaneous Fees** |
| Lot grading review per residential lot including as built  | $275 |
| Engineer / Planner hourly rate (applicable to miscellaneous engineering / planning request) | $110 |
| Engineering Technologist hourly rate(applicable to miscellaneous engineering request) | $70 |