



The Municipal Corporation of the Town of Fort Erie

By-law No. 152-2022

Being a By-law to Amend Fees and Charges By-law No. 40-09, as amended (2023 Review)

Whereas By-law No. 40-09, as amended, was passed by the Municipal Council of The Corporation of the Town of Fort Erie on March 9, 2009, to establish fees and charges for various services provided by the Town of Fort Erie; and

Whereas Report No. CBC-02-2023 was considered and approved at the Council-in-Budget-Committee meeting held on December 7, 2022, to approve user fee changes; and

Whereas it is deemed desirable to further amend By-law No. 40-09, as amended, to approve new fees and charges, and changes to previously established fees and charges;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the following Schedules to By-law No. 40-09, as amended, are repealed:

Fire & Emergency Services

Schedule "FIRE-B" Service Fees & Charges

Infrastructure Services

Schedule "IS-B" Arena Rental Fees

Schedule "IS-F" Other Facility Rental Fees

Schedule "IS-K" Cemetery & Park Memorial Programs

Planning & Development Services

Schedule "PDS-C" Planning Applications, Development Related Services & Committee of Adjustment Application Fees

and replaced with the Schedules attached hereto as **Schedule "A"**, and the fees and charges contained therein are hereby authorized, approved, and established effective January 1, 2023.

2. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 12th day of December, 2022.

Mayor

Clerk

I, Carol Schofield, Clerk of The Corporation of the Town of Fort Erie, certify the foregoing to be a true copy of By-law No. 152-2022 of the said Town. Given under my hand and the seal of the said Corporation, this day of , 20

SCHEDULE "FIRE-B"
to By-law No. 40-09

FIRE & EMERGENCY SERVICES

Service Fees & Charges

The *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides municipalities with authority to establish and impose fees and charges.

The following fees shall be adjusted annually based on the Statistics Canada *Consumer Price Index (CPI)*, save and except *MTO Rates and those identified with "NCPI"*.

CATEGORY	DESCRIPTION	FEE
<i>File Search</i>	Letter of Compliance	\$ 98.58
	Insurance Company Report	\$ 98.58
	Court Filing & Information	\$ 98.58
	L.L.B.O. Letter of Compliance	\$ 98.58
<i>Products</i>	Fire Department Access Lock Box	\$ 306.02
	Fire Safety Plan Box	\$ 196.02
<i>On Site Inspection: (As Requested)</i>	Residential & Rooming or House (Group Home)	\$ 137.61
	Multi-unit (apartment) (1-4 units)	\$ 229.78
	Each unit after 4 units (per unit)	\$ 51.68
<i>Commercial and Industrial (On Site Inspection)</i>	First 10,000 sq.ft. or any part thereof	\$ 261.42
	Additional 5,000 sq. ft. or part thereof	\$ 51.68
<i>Multi-Unit (Hotel/Motel) (On Site Inspection)</i>	1 – 10 units	\$ 261.42
	Over 10 units – per unit	\$ 39.16
<i>Burning Permit</i>	Includes Safety Plan Review and on-site Inspection and Burning	\$ 89.65
<i>Fire Safety Plan Review</i>	Assist with Fire Safety Plan Development	\$ 111.37
	Second and each additional Fire Safety Plan revision	\$ 112.08
<i>Fire Inspections for Trade Shows/Special Functions for after hour events</i>	Weekdays after 5 p.m. and all day on weekends and holidays	\$ 168.05
<i>Private Home Day Care (As Requested)</i>	On Site	\$ 131.46
<i>Accreditation Inspection</i>	Daycare Centre	\$ 157.79
	Care & Treatment Occupancy	\$ 229.78
	Retirement Home	\$ 229.78
<i>(Inspections that are required to be performed by the Fire Department pursuant to any Town of Fort Erie business licencing by-law in force from time to time, are not subject to the additional fees listed under Accreditation Inspections.)</i>		
<i>Compliance Evaluation</i>	Long Term Care Facility (required by the Fire Marshall's Office)	\$ 251.06
<i>Public Hall Inspection and Occupant Load (As Requested)</i>		\$ 118.67
<i>Fire Re-inspections for compliance</i>		\$ 112.08

Schedule "FIRE-B" Page 2

Fireworks Inspection and Approval:	Commercial Business:	
	Site Inspection shooting (per inspection)	\$ 261.42
	Site Inspection sale and storage (per inspection)	\$ 261.42
	Not-for-Profit Event (maximum one (1) week sale period:	
	Site Inspection shooting (per inspection)	\$ 152.08
	Site Inspection sale and storage (per inspection)	\$ 152.08
Bingo Hall Issuance of Licence Inspection:	Yearly	\$ 314.42
Propane Facility RSMP Approval:	Review of Risk Safety Management Plan for TSSA licence application	\$194.96
Legal Marihuana Grow Operation Inspection	Residential	\$ 280.93
	Commercial	\$ 561.55
Illegal Marijuana Grow Operation Inspection	Residential or Commercial	\$2,183.98
Fire Suppression	Fire watch at suspicious fire (per hour/person)	\$ 69.47
Secure Building:		Cost + 15% admin fee
Response to Vehicle Fire or Extrication (Non-Resident):	MTO Rate - Per vehicle – 1 st hour	\$ 543.03
	MTO Rate - Per vehicle, per 30 minutes thereafter	\$ 271.52
Out of Control Fire:	MTO Rate - Per vehicle – 1 st hour	\$ 543.03
	MTO Rate - Per vehicle, per 30 minutes thereafter	\$ 271.52
Prohibited Open Air Burning – Repeat Offender	MTO Rate - Per vehicle – 1 st hour	\$ 543.03
	MTO Rate - Per vehicle, per 30 minutes thereafter	\$ 271.52
On-Site Standby:	MTO Rate - Per vehicle – 1 st hour	\$ 543.03
	MTO Rate - Per vehicle, per 30 minutes thereafter	\$ 271.52
Clean up after a fire: (not overhaul) (4 man crew)	MTO Rate - Per vehicle – 1 st hour	\$ 543.03
	MTO Rate - Per vehicle, per 30 minutes thereafter	\$ 271.52
Hazardous materials clean up and/or mitigation	MTO Rate - Per vehicle – 1 st hour	\$ 543.03*
	MTO Rate - Per vehicle, per 30 minutes thereafter	\$ 271.52*
	* Additional direct costs plus overhead may apply	
Response to Natural Gas Incident relating to Ontario Underground	MTO Rate - Per vehicle – 1 st hour	\$ 543.03
	MTO Rate - Per vehicle, per 30 minutes thereafter	\$ 271.52

Schedule "A" to By-law No. 152-2022

Infrastructure Notification System Act, 2012		
Extraordinary Expenses:	The Fire Chief may recover extraordinary expenses incurred to control or eliminate an emergency or to investigate the cause, such as retaining private contractors, renting special equipment, and using unusual consumable materials.	Cost + 15% admin fee

Schedule "FIRE-B" Page 3

Smoke /Carbon Monoxide Alarm	Supply and Installation (<i>NCPI</i>)	\$ 50.00
Boat Service:	Per hour (plus 1 hour daily for servicing)	\$ 108.67
Fire Inspection and Prevention: (Includes missed appointments)	Per hour	\$ 79.56
Fire Instructor Assistance: (Technical training to fire & emergency responders)	Per hour	\$ 79.56
Fire Drills (As Requested)	Industrial Establishments, Vulnerable Occupancies and other agencies	\$ 168.05
Extinguisher Training (Industrial Establishments, Vulnerable Occupancies and other agencies)	Up to 10 people	\$ 224.12
	Per person thereafter	\$ 16.81
Fire Safety Training (As Requested)	Per hour with 4 hour minimum	\$ 56.06
Use of Fire Training Facility: (per day)	Use of the Fire Training Centre which includes without limitation, the Training Tower, the Pumping Station Unit and the equipment, materials and facilities therein, used or intended for use in the operation of any part of the Fire Training Centre	\$ 530.31
	Use of the classroom only	\$ 69.47
<i>(The Fire Chief is delegated authority to waive or adjust the daily fee for joint training and reciprocal training exercises.)</i>		
Fire Course Training	For Non-Town of Fort Erie Personnel	Cost
Rental of Frerotte-Wells Memorial Hall (Central Fire Station) (Rental includes tables and chairs)	Active or Retired Firefighter	No Charge
	Town of Fort Erie Function	No Charge

**SCHEDULE "IS-B"
to By-law No. 40-09**

INFRASTRUCTURE SERVICES

Arena Rental Fees

The *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides municipalities with authority to establish and impose fees and charges.

The following fees shall be adjusted annually based on the Statistics Canada *Consumer Price Index (CPI)*.

NOTE: Resident Fees for the year 2023 shall be adjusted by a 2% increase and not by CPI

Arena Ice Time Rental Rates								
Arena Facility	Youth Rate / Hour		Adult Rate / Hour			Other Rates / Hour		
	Prime Time (1)	Non-Prime Time (2)	Prime Time (1)	Preferred Prime Time (3)	Non-Prime Time (2)	Non-Resident	Pay As You Play (4)	Public Skate Room
Leisureplex Kinsmen Rink	\$140.84	\$69.60	\$196.59	\$171.42	\$99.56	\$219.63	\$4.42	\$72.80
Leisureplex Jaycee Rink	\$140.84	\$69.60	\$196.59	\$171.42	\$99.56	\$219.63	\$4.42	\$72.80
Crystal Ridge Arena	\$140.84	\$69.60	\$196.59	\$171.42	\$99.56	\$219.63	\$4.42	\$72.80

All hourly rates include a 3% Ice Resurfacing Machine Replacement Surcharge.

- (1) **Prime Time** hours are between the hours of 5:00 p.m. to 12:00 a.m. on weekdays and 6:00 a.m. to 12:00 a.m. on weekend days.
- (2) **Non-Prime Time** hours are between the hours of 6:00 a.m. to 5:00 p.m. on weekdays only, from Labour Day to June 30th.
- (3) **Preferred Adult Prime Time** hours are between the hours of 5:00 p.m. to 12:00 a.m. on weekdays and 6:00 a.m. to 12:00 a.m. on weekend days for high volume user groups that book over 100 hours of ice time per contract.
- (4) **Pay As You Play** rates shall not be automatically adjusted annually.

School Board Arena Ice Time Rental Rates – All Facilities	
Classroom Skating 9:00 a.m. to 5:00 p.m.	No charge
Sanctioned Hockey 9:00 a.m. to 5:00 p.m.	\$69.60 per hour

Skybox Rental - Leisureplex	\$138.01 per event
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The following fees shall not be adjusted annually:

Public Skating – All Facilities		
Public Skating	Matinee	\$1.77 – per person
Public Skating	Evening	\$2.65 – per person

Public Skating rates, as scheduled in the Leisure Guide and Town website, apply to all arena facilities.

Schedule "A" to By-law No. 152-2022

SCHEDULE "IS-F"

to By-law No. 40-09

INFRASTRUCTURE SERVICES

Other Facility Rental Fees

The *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides municipalities with authority to establish and impose fees and charges.

The following fees shall **NOT** be adjusted annually based on the Statistics Canada *Consumer Price Index (CPI)*.

LEISUREPLEX & STEVENSVILLE MEMORIAL HALL				
Purpose	Leisureplex Banquet Hall		Stevensville Memorial Hall	
	FRI-SAT	SUN-THU	FRI-SAT	SUN-THU
Floor Only (non-sport)	\$233.63/day	\$180.53/day	\$203.54/day	\$153.10/day
Chairs (Set-up Only)	\$285.84/day	\$238.94/day	\$230.09/day	\$210.62/day
Chairs, Tables & Bar	\$476.11/day	\$366.37/day	\$407.08/day	\$305.31/day
Chairs, Tables, Bar, Kitchen - Including Dishes & Cutlery	\$667.26/day	\$519.47/day	\$535.40/day	\$382.30/day
Meeting Room	\$53.10/day	\$53.10/day	\$53.10/day	\$53.10/day
Cash Bar	\$203.54/day	\$203.54/day	n/a	n/a

CRYSTAL RIDGE COMMUNITY CENTRE - UPSTAIRS HALL

Hall Rental – Floor Only	\$101.77/day
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The following fees **shall** be adjusted annually based on the Statistics Canada *Consumer Price Index (CPI)*.

LEISUREPLEX & CRYSTAL RIDGE ARENAS	
Multi-Purpose Floor Rentals	
Purpose	Rate
Sport (e.g. Floor hockey/lacrosse)*	\$68.10/hour*
Spectator Event (e.g. Boxing) 60/40 gate split in favour of promoter	\$1,109.91 Minimum Charge
Event (e.g. Home Show, Trade Show, etc.)	\$1,109.91/day – Kinsmen Arena
	\$717.92/day – Jaycee Arena
	\$717.92/day – C.R.C.C.
* Sport has been adjusted by a 2% and not by CPI	
USER GROUP PER SEASON: Minor Ball, Soccer Organizations, Tennis Club, Football Club	
Adult Group:	\$197.08 Per Team
Youth Group:	\$5.00 Per Person

LEISUREPLEX & STEVENSVILLE

Schedule "A" to By-law No. 152-2022

MEMORIAL HALL	
Floor Rental for Sport multiple courts (eg. Pickleball)	\$32.48/hr (minimum 2 hour rental)
Floor Rental for Sport single court (eg. Pickleball)	\$16.24/hr (minimum 2 hour rental)

SCHEDULE "IS-K"
to By-law No. 40-09

INFRASTRUCTURE SERVICES

Cemetery & Park Memorial Programs

The *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides municipalities with authority to establish and impose fees and charges.

Memorial Bench Program* (includes plaque and installation of concrete pad)	\$ 2,500.00
Memorial Tree Program* (includes corian plaque)	\$ 500.00

* A charitable tax receipt will be issued prior to the end of the dedication year.

SCHEDULE "PDS-C"
to By-law No. 40-09

PLANNING & DEVELOPMENT SERVICES

**Planning Applications, Development Related Services
& Committee of Adjustment Application Fees**

The *Planning Act*, R.S.O. 1990, c.p.13, as amended, provides municipalities with authority to establish and impose fees and charges.

The following fees shall be adjusted annually based on the Statistics Canada *Consumer Price Index (CPI)*, save and except those identified with "NCPI".

Planning Applications & Development Related Services

PLANNING APPLICATION	FEE
Subdivision/Condominium Application	\$ 9,429.00 Draft Plan Application, Plan of Condominium and Condominium Conversion (plus \$50 per lot after the 1st 50 lots and/or blocks) \$ 1,451.00 Pre-consultation Fee (discounted from full application) \$ 727.00 Re-circulation
Final Subdivision Agreement Processing	\$ 5,078.00 (plus legal costs)
Subdivision Engineering Plan Review up to 4th submission	(discounted from full engineering fees) \$ 1,824.00 for plans 3 to 10 lots \$ 3,648.00 for plans 11 to 20 lots \$ 7,420.00 for plans 21 to 40 lots \$14,593.00 for plans over 40 lots
Subdivision Engineering Plan Review beyond 4th submission	(discounted from full engineering fees) \$ 457.00 for plans 3 to 10 lots \$ 912.00 for plans 11 to 20 lots \$ 1,856.00 for plans 21 to 40 lots \$ 3,649.00 for plans over 40 lots
Amendment to Subdivision Agreement	\$ 2,744.00 (plus legal costs)
Modification to Draft Approval	\$ 2,073.00 (no circulation) \$ 4,701.00 (with circulation)
Draft Plan Extension	\$ 1,184.00
Site Plan Application	\$ 4,351.00 Minor \$ 8,360.00 Major \$ 637.00 Pre-consultation (discounted from full application)

Schedule "PDS-C" Page 2

Site Plan Engineering Plan Review up to 4th submission	(Discounted from full engineering fees) \$ 1,460.00 for plans under 1,000 square metres \$ 2,191.00 for plans 1,000 to 1,999 square metres \$ 3,284.00 for plans 2,000 to 2,999 square metres \$ 4,500.00 for plans 3,000 to 3,999 square metres \$ 8,997.00 for plans over 4,000 square metres
Site Plan Engineering Plan Review beyond the 4th submission	(Discounted from full engineering fees) \$ 364.00 for plans under 1,000 square metres \$ 547.00 for plans 1,000 to 1,999 square metres \$ 819.00 for plans 2,000 to 2,999 square metres \$ 1,125.00 for plans 3,000 to 3,999 square metres \$ 2,250.00 for plans over 4,000 square metres
Site Plan Revision & Site Plan	\$ 853.00 without Site Plan Agreement
Site Plan Converted Shipping/Cargo Containers	\$ 853.00
Development Agreement Pre-servicing Agreement	\$ 2,976.00 (plus legal costs)
Amendment to Site Plan Agreement Amendment to Development Agreement	\$ 1,451.00 (plus legal costs)
Assumption Agreement associated with a Plan of Condominium	\$ 1,451.00 (plus legal costs)
All other Assumption Agreements	\$ 274.00 (plus registration costs)
Other Agreements arising out of conditions of Consent or other Planning Act approvals	\$ 500.00 minimum (NCPI) \$ 2,000.00 maximum (NCPI) (at the discretion of Town Solicitor or in his absence, CAO or designate)
Legal Costs Deposits	
Site Plan Agreement	\$ 2,565.00 (NCPI)
Development Agreement	\$ 2,565.00 (NCPI)
Subdivision Agreement	\$ 2,565.00 (NCPI)
Town Solicitor Legal Costs	
Site Plan Agreement	\$ 2,191.00 \$ 913.00 (preparation & registration of Agreement only)
Development Agreement	\$ 2,191.00 \$ 913.00 (preparation & registration of Agreement only)
Subdivision Agreement	\$ 3,039.00
Zoning By-law Amendment	\$ 3,743.00 Minor Application \$ 9,359.00 Major Application \$ 954.00 Pre-consultation (discounted from full application) \$ 727.00 Re-circulation
Official Plan Amendment	\$ 8,661.00 \$ 1,271.00 Pre-consultation (discounted from full application)

Schedule "A" to By-law No. 152-2022

	\$ 727.00 Re-circulation
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Schedule "PDS-C" Page 3

Combined Official Plan & Zoning Amendment	\$ 9,878.00 \$ 1,463.00 Pre-consultation (discounted from full application) \$ 727.00 Re-circulation
Review of Regional Policy Plan Amendment	\$ 1,907.00 small \$ 6,357.00 large
Telecommunications Tower	\$ 1,623.00 With public consultation \$ 376.00 Without public consultation
Removal of Part Lot Control Validation Order By-law Supplemental Administrative Report	\$ 828.00
Removal of Holding Provision	\$ 583.00
Zoning Compliance Letters:	
Simple Letter (confirms Official Plan and Zoning By-law designations, and existing and/or proposed <u>use</u> does or does not conform)	\$ 82.00
Simple Letter Accelerated Service (1 to 2 days response)	\$ 164.00
Detailed Letter (Simple Letter plus confirms buildings & other site characteristics conform to current designations)	\$ 222.00
Detailed Letter Accelerated Service (1 to 2 days response)	\$ 444.00
Inspection and Compliance Letter (Development, Subdivision, Site Plan Agreement)	\$ 287.00
Deeming By-law	\$ 659.00
Dedication of One Foot Reserves	\$ 362.00 (includes registration costs)
Conveyance of lands for Reserves	\$ 362.00 (includes registration costs)
Easement, or partial or full release	\$ 362.00 (includes registration costs)
Road Widening Conveyance	\$ 449.00 (includes registration costs)
Partial Release of Subdivision/ Development Agreement	\$ 1,368.00 (plus registration costs)

Schedule "PDS-C" Page 4

Consent to Release Restrictions, Options, Inhibiting Orders	\$ 362.00 per consent (includes registration costs)
Consent to registrations re: Inhibiting Orders (subsequent to initial development)	\$ 128.00
Servicing Agreement	\$ 2,976.00 (plus registration costs)
Lot Grading Agreement	\$ 362.00 (includes registration costs)
Variance from Fence By-law Regulations	
Application Fee	\$ 517.00
Appeal Fee	\$ 517.00
Urban Tree Contribution (per tree required as a part of Consent Application approval, to create a new lot(s))	\$ 1,000.00 (per tree required) (NCPI)

Committee of Adjustment Application Fees

Minor Variance	<p>\$ 1,057.00* (single, semi detached or duplex dwelling) OR \$ 1,992.00* (constructing single, semi detached or duplex dwelling without building permit) \$ 1,334.00* (multiple dwelling, commercial and industrial) OR \$ 2,647.00* (constructing multiple dwelling, commercial and industrial without building permit)</p> <p>*Full fee for first application plus 50% of fee per additional application. (Multiple applications within Plan of Subdivision/Condominium)</p>
Consent	<p>Residential: \$ 1,532.00* per lot and \$ 197.00 per easement \$ 254.00 Pre-consultation (discounted from full application)</p> <p>Commercial/Industrial/Institutional: \$ 1,992.00* per lot and \$ 270.00 per easement \$ 320.00 Pre-consultation (discounted from full application)</p>
	<p>Boundary Adjustment: \$ 1,138.00* Residential \$ 1,300.00* Commercial/Industrial/Institutional \$ 192.00 Pre-consultation (discounted from full application)</p> <p>Deed Certification: \$ 197.00</p>
Special Hearing	\$ 683.00
Adjournment Fee	50% of application fee

Schedule "PDS-C" Page 5

Request Change in Condition of Consent	\$ 395.00
	* Includes surcharge of \$10.00 for Lot Identification Poster

All Planning & Committee of Adjustment Applications

Ontario Municipal Board/Local Planning Appeal Tribunal Appeal & Hearing (with Council support)	\$ 2,870.00 (plus all planning, engineering and legal fees) ** See below
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** If an Ontario Municipal Board/Local Planning Appeal Tribunal Appeal is lodged as a result of a By-law and/or Approval of the Council or Committee of Adjustment arising from any application listed above, this fee shall be paid to the Town by the applicant within 14 days after the date of the notice of Appointment of Hearing. The applicant must also remit to the Town all costs incurred by the Town in association with the appeal for planning, engineering and legal fees. Failure to submit the requisite fee may result in Counsel not appearing before the Ontario Municipal Board in support of the matter.

Notwithstanding the foregoing Fees, the Council of the Town of Fort Erie and the Committee of Adjustment of the Town of Fort Erie may waive all or part of the prescribed fees where Council or the Committee is satisfied that it would be unreasonable to require payment and such waiving shall be at the sole discretion of the Council or the Committee.

The following fees shall **NOT** be adjusted annually based on the Statistics Canada *Consumer Price Index (CPI)*.

By-law Enforcement Administrative Fee – Repeat Complaints (Charged to property owner in violation of By-law)	Cost + 15% admin fee (minimum \$ 150.00)
Discharge of an Ontario Building Code Order registered on title	\$ 350.00
File Notice of Appeal of Property Standards Order	\$ 250.00
Certificate of Compliance (with provisions of the Town's Property Standards By-law)	\$ 205.00