



# The Municipal Corporation of the Town of Fort Erie

## By-law No. 59-2023

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### **Being a By-law to Amend Fees and Charges By-law No. 40-09, as amended (Building Permit, Lot Grading Review, Fill and Site Alteration, Plumbing and Sign Permit Fees)**

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**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. PDS-29-2023 was considered and approved at the Council-in-Committee meeting held on April 3, 2023, to authorize the adjustment of building permit fees, lot grading review fees, fill and site alteration fees, plumbing fees and sign permit fees, following a Public Meeting; 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 **That** the following Schedules to By-law No. 40-09, as amended, are repealed:

#### **Planning & Development Services**

**Schedule “PDS-A”** Building Permit Fees & Charges

**Schedule “PDS-B”** Lot Grading, Sidewalk Repair & Tracking of Construction Debris Fees & Deposits

**Schedule “PDS-D”** Plumbing Fees

**Schedule “PDS-F”** Sign Permits

and replaced with the Schedules attached hereto as **Schedule “A”**, and the fees and charges contained therein are hereby authorized, approved, and effective upon passage of this by-law.

2. **That** the Clerk of the Town is authorized to affect 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 24<sup>th</sup> day of April, 2023.**

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Mayor

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Clerk

**SCHEDULE "PDS-A"**

to By-law 40-09

**PLANNING & DEVELOPMENT SERVICES**

**Building Permit Fees & Charges**

The *Building Code Act*, 1992 S.O. 1992, c.23, 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)*.

Building Classifications and Fee Charges	Building Permit Fees	
	Cost (per square foot/square metres)	Flat Rate
<b>Group A Assembly Occupancy</b> School, church, restaurant, daycare, hall, transit, recreation facility Owner/Leasehold renovation	\$2.04/\$21.96 \$1.03/\$11.09	
<b>Group B Institutional Occupancy</b> Hospital, retention facility, nursing home, etc. Owner/Leasehold renovation	\$2.20/\$23.68 \$1.16/\$12.49	
<b>Group C Residential Occupancy</b> One family, semi-detached, multiple unit dwelling, etc. Hotel, motel	\$1.50/\$16.15 \$1.57/\$16.90	
<b>Group D Business/Personal Services Occupancy</b> Office, bank, medical office, etc. Owner/Leasehold renovation	\$1.88/\$20.24 \$0.97/\$10.44	
<b>Group E Mercantile Occupancy</b> Store, shopping mall, plaza, shop, market, retail, etc. Owner/Leasehold renovation	\$1.77/\$19.05 \$0.81/\$8.72	
<b>Group F Industrial Occupancy</b> Industrial mall, shop, etc. Industrial building with no partitions Owner/Leasehold renovation	\$1.29/\$13.89 \$0.79/\$8.50 \$0.79/\$8.50	
<b>Special Categories/Occupancy</b> Farm building, greenhouse Air supported structure Tent, temporary fabric structure Multiple tents, same property	\$0.37/\$3.98 \$0.20/\$2.15	\$185.00 \$369.00
<b>Miscellaneous Residential</b> Garage, carport, covered deck/porch Uncovered deck/porch, shed/accessory building Sunroom/solarium	\$0.50/\$5.38 \$0.50/\$5.38 \$0.96/\$10.33	

**Schedule "A" to By-law No. 59-2023**

**Schedule "PDS-A" Page 2**

<b>Fire Systems</b>		
Commercial kitchen hood and fire suppression system		<b>\$317</b>
Fire alarm, sprinkler, standpipe upgrades/installations		<b>\$317</b>
<b>Alteration - Group C Residential</b>		
Unfinished basement (new foundation and crawl space)	<b>\$0.50/\$5.38</b>	
Roof structure (replace roof or add new roof)	<b>\$0.20/\$2.15</b>	
Gut renovation	<b>\$1.02/\$10.98</b>	
Interior alteration	<b>\$0.61/\$6.57</b>	
Finished basement	<b>\$0.79/\$8.50</b>	
Fireplace, woodstove		<b>\$182.00</b>
<b>Demolition</b>		
Building less than 3,000 sq.ft.		<b>\$182.00</b>
Other demolition	<b>\$0.08/\$0.86</b>	
<b>Pool</b>		
Public pool		<b>\$567.00</b>
Inground pool		<b>\$213.00</b>
Above ground pool		<b>\$182.00</b>
<b>Change of Use</b>		
Change of use of a building or part thereof where no construction required.		<b>\$182.00</b>
<b>Occupancy</b>		
Authorize occupancy of an unfinished building or part thereof		<b>\$221.00</b>
<b>Transfer</b>		
Transfer of permit to new owner		<b>\$182.00</b>
<b>Designated Structure</b>		
Retaining wall, pedestrian bridge, crane, runway: Greater of: Per \$1000 construction value		<b>\$ 16.75</b>
OR Minimum Permit Fee		<b>\$182.00</b>
Other designated structure		<b>\$182.00</b>
<b>Special Request</b>		
Preliminary site inspection prior to application		<b>\$247.00</b>
Non-routine inspections after hours		<b>\$247.00</b>
<b>Miscellaneous Permit</b>		
Moving (Relocation of Building)		<b>\$182.00</b>
Gasoline/Oil Storage Tank/Fuel Pump		<b>\$182.00</b>
Other (Any other Permit not categorized) (per \$1000 construction value)		<b>\$ 16.75</b>
<b>Minimum Permit Fee</b>		<b>\$182.00</b>
<b>3<sup>rd</sup> Party Plans Review and Inspections</b>		
Note: Actual costs, including applicable HST, incurred by the Town will be invoiced		<b>Actual Cost</b>

**Schedule “A” to By-law No. 59-2023**

**Schedule “PDS-A” Page 3**

<b>Alternative Solutions – Per Building Code</b> Town Reviewed – per hr (4 hours minimum) 3 <sup>rd</sup> Party review cost (subject to CBO’s discretion)  Note: Actual costs, including applicable HST, incurred by the Town will be invoiced.	<b>\$116.00</b>	<b>Actual Cost</b>
<b>After Hours Service</b> (Dedicated Processing of Permit After Regular Work Hours) Single Family Dwelling (New, Renovations or additions) Minor Projects (wherein Minimum Permit Fee applies) All other Projects		<b>\$599.00</b> <b>\$300.00</b> <b>\$900.00</b>
<b>Re-inspection</b> when previous inspection not remedied (cost per hour)		<b>\$ 91.92</b>
<b>Revision or Amendment to a Permit</b> (cost per hour)		<b>\$ 91.92</b>
<b>Compliance Letter</b> - not associated with a permit (per property) (cost per hour)		<b>\$ 91.92</b>
<b>Demolition and Build Agreement</b> (includes registration fee)		<b>\$915.00</b>
<b>Conditional Building Permit Agreement</b> (includes registration fee)		<b>\$915.00</b>
<b>Spatial Separation Agreement</b> (includes registration fee)		<b>\$655.00</b>
<b>Release of Building related Agreements</b> (includes registration fee)		<b>\$360.00</b>

<b>REFUND OF FEES</b>	
<b><u>Status of Permit Application</u></b>	<b><u>Eligible for Refund</u></b>
<ul style="list-style-type: none"> <li>• Application filed. No processing or review of plans or documents submitted.</li> </ul>	<b>80%</b>
<ul style="list-style-type: none"> <li>• Application filed. Plans reviewed.</li> </ul>	<b>60%</b>
<ul style="list-style-type: none"> <li>• Permit Issued.</li> </ul>	<b>40%</b>
<ul style="list-style-type: none"> <li>• Additional Deduction for each field inspection performed.</li> </ul>	<b>10%</b>
<ul style="list-style-type: none"> <li>• Permit valued at the minimum permit fee.</li> </ul>	<b>0%</b>
<p>Where construction has commenced prior to the issuance of a building permit, the application will be subject to an additional administrative fee equal to the permit fee for the construction completed.</p>	
<p>If the work regulated by the permit cannot be described otherwise, the permit application fee shall be \$16.75 for each \$1,000 of estimated value of construction. The estimated value of construction shall be determined by the Chief Building Official.</p>	
<p>The dwelling unit square foot (*) rate does not include any covered porches, decks or attached garages. They shall be charged separately at their current rate.</p>	

**Schedule "A" to By-law No. 59-2023**

\* square foot is the gross area of all floors above grade measured from the outer face of exterior walls, unless noted otherwise. Mezzanines, lofts and habitable attics are included. Where there is no floor or exterior walls for the project, square foot is the greatest horizontal area of the structure. There are no deductions from the gross floor area for openings such as stairs, elevators, shafts, etc.

**SCHEDULE "PDS-B"**

to By-law 40-09

**PLANNING & DEVELOPMENT SERVICES**

**Lot Grading, Sidewalk Repair  
& Tracking of Construction Debris Fees & Deposits**

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)*.

<b>Sidewalk Repair Deposit</b>	<b>\$ 500.00</b>
<b>Tracking of Construction Debris Deposit</b>	<b>\$ 500.00</b>
<b>Subdivider's Grading Deposit</b>	(a) \$200.00 per lot or \$1,000.00 per acre of blocks within the Plan of Subdivision.  (b) Maximum deposit of \$20,000.00 for the entire Subdivision or Phase.
<b>Lot Grading Deposit</b> (for new dwellings, accessory buildings, inground pools, and additions thereto)	(a) \$2,500.00 per lot for TARION registered Builders  (b) \$5,000.00 per lot for builders of new homes who are not registered with TARION.
<b>Revisions to Lot Grading Plan Deposit</b>	<b>\$ 300.00</b> with submission of proposed Lot Grading Plan.
<b>Lot Grading Deposit Transfer Fee</b>	<b>\$ 50.00</b>
<b>Lot Grading Review Fee</b>	<b>\$ 90.00</b> (applicable to proposed development applications in plans of subdivision which do not have Master Grade Control Plans, and applications for buildings and pools requiring permits, as required.)
<b>Fill &amp; Site Alteration Permit</b>	<b>\$ 113.00</b> minimum <b>\$ 564.00</b> maximum  (at the discretion of the Director, Planning & Development Services)

<b>Demolition Deposit</b>	<b>\$1,000.00</b>
<p><b><u>Security</u></b></p> <p><b>(a)</b> Notwithstanding the Lot Grading Deposit and Revisions to Lot Grading Plan Deposit established above, any TARION Builder building homes in the Town of Fort Erie may submit an Irrevocable Standby Letter of Credit to the Corporation of the Town of Fort Erie in the amount of Ten Thousand Dollars (\$10,000) plus a cash deposit of Five Thousand Dollars (\$5,000) which:</p> <ul style="list-style-type: none"><li>(i) may be drawn down to cover the cost of lot grading, and</li><li>(ii) shall be the only deposit required of such home builder irrespective of the number of homes or residential lots being developed by that Builder in subdivisions that have not been assumed by the Town, and</li><li>(iii) shall also suffice for any damage to sidewalks, curb cuts or spillage of debris on Town highways that may be required under the provisions of By-law No. 143-92 as amended, and</li><li>(iv) shall comply with provisions of the Town's Tendering Policy By-law in force from time to time.</li></ul> <p><b>(b)</b> When it is necessary for the Town of Fort Erie to draw upon the securities, the cash deposit shall be drawn upon first and the Builder shall replace the funds to ensure a cash security level of Five Thousand Dollars (\$5,000) at all times prior to the issuance of any permits.</p> <p><b>(c)</b> When a Builder fails to comply with the Lot Grading Policy, future applications for building permits will be subject to a Lot Grading Deposit of Five Thousand Dollars (\$5,000) per lot until all outstanding lot grading issues for that Builder are resolved.</p>	

**SCHEDULE “PDS-D”**

to By-law 40-09

**PLANNING & DEVELOPMENT SERVICES**  
**PLUMBING FEES**

The *Building Code Act*, S.O. 1992, c.23, 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)*.

**Plumbing, Drain & Sewer Permit**

<b>i. Single Family Dwelling</b>	Flat rate <b>\$100.00</b> plus applicable fees for storm building sewer, sanitary building sewer and waterline.
<b>ii. Semi-Detached, Row House or other multiple residential where each individual unit has its own separate service.</b>	Flat rate <b>\$100.00</b> per unit plus applicable fees for storm building sewer, sanitary building sewer and waterline.
<b>iii. Multiple Dwelling and Apartment, Motel and any other residential unit which is served by a single service.</b>	Flat rate <b>\$65.00</b> per unit plus applicable fees for storm building sewer, sanitary building sewer, waterline and internal storm leader.
<b>iv. Commercial, Industrial, Government, Institutional and any other building or structure not specifically provided for above.</b>	<b>\$140.00</b> fee plus additional <b>\$7.00</b> per fixture plus applicable fees for storm building sewer, sanitary building sewer, waterline, internal rainwater leader.

**Permit Fee for New:**

Storm Building Sewer – first 10m	<b>\$55.00</b>
Sanitary Building Sewer – first 10m	<b>\$55.00</b>
Waterline/Service – first 10m	<b>\$55.00</b>
Sewer and water main installations over 10m Each additional metre	<b>\$3.44</b>
Internal Rain Water Leader	<b>\$25.00</b>
Manhole or Catch Basin	<b>\$25.00</b>
Grease and oil interceptor installation	<b>\$25.00</b>
<b>Private Surface Water Collection System for parking area or surrounding grounds.</b>	Flat rate <b>\$55.00</b> plus applicable manhole and catch basin fee.
<b>Permit Fee for alteration, relocation or extension of existing plumbing.</b>	<b>\$55.00</b> plus applicable fee for storm building sewer, sanitary building sewer, waterline.
<b>Re-inspection Fee due to faulty or defective work or due to work not being ready for inspection.</b>	<b>\$100.00</b> for each call back.



**SCHEDULE "PDS-F"**

to By-law No. 40-09

**PLANNING & DEVELOPMENT SERVICES**

**SIGN PERMITS**

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)*.

Category	Fee
Portable Sign Permit Fee	\$140.00
Permit Fee (per square metre)	\$25.00 per square metre or part thereof (\$2.00 per square foot)
Minimum Sign Permit Fee	\$140.00
Sign Permit Renewal Fee	\$98.00
Sign Encroachment Permit Fee	\$198.00
Sign Removal Fee	\$164.00
Return of Removed Sign Fee	\$164 (plus associated storage costs)
Minor Variance Application from Sign By-law Fee	\$547.00
Appeal of Minor Variance Decision Fee	\$547.00