



The Municipal Corporation of the Town of Fort Erie

By-law 122-2023

Being a By-law to Amend Fees and Charges By-law 40-09, as amended (Pre-Consultation Fees)

Whereas By-law 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 PDS-43-2023 was considered and approved at the Council-in-Committee meeting held June 12, 2023, to, *inter alia*, authorize changes related to Pre-consultation Fees for Planning Applications by no longer crediting the Pre-consultation Fee to a formal Application; and

Whereas it is deemed desirable to amend By-law 40-09, as amended, to reflect the aforementioned changes related to Pre-consultation Fees;

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

1. **That** the following Schedule to By-law 40-09, as amended, is repealed:

Planning & Development Services

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

and replaced with the Schedule attached hereto as **Schedule "A"**, and the fees and charges contained therein are hereby authorized, approved, and effective upon the 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 24th day of July 2023.

Mayor

Deputy Clerk

SCHEDULE “PDS-C”
to By-law 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 \$ 727.00 Re-circulation
Final Subdivision Agreement Processing	\$ 5,078.00 (plus legal costs)
Subdivision Engineering Plan Review up to 4 th 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
Site Plan Engineering Plan Review up to 4 th 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

Schedule “A” to By-law 122-2023

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 Development Agreement Subdivision Agreement	\$ 2,565.00 (NCPI) \$ 2,565.00 (NCPI) \$ 2,565.00 (NCPI)
Town Solicitor Legal Costs Site Plan Agreement Development Agreement Subdivision Agreement	\$ 2,191.00 \$ 913.00 (preparation & registration of Agreement only) \$ 2,191.00 \$ 913.00 (preparation & registration of Agreement only) \$ 3,039.00
Zoning By-law Amendment	\$ 3,743.00 Minor Application \$ 9,359.00 Major Application \$ 954.00 Pre-consultation \$ 727.00 Re-circulation
Official Plan Amendment	\$ 8,661.00 \$ 1,271.00 Pre-consultation \$ 727.00 Re-circulation

Combined Official Plan & Zoning Amendment	\$ 9,878.00 \$ 1,463.00 Pre-consultation \$ 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) Simple Letter Accelerated Service (1 to 2 days response) Detailed Letter (Simple Letter plus confirms buildings & other site characteristics conform to current designations) Detailed Letter Accelerated Service (1 to 2 days response)	\$ 82.00 \$ 164.00 \$ 222.00 \$ 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)

Schedule “A” to By-law 122-2023

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)

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</p> <p>\$ 1,992.00* (constructing single, semi detached or duplex dwelling without building permit)</p> <p>\$ 1,334.00* (multiple dwelling, commercial and industrial) OR</p> <p>\$ 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:</p> <p>\$ 1,532.00* per lot and</p> <p>\$ 197.00 per easement</p> <p>\$ 254.00 Pre-consultation</p> <p>Commercial/Industrial/Institutional:</p> <p>\$ 1,992.00* per lot and</p> <p>\$ 270.00 per easement</p> <p>\$ 320.00 Pre-consultation</p>
	<p>Boundary Adjustment:</p> <p>\$ 1,138.00* Residential</p> <p>\$ 1,300.00* Commercial/Industrial/Institutional</p> <p>\$ 192.00 Pre-consultation</p> <p>\$ 197.00 Deed Certification:</p>
Special Hearing	\$ 683.00
Adjournment Fee	50% of application fee

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) ** <i>See below</i>
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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