

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
BY-LAW NUMBER 15 - 2023

BEING A BY-LAW TO PRESCRIBE A TARIFF OF FEES FOR PLANNING MATTERS

WHEREAS the provisions of Section 69 (1) of the Planning Act, 1990, as amended, provides that the Council of a Municipality may, by by-law, prescribe a tariff of fees for the processing of applications made in respect of planning matters;

AND WHEREAS Section 391 of the Municipal Act authorizes municipalities to impose fees or charges on persons,

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and,
- (c) for the use of its property, including property under its control.

AND WHEREAS Section 398 of the Municipal Act provides that fees or charges imposed in accordance with this By-law constitute a debt owed to the municipality for which the Treasurer may add the outstanding fees or charges, including interest on the unpaid balance, to the tax roll for the property owned by the persons responsible for paying the fees and charges, and the amount shall be collected in the same manner as municipal taxes;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF MELANCTHON ENACTS AS FOLLOWS:

1. The amounts as set out in Schedule A to this By-Law, Columns 2 & 3, shall be paid to the Treasurer of the Township of Melancthon with any application made in respect of the Planning Matters listed in Column 1.
2. The fees listed in Schedule A to this By-Law, Column 2 are required for the purposes of the administrative processing of applications listed in Column 1, by the Township of Melancthon including the use of office equipment, supplies, postage and advertising. The fees listed in Columns 2 and 3 must accompany application.
3. The fees listed in Schedule A to this By-law, Column 2, are not intended to cover costs of consultation with a Solicitor, Professional Engineer, Planning Consultant or any outside consultants, which may be deemed necessary by the Township of Melancthon in the processing of an application listed in Column 1, which additional costs or charges, if any, shall be taken from funds listed in Column 3 (deposits), which must be immediately replenished to the full deposit amount by the applicant in order to keep the application(s) active.
4. The fees listed in Schedule A to this By-law, Column 2, are not intended to cover the fees of the attendance at Ontario Land Tribunal (OLT) or the actual expenses incurred by the Township of Melancthon in the processing of an application or an appeal of a decision of Council to OLT, or the preparation or giving of evidence at an OLT hearing on the applicant's behalf. Additional costs or charges, if any, shall be taken from funds listed in Column 3 (deposits), which must be immediately replenished to the full deposit amount by the applicant upon request.
5. Upon completion of project/development, and all fees and charges have been paid to the satisfaction of the Treasurer of the Township of Melancthon, the remaining unused deposit(s) will be returned to the applicant without interest.
6. Any provisions of this By-Law which may be determined by a competent court to be beyond the jurisdiction of Council to enact, shall be considered to be severable and shall not affect the validity of the remainder of the by-law.

7. All fees owing to the Township of Melancthon that are unpaid are considered a debt to the Township of Melancthon and, together with all interest and penalties accrued thereupon, may be collected by the Township of Melancthon by action, or may be collected by the Township of Melancthon on its behalf or may be added to the property tax roll and collected in like manner as taxes.

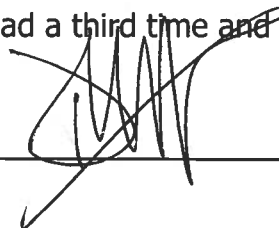
8. If for any reason fees owing under this by-law are unpaid after 30 days, interest at the rate of 1.25% per month will be applied until paid in full.

9. That By-Law 39-2019 is hereby repealed.

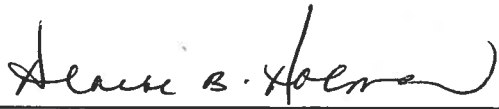
10. That this By-law comes into force and effect on the third and final reading thereof.

By-law read a first and second time this 16th day of March, 2023

By-law read a third time and passed this 16th day of March, 2023



MAYOR



CLERK

Schedule A to By-law 15-2023
To Prescribe a Tariff of Fees for Planning Matters

Column 1	Column 2	Column 3
Application/Activity	Fees¹	Deposit
Township OPA – Minor	3,000	5,000
Township OPA – Major	5,000	10,000
Zoning By-law Amendment – Minor	2,000	3,000
Zoning By-law Amendment – Major	5,000	5,000
Zoning By-law Amendment to Implement Consent Condition	1,000	2,000
Zoning By-law Amendment to Remove a Hold Condition	1,000	2,000
Site Plan Application – Residential	2,500	5,000
Site Plan Application – Commercial/Industrial/Institutional	5,000	10,000
Draft Plan of Condominium	10,000	20,000
Draft Plan of Subdivision	10,000	20,000
Administration Charge Per Subdivision Lot/Condominium Unit	500	N/A
Subdivision Agreement	5,000	10,000
Condominium Agreement	5,000	10,000
Development Agreement	5,000	10,000
Changes to Applications Requiring Re-circulation	500	N/A
All Other Planning Act Applications	1,000	1,000
Consent Application	2,000	3,000
Minor Variance	2,000	3,000
Change of Use Application – On Farm Business	1,000	1,000
Title Validation Application	1,000	1,000
Planning Compliance Letters (Zoning Request)	100	N/A
Preparation of Consent Agreement	500	1,000
Development Pre-Application Consultation – Minor	1,000	1,000
Development Pre-Application Consultation – Major	2,000	2,000

*Requirements for deposits will be assessed by planning staff and depending on the complexity of the application may be reduced.
 Minor applications are site specific.

¹ \$500.00 non refundable fee if application is withdrawn during approval process prior to draft approval. Legislative Authority - Section 69 of the Planning Act, R.S.O. 1990, as amended