



# BY-LAW

## 2010-66

### BEING A BY-LAW TO ESTABLISH A TARIFF OF FEES IN RESPECT OF PLANNING MATTERS AND SPECIFYING APPLICATION REQUIREMENTS

**WHEREAS** pursuant to the provisions of Section 69 of The Planning Act, R.S.O. 1990, c. P. 13, as amended, councils of municipalities may by By-law prescribe a tariff of fees for the processing of applications made in respect of planning matters;

**NOW THEREFORE** the Council of The Corporation of the Township of Huron-Kinloss hereby enacts as follows:

#### 1.0 FEES

##### 1.1 Application to Committee of Adjustment

The person making an application to the municipality's Committee of Adjustment shall pay an application fee of as established by the County of Bruce's Consolidated Fees By-Law, and as indicated in the Township's Consolidated Fee By-Law, as amended from time to time.

1.2 In addition to the application referred to in Section 1.1 where an application requires the municipality to provide assistance or services with respect to appeals from the decisions of the Committee of Adjustment, such applicant shall also pay the Township's fees and costs as indicated in the Township's Consolidated Fee By-Law as amended from time to time.

##### 1.3 Other Planning Applications

An applicant for:

- (a) an amendment to the Official Plan;
- (b) an amendment to the Zoning By-law;
- (c) approval of a draft Plan of Subdivision, or a severance, including a related development agreement;
- (d) a site plan agreement, and
- (e) any other application made pursuant to the provisions of The Planning Act;

shall pay a fee to the municipality based on the Township's Consolidated Fee By-Law as amended from time to time. The municipality shall submit an invoice from time to time to the applicant based on various amounts set out in the Township's Consolidated Fee By-Law and any amounts so invoiced shall become due and payable to the municipality within thirty (30) days of the date of the invoice.

1.4 The fees payable with respect to a planning application referred to in Section 1.3 hereof shall include all of the fees and costs incurred by the municipality relating to the application at the municipal level or on any appeal to the Ontario Municipal Board, unless such application is rejected by the municipality, in which case such fees and costs shall only be charged up to the date of rejection.

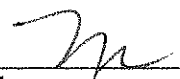
2.0 DEPOSITS

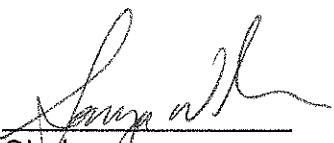
- 2.1 Every applicant for a planning matter referred to in Section 1.3 shall pay any applicable deposit to the municipality as indicated in the Township's Consolidated Fee By-Law.
- 2.2 The Township may disburse funds from time to time from the deposit monies referred to in clause 2.1 in order to pay the planning fees incurred by the applicant. At the time of making such disbursements the Township shall send an itemized invoice advising of the invoices so paid from the deposit monies. The applicant shall have thirty (30) days from the date that such itemized invoice is mailed to the applicant to pay the amount of such invoice to the Township which payment when received shall be added to the deposit monies remaining on hand. If at any time the deposit monies are reduced to less than fifty (50%) percent of the total deposit or in the event that the applicant fails to pay any itemized invoice within thirty (30) days as required by this clause, the Township shall cease any further processing of the planning application until such time as the originally required deposit has been replenished.

3.0 MISCELLANEOUS

- 3.1 In addition to the fees payable in accordance with Section 1 of this By-law the applicants shall also be responsible for paying to the municipality the amount of any fees payable with respect to an application referral or appeal to the Ontario Municipal Board at the rate in effect at the time of filing with the Board.
- 3.2 Notwithstanding the various fees authorized by this By-law, the Council of the Corporation of the Township of Huron-Kinloss, in processing the application, may by resolution reduce the amount of, or waive, the requirement for the payment of a fee in respect of the application, where the Council is satisfied that it would be unreasonable to require payment in accordance with the tariff established by this By-law.
- 3.3 The Treasurer shall keep an accurate record of all rates and charges payable by an applicant as a fee pursuant to this By-law.
- 3.4 That By-Law 99-100 is hereby repealed.
- 3.5 This By-Law shall come into full force and effect upon its final passage.
- 3.6 This By-Law may be cited as the "Tariff of Fees By-Law".

**READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED** this 21st day of June, 2010.

  
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Mayor

  
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Clerk