

THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK

BY-LAW NUMBER 2018-0074 (PL-7)

BEING A BY-LAW TO ESTABLISH FEES
FOR PLANNING APPLICATIONS AND SERVICES

WHEREAS Section 69 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, provides that the Council of a Municipality may by By-law establish a tariff of fees for the processing of applications made in respect of planning matters, which tariff shall be designed to meet only the anticipated cost to the municipality or committee in respect of the processing of each type of application provided for in the tariff;

AND WHEREAS Section 391 of the *Municipal Act*, S.O. 2001, c.25, as amended, authorizes a municipality to pass by-laws imposing fees or charges on persons for services or activities provided or done by or on behalf of it; for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; for the use of its property, including property under its control; and for capital costs payable by it for services or activities which will be provided or done by or on behalf of it after the fees or charges are imposed;

NOW THEREFORE the Council of the Corporation of the Town of Georgina hereby enacts as follows:

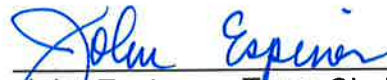
1. THAT By-law No. 2011-0015 (PL-7), as amended, is hereby repealed;
2. THAT every person making an application or for the delivery of a service described in Schedule 'A' attached hereto, shall pay to the Corporation of the Town of Georgina the fees set out in Schedule 'A';
3. THAT no application or service in respect to planning matters will be acknowledged or considered complete or undertaken until the person submitting the application or requiring the service has paid the necessary fee or deposit;

By-law 2018 – 0074 (PL-7) Planning
Applications and Services Fee By-law
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4. THAT Schedule 'A' attached hereto, is approved and declared to form part of this By-law;
5. THAT any planning application submitted prior to the passing of this By-law for which the processing has been held in abeyance by the Town as a result of the lack of availability of servicing allocation and/or the need for an approval of a Development Area Plan and/or any other reason making it premature for the application to be processed, shall be required to pay the difference between the fee previously submitted and that required under Schedule 'A' hereto;
6. THAT on an annual basis, effective January 1st of each year, beginning January 1, 2020, all fees and charges are subject to an automatic increase, and will be indexed and rounded up to the nearest dollar, based on the percentage increase in the annual Ontario Consumer Price Index (All Items), issued in October of the preceding year;
7. THAT in the event the Consumer Price Index percentage change results in a negative amount, the fee for the calendar year shall remain at the same level as the previous calendar year; and,
8. THAT this by-law shall come into force and effect on January 1, 2019.

READ and enacted this 19th day of September, 2018.


Margaret Quirk Mayor


John Espinosa, Town Clerk

SCHEDULE 'A' TO BY-LAW 2018 – 0074 (PL-7)

PLANNING APPLICATION AND SERVICE FEES

DEVELOPMENT AREA PLANS (DAP)

New DAP or <i>Major</i> Review/Update to an Existing DAP	\$17,700
Consideration of a <i>Minor</i> Revision to an Existing DAP	\$11,500

Major:

- Any significant change to text or schedules of the DAP, required as a result of implementing new Town, Regional and/or Provincial Plans or policies
- Any change as determined to be major by the Director of Development Services

Minor:

- Any minor change to text or schedules of an existing DAP
- Any change as determined to be minor by the Director of Development Services

OFFICIAL PLAN AMENDMENT APPLICATION

Major Application Fee (see note below)	\$29,500
Additional Public Meeting (after first two)	\$1,730
Additional Public and/or Agency Circulation (after initial) ...	\$230
Additional Planning Report (after first two)	\$930

Minor Application Fee (see note below)	\$19,300
Additional Public Meeting (after first two)	\$1,730
Additional Public and/or Agency Circulation (after initial) ...	\$230
Additional Planning Report (after first two)	\$930

Major Amendment: an application which is relatively large in scale or scope which may have a significant impact or policy implication beyond the subject lands. Such applications may include, but not necessarily be limited to:

- Amendment having broader municipal or regional implications and/or requiring Regional approval
- Amendment affecting a large geographic area or multiple properties
- Any Industrial, Commercial, Institutional (ICI) application for development exceeding 250m² in gross floor area
- Any residential development exceeding 3 lots/units
- Any development requiring 3 or more major studies (e.g. transportation, traffic, environmental, hydrogeological, market analysis, etc.)
- Significant change to text or policies or schedules of the Plan
- Re-designation of land use category
- Any amendment as determined to be Major by the Director of Development Services

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Minor Amendment: an application that is relatively small in scale and likely having minimal impact or issues beyond the subject lands. Such applications may include, but not necessarily be limited to:

- Amendment having little or no broader municipal or regional planning implications and/or has been exempted from Regional approval
- Amendment affecting a small geographic area or single property
- Minor change to text or policies and/or schedules of the Plan
- Any ICI application for development up to 250m² in gross floor area
- Any residential development up to 3 lots/units
- Any amendment as determined to be Minor by the Director of Development Services

ZONING BY-LAW AMENDMENT APPLICATION

Major Application Fee (see note below).....	\$20,800
Additional Public Meeting (after first two).....	\$1,730
Additional Public and/or Agency Circulation (after initial) ...	\$230
Additional Planning Report (after first two).....	\$930

Major Amendment: an application which significant in scale or scope which may have an impact beyond the subject lands. Such applications may include, but not necessarily be limited to:

- Amendment affecting a broad geographic area or multiple properties
- Amendment having broader municipal or regional planning implications
- Any ICI application for development exceeding 250m² in gross floor area
- Any residential development exceeding 3 lots/units
- Any development requiring 3 or more major studies (e.g. transportation, traffic, environmental, hydrogeological, market analysis, etc.)
- Amendment requiring creation of a new zone category
- Any amendment affecting a brownfield site, or an influence area/separation distance for an industrial use, mineral aggregate use, waste management facility or communal sewage disposal facility
- Any amendment for a mixed-use zoning
- Interim Control By-law (Sec. 38 of Planning Act)
- Increased Density By-law (Sec. 37 of Planning Act)
- Any amendment as determined to be Major by the Director of Development Services

Minor Application Fee (see note below)	\$14,300
Additional Public Meeting (after first two).....	\$1,730
Additional Public and/or Agency Circulation (after initial) ..	\$230
Additional Planning Report (after first two).....	\$930

Minor Amendment: an application that is small in scale and having minimal or no impact beyond the subject lands. Such applications may include, but not necessarily be limited to:

- Amendment affecting a small geographic area or individual site or property specific change to one or more zone standards, such as permitting a dwelling on a rural "undersized" lot
- Addition of one or more permitted uses with no significant impact on existing development standards
- Any ICI application for development up to 250m² in gross floor area

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- *A rezoning or change of standards for up to 3 residential lots/units*
 - *Renewal of Interim Control By-law (2nd or subsequent year)*
 - *Rezoning required as a result of a lot addition or boundary adjustment for a residential or minor non-residential lot addition or boundary adjustment*
 - *Rezoning required to legalize an existing accessory apartment or second dwelling unit*
 - *Any amendment as determined to be Minor by the Director of Development Services*

REZONING TO PERMIT A TEMPORARY GARDEN SUITE OR TO PERMIT AN EXTENSION PERIOD TO BY-LAW FOR SAME \$3,200

REMOVAL OF HOLDING OR "H" ZONE PROVISION

Major Application Fee (see note below)..... \$4,300

- *Major: an application which is significant in scale or scope and associated with a Plan of Subdivision/Condominium application or Site Plan Control application.*

Minor Application Fee (see note below)..... \$3,000

- *Minor: an application that is small in scale and having minimal or no impact beyond the subject lands and not associated with a Plan of Subdivision/Condominium application or Site Plan Control application.*

TEMPORARY USE BY-LAW APPLICATION OR EXTENSION

Application Fee..... \$7,100

Additional Public Meeting (after first two)..... \$1,730

Additional Public and/or Agency Circulation (after initial) ... \$230

Additional Planning Report (after first two)..... \$930

PART LOT CONTROL EXEMPTION APPLICATION OR EXTENSION

Application Fee..... \$3,600

Plus: \$160 per lot or unit

NOTE: per lot or unit fee not applicable to an application to Extend Duration of Part Lot Control Exemption

RESTRICTIVE COVENANT AGREEMENT

Application Fee..... \$1,900

COMMITTEE OF ADJUSTMENT APPLICATIONS

File Maintenance Fee..... \$600 per year

Consent (Lot creation, Lot Addition/Boundary Adjustment)

Application Fee for first lot/unit/parcel created..... \$5,200

Application Fee for 2nd and subsequent lot/unit/parcels created within the same land holding and within the same application submission..... \$4,420

Additional COA Meeting..... \$640

Additional Public and/or Agency Circulation (after initial) ... \$120

Additional Planning Report (after first report) \$460

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Change of Consent Conditions	\$3,700
Additional COA Meeting.....	\$230
Additional Public and/or Agency Circulation (after initial) ...	\$120
Additional Planning Report (after first report)	\$460
Consent Agreement.....	\$2,600
<i>(Preparation of agreement and registration; fees are exclusive of any financial security, administrative or other fee set out in the agreement.)</i>	
Validation of Title, Easement, Title Clearance, Mortgage Discharge, Foreclosure, Power of Sale, Partition Order, Land Leases	
Application Fee	\$1,800
Additional COA Meeting.....	\$230
Additional Public and/or Agency Circulation (after initial) ...	\$120
Additional Planning Report (after first report)	\$120
Minor Variance, Non-Conforming Uses, Other Permissions	
Application Fee	\$1,400
Additional COA Meeting.....	\$230
Additional Public and/or Agency Circulation (after initial) ...	\$120
Additional Planning Report (after first report)	\$120
Minor Variance Agreement	\$500

SITE PLAN CONTROL APPLICATIONS

Major Application

Application Fee (see note below).....\$28,500
(Includes the review of the first 3 submissions only; fee for 4th and subsequent submissions outlined below)

Additional Committee Meeting (after first mtg) \$1,730

Additional External Circulation (after initial)..... \$230

Additional Staff Report (after first rpt)..... \$930

Major Application applies to:

- Any Industrial/Commercial/Institutional (ICI) use or mixed use development exceeding 500 m² of gross floor area
- A re-use/re-development of an existing building, including a building expansion/addition exceeding 50 m² of gross floor area
- A residential building or development exceeding 25 lots/units
- A development affecting a large geographic area or multiple properties
- A theme park or large scale recreational/commercial use such as a golf course, marina, resort, casino
- An application as determined to be Major by the Director of Development Services

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Mid-Range Application

Application Fee (see note below).....	\$11,800
Plus:	
\$66 per m ² for any new ICI use or mixed use development exceeding 250 m ² and up to 500 m ² in gross floor area	
\$830 per residential unit/lot for any development exceeding 5 lots/units up to 25 lots/units	
<i>(Includes the review of the first 3 submissions only; fee for 4th and subsequent submissions outlined below)</i>	
Additional Committee Meeting (after first mtg)	\$1,730
Additional External Circulation (after initial).....	\$230
Additional Staff Report (after first rpt).....	\$930

Mid-Range Application applies to:

- A residential building or development with more than 5, but not exceeding 25 residential lots/units
- Any Industrial/Commercial/Institutional (ICI) use or mixed use development with more than 250 m², but not exceeding 500 m² of gross floor area

Minor Application

Application Fee (see note below).....	\$11,800
<i>(Includes the review of the first 3 submissions only; fee for 4th and subsequent submissions outlined below)</i>	
Additional Committee Meeting (after first mtg)	\$1,730
Additional External Circulation (after initial).....	\$230
Additional Staff Report (after first rpt).....	\$930

Minor Application applies to:

- A development with 5 or fewer residential lots/units
- A re-use/re-development of an existing building, including a building expansion/addition of up to 50 m² of gross floor area
- Any Industrial/Commercial/Institutional (ICI) use or mixed use development with up to 250 m² of gross floor area
- An application as determined to be Minor by the Director of Development Services

Major Amendment to Existing Site Plan
(see note below)

Application Fee.....	\$6,400
Additional Committee Meeting (after first mtg)	\$1,730
Additional External Circulation (after initial).....	\$230
Additional Staff Report (after first rpt).....	\$930

Major: any amendment greater than 40% expansion to existing gross floor

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area, or any amendment as determined to be Major by the Director of
Development Services

Minor Amendment to Existing Site Plan
(see note below)

Application Fee	\$3,600
Additional Committee Meeting (after first mtg)	\$1,730
Additional External Circulation (after initial).....	\$230
Additional Staff Report (after first rpt).....	\$930

Minor: Any amendment equal to or less than 40% expansion to existing gross floor area, any request to extend the duration of Site Plan Approval, or any other amendment or application as determined to be Minor by the Director of Development Services

Subsequent Site Plan Submissions – after 3rd

Review Fee to be paid with 4th and each subsequent submission after 3rd submission..... 25% of initial fee

Preparation of Site Plan Agreement \$3,900

Amendment to Site Plan Agreement..... \$1,560

Minor/Temporary Use Agreements (ex. Sales Trailers, etc.)

Minor/Temporary Use Agreement	\$2,600
Amendment to Minor/Temporary Use Agreement	\$1,040

Site Plan Inspection (see note below)

- 5.4% of estimated construction cost – minimum \$4,000
- Due and payable with initial Site Plan Application Fee payment

Note: The 5.4% Fee – minimum \$4,000 for Site Plan Inspections shall not be subject to annual indexing based on the Consumer Price Index (C.P.I.).

PLAN OF SUBDIVISION AND/OR CONDOMINIUM

Draft Plan of Subdivision or Condominium

Application Fee.....	\$29,800
Plus: \$570 per residential unit/lot for first 25 units/lots	
\$340 per residential unit/lot for 26-50 units/lots	
\$230 per residential unit/lot for 51+ units/lots	
\$1,570 per Institutional/Commercial/Industrial unit/lot/block	
\$1,570 per Mixed Use unit/lot/block	

Additional Public Meeting (after first two) \$1,730

Additional Public and/or Agency Circulation (after initial) \$230

Additional Planning Report (after first two)..... \$930

Note: The unit/lot/block fees are to be charged only once on the submission of concurrent subdivision and condominium applications.

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Extension of Draft Plan Approval

Application Fee	\$5,900
Additional Public Meeting (after first one).....	\$1,730
Additional Public and/or Agency Circulation (after initial)	\$230
Additional Planning Report (after first one)	\$930

Note: Where a subdivision approval has a lapsing provision applied thereto, should the subdivision proceed to registration in phases, a draft plan approval extension is required for any portion of the subdivision not registered by the expiry date imposed by the lapsing provision.

Revise or Alter an Approved Draft Plan Requiring Council Approval

Application Fee	\$3,800
Additional Public Meeting (after first two)	\$1,730
Additional Public and/or Agency Circulation (after initial)	\$230
Additional Planning Report (after first two).....	\$930

Request to Change to Conditions \$6,000

(Applies only to an existing approved plan where no new lots/units/blocks are created. Fees are exclusive of any financial security, administrative or other fee set out in the agreement.)

Draft Plan of Condominium Requesting Exemption from
Sec. 51- Planning Act Processing Requirements
(applns. Per Sec. 9(7) – Condominium Act)

Application Fee.....	\$8,900
Additional Public Meeting (after first one).....	\$1,730
Additional Public and/or Agency Circulation (after initial)	\$230
Additional Planning Report (after first one)	\$930

Preparation of Subdivision / Condominium Agreement..... \$7,300

Amendment or Revisions to Agreement for Each Phase
Subsequent to 1st Phase

Application Fee.....	\$6,400
Additional Public and/or Agency Circulation (after initial)	\$490
Additional Planning Report (after first one)	\$930

Amendment to Agreement..... \$4,300

(Applies only to an existing approved plan where no new lots/units/blocks are created. Fees are exclusive of any financial security, administrative or other fee set out in the agreement.)

Compliance Certificate for Clearance of Conditions
And Final Approval and Registration

For the Second and each subsequent
phase \$4,300 per phase

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Engineering Submission Review:

- Review of Engineering Submissions – max. 3 (see note below)
- 5.4% of estimated construction costs of which 1% is due and payable with 1st submission

Note: That the 5.4% Fee for Subdivision Applications shall not be subject to annual indexing based on the Consumer Price Index (C.P.I.).

- Review of each subsequent submission after 3rd submission
- 25% of initial fee

Plot Plan Review - Single family or Semi-detached..... \$306 per lot

Plot Plan Review – Townhouse\$306 per residential unit in a townhouse block

PROVISIONS REGARDING CONCURRENT APPLICATIONS

Where multiple applications are submitted concurrently involving the same land parcel, the Application Fee for any combination of Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision/Condominium (base fee), or Plan of Condominium requesting Exemption from Sec. 51 of the *Planning Act* Processing Requirements shall be as follows:

- 10% discount from base application fees otherwise listed in this by-law

DEEMING BY-LAW OR REPEAL OF DEEMING BY-LAW

Deeming By-law Application Fee \$1,500
Plus: \$240 per lot

Repeal of Deeming By-law Application Fee \$2,600
Plus: \$240 per lot

PROPERTY INFORMATION REPORT

Application Fee \$320 per property

PRE-CONSULTATION

Application Fee \$750

Note: A fee of \$375 will be deducted from the required application fee if a formal Planning application is submitted within 1 year of the Pre-Consultation Meeting Form/Complete Application Checklist being signed by the Town Planner."

REQUEST TO CONSIDER AN APPLICATION FOR OFFICIAL PLAN AMENDMENT, ZONING BY-LAW AMENDMENT OR MINOR VARIANCE PURSUANT TO THE "2-YEAR PERIOD, NO REQUEST FOR AMENDMENT/NO APPLICATION" PROVISIONS OF THE PLANNING ACT

Application Fee \$1,500

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LEGAL COSTS

All Town incurred legal fees associated with the processing of any application at any stage, including, but not necessarily limited to, the review and/or preparation of any related documents, agreements, etc. shall be paid in full by the applicant, plus an additional 15% administrative fee.

CONSULTANTS COSTS

The Town may engage consultants to conduct reviews (e.g. Peer Reviews) and evaluate studies, in which case the costs incurred will be charged back to the applicant, plus an additional 15% administrative fee.

LANDSCAPE ARCHITECT COSTS

At the Town's discretion, the Town's Landscape Architect may conduct reviews and evaluate studies in association with conditions of development application approvals, in which case the cost determined on an hourly basis incurred will be charged back to the applicant, plus an additional 15% administration fee.

RADIOCOMMUNICATION TOWER SITING

Application Submission Fee	\$4,300
Prior to Staff Report to Council Regarding Concurrence Request.....	\$4,300

REFUND POLICY

Refunds are at the discretion of the Director of Development Services, and all requests for refunds must be made in writing to the Director. Refunds will be based on the following criteria:

Committee of Adjustment Applications:

- Application has been received and the circulation list has been prepared - 2/3 of fee refunded;
- Hearing date has been confirmed and Notices of Hearing have been mailed - 1/3 of fee refunded;
- Hearing has been held – No Refund.

All other Applications:

- Up to 75% of the planning application fee required may be refunded if the application is withdrawn prior to the circulation to the commenting agencies; less a 15% administrative fee.
- Up to 50% of the planning application fee required may be refunded if the application is withdrawn after the circulation to the commenting agencies, but prior to one of the following: any public meetings; preparation of staff reports; or drafting of agreements and/or by-laws; less a 15% administrative fee.
- No refund of fees will be given after a public meeting has been held or after staff reports or by-laws have been prepared.

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OTHER PROVISIONS

The Director of Development Services may:

- Define and determine the appropriate category upon which any application is submitted; and
- Reduce or waive any Fee normally required as per this by-law due to extenuating circumstances as a result of errors or omissions in the administration of this By-law and/or *Planning Act* processes.

LOCAL PLANNING APPEAL TRIBUNAL FEES

Administrative Referral Fee \$300

Note: Due and payable to the Town of Georgina upon receipt of an appeal with respect to any application.

Appeal Deposit where approval authority decision is appealed by a 3rd party:

- For appeals against major official plan amendments, major zoning by-law amendments, plans of subdivision or plans of condominium
Deposit.....\$25,000
- For all other appeals
Deposit.....\$10,000

Note: Deposits on 3rd party appeals are due and payable upon receipt of an appeal with respect to the application(s). The said deposit shall be paid by the applicant. Fees incurred by the Municipality above and beyond the amount of the deposit required will be invoiced to and payable by the applicant. Should the fees incurred be less than the amount of the deposit required, the appropriate refund will be issued to the applicant. Furthermore, failure to pay the appeal deposit, or maintain the deposit as required may result in the Town's refusal to provide services in support of the application at the Local Planning Appeal Tribunal.