

**THE CORPORATION OF THE COUNTY OF LANARK
BY-LAW NO. 2016-27**

**BEING A BY-LAW TO ESTABLISH A TARIFF OF FEES FOR THE
PROCESSING OF APPLICATIONS MADE IN RESPECT OF PLANNING
MATTERS AND TO REPEAL BY-LAW NOS 2013-45 AND 2014-29**

WHEREAS, Section 69 of the *Planning Act*, R.S.O. 1990, Chapter P.13 and amendments thereto, provides that the council of a municipality, by by-law, and a planning board, by resolution, may 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 to a committee of adjustment or land division committee constituted by the council of the municipality or to the planning board in respect of the processing of each type of application provided for in the tariff;

AND WHEREAS, the Council of the Corporation of the County of Lanark established a tariff in respect of applications for consent and validation of title made to the Land Division Committee and in respect of applications for plans of subdivision and condominium and part-lot control exemptions, Alternative Energy Project Review and Official Plan Amendments made to the Council of the Corporation of the County of Lanark through By-Law No. 2013-45 adopted on November 27th, 2013 and amended by By-Law No. 2014-29 on October 22nd, 2014 and came into effect on January 1st, 2015;

AND WHEREAS, the Council of the Corporation of the County of Lanark deems it expedient to repeal all previous by-laws (By-Law Nos 2013-45 and 2014-29) and replace;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the County of Lanark enacts as follows:

1. GENERAL REGULATIONS

THAT, a tariff of fees for the processing of applications made in respect of planning matters be established in accordance with Schedule "A" attached hereto and forming part of this By-law.

2. ULTRA VIRES

Should any sections of this by-law, including any section or part of any schedules hereto be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

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3. BY-LAWS REPEALED

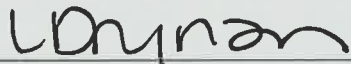
By-Law No.'s 2013-45 and 2014-29 are hereby repealed.

4. EFFECTIVE DATE

This By-Law will come into effect January 1st, 2017.


This By-Law read a first and second time this 12th day of October, 2016.

This By-Law read a third time and finally passed this 12th day of October, 2016.



Leslie Drynan, Deputy Clerk





Gail Code, Warden

**THE CORPORATION OF THE COUNTY OF LANARK
BY-LAW NO. 2016-27**

SCHEDULE "A"

**TARIFF OF FEES
FOR PROCESSING APPLICATIONS MADE IN RESPECT OF PLANNING
MATTERS**

TYPE OF APPLICATION	REQUIRED FEE
1. Consent under Section 53 of the <i>Planning Act</i>	
a) Initial Fee	\$875
b) Revisions made prior to giving provision consent & requiring full or partial recirculation	\$250
c) Changes to conditions of provisional consent made at request of applicant & requiring notice of changes to be given	\$225
d) Reimbursement of all professional fees and expenses incurred by the Land Division Committee in processing the application	See Note
2. Validation of Title under Section 57 of the <i>Planning Act</i>	
a) Initial Fee	\$875
b) Reimbursement of all professional fees and expenses incurred by the Land Division Committee in processing the application	See Note
3. Condominium Exemption under Section 9 of the <i>Condominium Act</i>	
a) Initial Fee	\$2,000
b) Reimbursement of all professional fees and expenses incurred by the County in processing the application	See Note
4. Plan of Subdivision or Condominium under Section 51 of the <i>Planning Act</i> and Section 9 of the <i>Condominium Act</i>	
a) Subdivision - 1 to 19 lots or units (see note 1)	\$2,500
Subdivision - 20 to 49 lots or unit (see note 1)	\$4,500
Subdivision - 50 + lots or units (see note 1)	\$6,000
Condominium - 1 to 19 units (see note 1)	\$2,500
Condominium - 20 to 49 units (see note 1)	\$4,500
Condominium - 50 + units (see note 1)	\$6,000
b) Major revision to the plan or conditions of draft approval requiring full or partial recirculation	\$1,750
c) Minor revision to the plan or conditions of draft approval not requiring recirculation	\$750
d) For each one year extension of draft approval beyond the lapsing date stated in the notice of decision	\$750
e) A refund in the amount of 80% of the Initial Fee shall be returned to the applicant if the application is rejected by the County as being incomplete or is withdrawn prior to circulation	
f) Reimbursement of all professional fees and expenses incurred by the County in processing the application	See Note

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| 5. | Part Lot Control By-law under Section 50(7.1) of the <i>Planning Act</i> | |
| a) | Initial Fee: Per Structure (eg. Semi-detached dwelling) | \$750 |
| b) | Reimbursement of all professional fees and expenses incurred by the Land Division Committee to conduct peer review of any special study required to support the application | See Note |

Note 1: The Applicant shall provide Lanark County, with a refundable deposit of \$5,000 against which the County may from time to time, charge any professional fees and expenses incurred by the County for Professional Consulting review of the subdivision or condominium application. If such fees and expenses exceed the deposit, the applicant shall pay the difference upon being billed by the County with an interest rate of 1.25% per month on accounts overdue more than 30 days.

Note 2: The Applicant shall provide Lanark County, with a refundable deposit of \$2,500 against which the County may from time to time, charge any professional fees and expenses incurred by the County for Professional Consulting review of the condominium exemption applications. If such fees and expenses exceed the deposit, the applicant shall pay the difference upon being billed by the County with an interest rate of 1.25% per month on accounts overdue more than 30 days.

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| 6. | Alternative Energy Project Review under Ontario Regulation 359/09 Renewable Energy Approvals, Part V.0.1 of the <i>Environmental Protection Act</i> , section 18 | |
| a) | Review Fee – Municipal Consultation Form | \$1500 |
| b) | Reimbursement of all professional fees and expenses exceeding \$1500 will be invoiced relating to a peer review | See Note |
| c) | FIT 3.0 – Small ground mounted solar site under 500 kW | \$450 |

Note: The Applicant shall provide the County of Lanark, upon request, a deposit against which the County may, from time to time, charge any professional fees and expenses incurred. If such fees and expenses exceed the deposit, the Applicant shall pay the difference upon being billed by the County with interest at the rate of 1.25% per month on accounts overdue more than 30 days.

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| 7. | Official Plan Amendment under the <i>Planning Act</i> Subsection 17(1) and (4) | |
| a) | Review Fee – local Official Plan Amendment | \$1,200 |
| b) | Review Fee – County Official Plan Amendment | \$1,200 |
| c) | Review Fee – Dual Official Plan Amendment | \$1,750 |
| d) | Review Fee – local Official Plan Amendment – initiated by Municipality | No fee |
| e) | Refundable Deposit- third party fee – applies to a, b & c above | \$3,000 |

Section 7 – Note

Note: The Applicant shall provide Lanark County, a deposit against which the County shall, unless otherwise directed by Council charge any professional fees and expenses incurred to review and report on the application, including any subsequent OMB appeal. EXCEPTION: No professional fees and expenses will be charged to the applicant (or municipality) where the County denies the application and is required to defend its position.

If such fees and expenses exceed the deposit, the Applicant shall pay the difference upon being billed by the County with interest at the rate of 1.25% per month on accounts overdue more than 30 days. EXCEPTION – OPA's initiated by Municipality - Municipality will be invoiced for any third party costs incurred.