

THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS

BY-LAW NO. 10-41

A by-law to prescribe forms and establish a tariff of fees for processing various planning matters and other municipal matters

WHEREAS pursuant to Section 69 of the Planning Act, R.S.O. 1990, c. P.13, as amended, Township Council may prescribe a tariff of fees for the processing of applications made in respect of planning matters;

AND WHEREAS it is desirable to prescribe forms and establish a tariff of fees for the processing of applications in various planning matters;

AND WHEREAS it is desirable to establish a tariff of fees for certain municipal services;

NOW THEREFORE the Council of the Corporation of the Township of Lake of Bays ENACTS AS FOLLOWS:

A. PLANNING ACT APPLICATIONS

FORMS

1. Applications to Township Council to initiate an amendment to the Official Plan of the Township of Lake of Bays shall include:
 - (i) all information required pursuant to the Planning Act and the Regulations passed thereunder; and
 - (ii) all information required by or necessary or useful to determine compliance with the Provincial Policy Statements; and
 - (iii) such other additional information or documentation as may be necessary or useful to Township Council in reaching a decision with respect to the application.
2. Applications to Township Council to initiate an amendment to the Comprehensive Zoning By-law of the Township of Lake of Bays shall include:
 - (i) all information required pursuant to the Planning Act and the Regulations passed thereunder; and
 - (ii) all information required by or necessary or useful to determine compliance with the Provincial Policy Statements; and
 - (iii) such other additional information or documentation as may be necessary or useful to Township Council in reaching a decision with respect to the application.
3. Applications to the Township of Lake of Bays Committee of Adjustment to authorize a minor variance from the provisions of the Comprehensive Zoning By-law of the Township of Lake of Bays shall include:
 - (i) all information required pursuant to the Planning Act and the Regulations passed thereunder; and
 - (ii) all information required by or necessary or useful to determine compliance with the Provincial Policy Statements; and
 - (iii) such other additional information or documentation as may be necessary or useful to the Committee of Adjustment in reaching a decision with respect to the application.

4. Applications to Township Council to initiate an approval pursuant to the Development Permit By-law of the Township of Lake of Bays shall include:
 - (i) all information required pursuant to the Planning Act and the Regulations passed thereunder; and
 - (ii) all information required by or necessary or useful to determine compliance with the Provincial Policy Statements; and
 - (iii) such other additional information or documentation as may be necessary or useful to Township Council in reaching a decision with respect to the application.
5. Applications to Township Council to initiate an amendment to the Development Permit By-law of the Township of Lake of Bays shall include:
 - (i) all information required pursuant to the Planning Act and the Regulations passed thereunder; and
 - (ii) all information required by or necessary or useful to determine compliance with the Provincial Policy Statements; and
 - (iii) such other additional information or documentation as may be necessary or useful to Township Council in reaching a decision with respect to the application.
6. Applications to the Township of Lake of Bays Committee of Adjustment for consent to convey land pursuant to Section 53 of the Planning Act, R.S.O. 1990, c. P.13, as amended, shall be submitted on the form provided by the Committee and shall include:
 - (i) all information and documentation required pursuant to the Planning Act and regulations passed thereunder; and
 - (ii) such other additional information or documentation as may be necessary or helpful to the Committee in reaching a decision with respect to the application.
7. Applications to the Township of Lake of Bays Committee of Adjustment for a Validation Certificate under Section 57 of the Planning Act, R.S.O. 1990, c. P.13, as amended, shall be submitted on the form provided by the Committee and shall include such other additional information or documentation as may be necessary or helpful to the Committee in reaching a decision with respect to the application.
8. Applications to the Township of Lake of Bays Committee of Adjustment for an approval of a foreclosure of or exercise of a power of sale in a mortgage or charge under Section 50(18) of the Planning Act, R.S.O. 1990, c. P.13, as amended, shall be submitted on the form provided by the Committee and shall include such other additional information or documentation as may be necessary or helpful to the Committee in reaching a decision with respect to the application.
9. Applications to Township Council for approval of a site plan pursuant to Section 41 of the Planning Act, R.S.O. 1990, c. P.13, as amended, shall include:
 - (i) all plans, drawings, documentation and information required pursuant to the Planning Act and the Regulations passed thereunder; and
 - (ii) all information required by or necessary or useful to determine compliance with the Provincial Policy Statements; and
 - (iii) such other additional information or documentation as may be necessary or useful to Township Council in reaching a decision with respect to the application.

10. Applications to Township Council for enactment of a deeming by-law under Section 50 (4) of the Planning Act shall include such information or documentation as may be necessary or helpful to Council in reaching a decision with respect to the request.

FEES

11. The fees payable in respect of the applications noted in Sections 1 to 10 inclusive, shall include:
 - (i) the Basic Fee, which shall cover all costs incurred by the Township in the ordinary processing of the application; and
 - (ii) Additional Fees, which shall be in an amount sufficient to cover all additional costs incurred by the Township in processing of the application including, without limiting the generality of the foregoing, legal expenses, preparation and/or review of technical studies, extra meetings, or Ontario Municipal Board hearings.
12. The Basic Fees payable for the processing of the applications noted in Sections 1 to 10 inclusive, shall be those described on Schedule "A" to this by-law.
13. All applications described in paragraphs 1, 2, 5, 6, 7, 8 and 9 shall include with their applications:
 - (i) a fully and properly executed cost acknowledgment agreement in the Township's standard form; and
 - (ii) a certified cheque made payable to "The Corporation of the Township of Lake of Bays" in the amount prescribed on Schedule "A" as a deposit with respect to Additional Fees.

Additional fees shall be paid by the Applicant in accordance with the terms of the Cost Acknowledgement Agreement.

12. Applications described in Paragraph 9, which involve: i) the development of a single family residence or accessory structures there to, are not subject to the requirements noted in Paragraph 13 (ii).

AMENDMENTS TO APPLICATIONS

13. Where an applicant/agent requests an amendment to an application after it has been circulated, or reviewed by the Committee of Adjustment, or Planning Advisory Committee, the fees payable are identified in Schedule "A" attached hereto.

CHANGES TO CONDITIONS OF CONSENT PROVISIONAL DECISIONS

14. Where an applicant/agent requests a change to a condition of a Consent Provisional Decision, the fees payable are identified in Schedule "A" attached hereto.

B. DEVELOPMENT AGREEMENTS

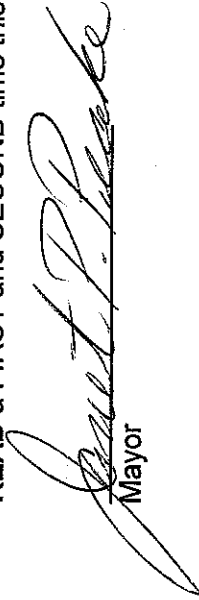
15. The fees payable by those requesting agreements with the Township to implement Planning Act approvals shall be as set forth in Schedule "A".
16. Except where Council has otherwise previously authorized, all such agreements shall be in a form approved by the Township Council and approved by Council on an individual basis.

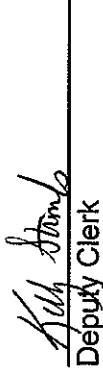
C. GENERAL

17. Nothing herein shall obligate or be deemed to obligate the Township to grant any approvals or enter into any agreement.

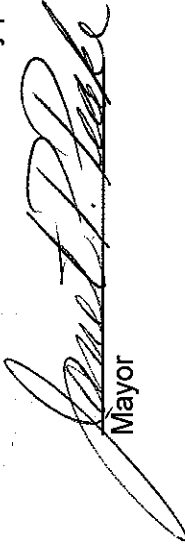
18. Refunds of fees paid are not permitted.
19. In addition to the specific documentation required for each type of application or request described herein, all applications and requests shall include:
 - (i) the fees payable for the type of application or request as prescribed by this by-law; and
 - (ii) all other documents that may be required pursuant to any other provisions of this by-law.
20. Any application or request that does not include all of the information, material, documentation or fees required pursuant to this by-law, shall be deemed to be incomplete and shall not be processed unless and until such time as the application or request is made complete by the applicant.
21. By-law No. 06-13 is hereby repealed.

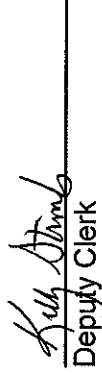
READ a FIRST and SECOND time this 20th day of April, 2010.


Mayor


Deputy Clerk

READ a THIRD time and finally passed this 20th day of April, 2010.


Mayor


Deputy Clerk

SCHEDULE "A" TO BY-LAW 10-41**A. PLANNING ACT APPLICATIONS**

	Basic Fee
1. a) Official Plan Amendment Major policy change, or involving the creation of more than one lot	\$1,000.00
b) Minor policy change or the involving creation of one lot	\$500.00
c) In addition to the basic fee for 1. a) and 1. b), additional District of Muskoka fees may be required.	
2. Zoning By-law Amendment For first parcel	\$450.00
For each additional parcel	\$50.00
3. Minor Variance	\$350.00
4. Category 1 Staff Development Permit for recognition of existing development, extensions, minor revisions and shoreline activity area blanket permits	\$75.00
Referral of a Category 1 Staff Development Permit to Council	\$100.00
Category 1 Staff Development Permit for vegetation removal, site alteration and siting requirement	\$200.00
Category 1 Staff Variation or Discretionary Use Development Permit	\$250.00
Category 2 Council Development Permit	\$350.00
By-law Amendment	\$450.00
5. Consent (lot creation) (including finalization)	\$500.00
Identical Right-of-way applications With more than one grantee	
First application	\$500.00
Applications for additional Grantees	\$150.00
6. Validation Certificate	\$500.00

SCHEDULE "A" TO BY-LAW 10-41 Cont'd

- | | | |
|--------|---|-----------|
| 7. | Section 50 (18) Approval
Foreclosure on Power of Sale | \$400.00 |
| 8. | Site Plan Approval | See Below |
| 9. | Subdivision/Condominium
Agreement Approval | See Below |
| 10. | Deeming By-law Application | \$300.00 |
| 11. a) | Amendment to an application
requiring additional review by
a Committee or Council | \$150.00 |
| b) | Amendment to an application
requiring re-circulation and
additional review by a
Committee or Council | \$200.00 |
| 12. | Change to Condition of
Consent Provisional Decision | \$200.00 |

B. AGREEMENTS

- | | | |
|----|---|----------|
| 1. | Agreements arising from Consent
or Minor Variance | \$300.00 |
| 2. | Site Plan Agreement | \$300.00 |
| 3. | Amendment to Consent or Site
Plan Agreement | \$150.00 |
| 4. | Release of Consent or Site Plan
Agreement | \$150.00 |
| 5. | Subdivision/Condominium
Agreement | \$700.00 |
| 6. | Registration of Consent,
Site Plan Agreement, or
Release thereof, | \$150.00 |

C. INFORMATION REQUESTS

- | | | |
|-------|---|----------------------|
| 1. a) | Official Plan/Zoning/Building
Compliance letter | \$50.00 per inquiry |
| b) | Consent/Subdivision Agreement
Compliance letter | \$100.00 per inquiry |
| c) | General Development Inquiries
from anyone other than the
registered property owner or
their authorized agent | \$50.00 per inquiry |
| 2. a) | Paper Copy of the Official Plan
(text and small schedules only) | \$35.00 |
| | Compact disc of the Official Plan
(text only) | \$15.00 |
| | Paper Copy of Large Scale
Schedules from the
Official Plan (available in sets only) | \$85.00 per set |

SCHEDULE "A" TO BY-LAW 10-41 Cont'd

b)	Paper Copy of the Development Permit By-law (text only)	\$25.00
	Compact disc of the Development Permit By-law (text only)	\$15.00
	8½ x 11" colour copy of property specific Development Permit By-law Area	\$ 2.00
c)	Copy of the Zoning By-law (text only)	\$20.00
	Compact disc of the Zoning By-law (text only)	\$15.00
	Schedules from the Development Permit/Zoning By-law (available in sets only)	\$45.00 per set
	8½ x 11" colour copy of property specific Development Permit By-law Area	\$ 2.00