

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. 2010-003

A by-law to establish and require payment of various fees and charges for planning applications and to repeal By-law No. 2002-166, as amended

WHEREAS section 60(1) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended provides that a municipality, by its council, may pass by-laws establishing a tariff of fees for the processing of applications made in respect of planning matters.

NOW THEREFORE the Council of The Corporation of the Town of Caledon ENACTS as follows:

1. In this by-law,

“costs” means any and all disbursements incurred by the municipality, and includes, but is not restricted to, any registration costs, title search costs, corporate search costs, survey costs, reference plan costs, advertising costs, circulation costs, notification costs, duplication costs, appraisal costs, outside counsel fees, paralegal fees, site inspection costs, and any applicable taxes including G.S.T., P.S.T. and H.S.T.

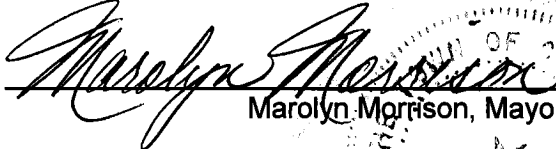
“Town” means The Corporation of the Town of Caledon.

2. (1) Any person requesting or applying for the services or approvals listed in Schedule “A” attached hereto and forming part of this by-law shall pay the fees listed for that service or approval in Schedule “A”.
- (2) No request by any person for a service or approval listed in Schedule “A” shall be acknowledged or performed by the Town unless and until the person requesting the service or approval has paid the fee or charge for the service or approval as set out in Schedule “A” and in section 5 to this by-law.
3. Fees and charges listed in Schedule “A” to this by-law shall, where applicable, be subject to any applicable provincial and federal taxes.
4. (1) All Town accounts and invoices are due and payable when rendered.
- (2) Outstanding Town Accounts and invoices shall bear interest at the rate of 1.5% monthly or 18% per annum, calculated from the first day of the month after the account is overdue
5. (1) In addition to the fees noted in subsection 2(1) above and on Schedule “A” hereto, if peer or legal review costs are incurred by the Town in the processing of a planning application by the Town, the applicant is required to pay these costs to the Town.
- (2) Where the Director of Planning & Development determines upon reasonable grounds that peer and legal review costs will be encountered during the processing of a planning application, the applicant shall deposit with the Town \$25,000.00 or \$10,000.00 depending on the extent of peer and legal review costs that the Director of Planning determines are likely to be encountered.
- (3) If peer and legal review costs during the processing of a planning application exceed the amount deposited with the Town, the applicant shall re-establish the full amount of the deposit or such

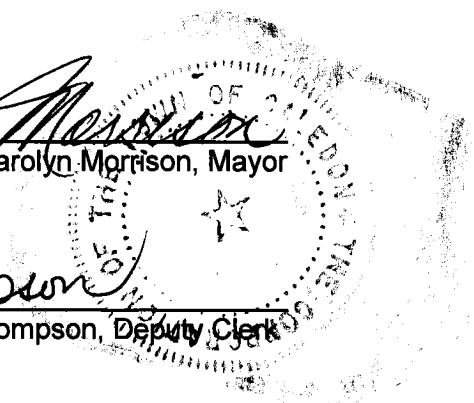
other reasonable amount as is determined by the Director of Planning.

- (4) If peer and legal review costs incurred by the Town in the processing of a planning application are less than the amount deposited with the Town, the Town shall reimburse the unused portion of the deposit.
6. If a court of competent jurisdiction declares any provision, or any part of a provision of this by-law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this by-law, that each and every other provision of this by-law authorized by law, be applied and enforced in accordance with its terms to the extent possible by law.
7. The Town Treasurer may amend the schedule attached to this by-law in order to reflect any legislative or regulatory changes and to make any corrections in regard to any commodity taxes.
8. Schedule A attached to this by-law form part of the Planning Act Fees By-law.
9. By-law 2002-166, 2003-100, 2006-10, 2006-39, 2007-15, 2008-12, 2009-45 and 2009-57, as amended are repealed.
10. This by-law is effective 1 January 2010.
11. This by-law may be referred to as the "Planning Act Fees By-law".

**READ THREE TIMES AND FINALLY
PASSED IN OPEN COUNCIL
this 12th day of January, 2010.**


Marilyn Morrison, Mayor


Debbie Thompson, Deputy Clerk



**TOWN OF CALEDON
PLANNING FEES BY-LAW**

SCHEDULE A

Fee (Excl. Taxes)	JANUARY 1 TO JUNE 30, 2010		JULY 1, 2010 ONWARDS	
	PST	GST	Total Fee	HST

COMMITTEE OF ADJUSTMENT

1. (a)	Minor Variance application - Industrial/Commercial		\$1,600.00			\$1,600.00		\$1,600.00
(b)	Minor Variance application - All other types		\$800.00			\$800.00		\$800.00
(c)	Consent application		\$3,000.00			\$3,000.00		\$3,000.00
(d)	Request to Change Condition(s) of Provisional Consent							
	(i) Change of Conditions requiring Notification		\$1,000.00			\$1,000.00		\$1,000.00
	(ii) Change of Condition(s) not requiring Notification		\$207.00			\$207.00		\$207.00
(e)	Consent Certificate Issuance Fee (Upon delegation of approval authority to give consents from the Region of Peel to the Town of Caledon)		\$500.00			\$500.00		\$500.00
(f)	Deferral of application		\$207.00			\$207.00		\$207.00
(g)	Appeal to Ontario Municipal Board		\$150.00			\$150.00		\$150.00
(i)	Any agreement arising from a decision of the Committee of Adjustment or the Ontario Municipal Board		\$500 plus costs			No taxes applicable		No taxes applicable
(j)	Title searches for purposes of Committee of Adjustment decisions		\$50 plus costs			No taxes applicable		No taxes applicable

Site Plan Applications

2. (a)	Site Plan Application		\$5,000 plus \$1.15/m ² gross floor area (GFA) to maximum fee of \$15,000			No taxes applicable		No taxes applicable
(b)	Site Plan Amendment Application		\$2,500.00			\$2,500.00		\$2,500.00
(c)	Site Plan Agreement (template) including amendment to registered site plan agreement		\$1,000 plus costs		Yes	Fee + GST	Yes	Fee + HST
(d)	Site Plan agreement (customized) including amendment to registered site plan agreement		\$2,000 plus costs		Yes	Fee + GST	Yes	Fee + HST
(e)	Appeal to Ontario Municipal Board		\$150.00			\$150.00		\$150.00
(f)	Director's Approval (Minor)		\$500.00			\$500.00		\$500.00

**TOWN OF CALEDON
PLANNING FEES BY-LAW**

	Fee (Excl. Taxes)	JANUARY 1 TO JUNE 30, 2010		JULY 1, 2010 ONWARDS		
		PST	GST	Total Fee	HST	Total Fee
(g) Director's Approval (Major)	\$1,500.00			\$1,500.00		\$1,500.00

Official Plan Amendment Applications

3. (a) Minor Official Plan Amendment Application	\$7,500.00			\$7,500.00		\$7,500.00
(b) Major Official Plan Amendment Application	\$25,000.00			\$25,000.00		\$25,000.00
(c) Appeal to Ontario Municipal Board	\$150.00			\$150.00		\$150.00

Rezoning Applications

4. (a) Three (3) year extension of Temporary Use By-laws for Garden Suites	\$300 plus cost of advertising or posting on property together with required circulation			No taxes applicable		No taxes applicable
(b) Minor Rezoning Application	\$7,500.00			\$7,500.00		\$7,500.00
(c) Major Rezoning Application	\$15,000.00			\$15,000.00		\$15,000.00
(d) Removal of Holding (H) Zone	\$500.00			\$500.00		\$500.00
(e) Appeal to Ontario Municipal Board	\$150.00			\$150.00		\$150.00

Combined Official Plan Amendment and Rezoning Applications

5. (a) Combined Minor Official Plan Amendment and Rezoning Application	\$7,500.00			\$7,500.00		\$7,500.00
(b) Combined Major Official Plan Amendment and Rezoning Application	\$25,000.00			\$25,000.00		\$25,000.00
(c) Appeal to Ontario Municipal Board	\$150.00			\$150.00		\$150.00

Subdivision Applications

6. (a) Plan of Subdivision Application - Residential	\$5,000 plus \$508 per unit			No taxes applicable		No taxes applicable
(b) Plan of Subdivision Application - Industrial/Commercial	\$5,000 plus \$5,000 per gross hectare			No taxes applicable		No taxes applicable
(c) Plus additional fees, if applicable: (i) Revisions requiring re-circulation (ii) Registration of each phase of a plan (iii) Extension of draft approval (iv) Revised draft approval plan requiring re-circulation (v) Appeal of plan to Ontario Municipal Board	\$1,500.00 \$1,000.00 \$1,000.00 \$5,000.00 \$150.00			\$0.00 \$1,500.00 \$1,000.00 \$5,000.00 \$150.00		\$0.00 \$1,500.00 \$1,000.00 \$5,000.00 \$150.00

**TOWN OF CALEDON
PLANNING FEES BY-LAW**

	Fee (Excl. Taxes)	JANUARY 1 TO JUNE 30, 2010			JULY 1, 2010 ONWARDS	
		PST	GST	Total Fee	HST	Total Fee
(d) Administration fee: plan of subdivision applications filed prior to February 6, 2008	7% of works		Yes	Fee + GST	Yes	Fee + HST
(e) Administration fee for subdivision applications filed after February 5, 2008	0% of works		Yes	Fee + GST	Yes	Fee + HST
(f) Amendment to registered subdivision agreement	\$1,000 plus costs			No taxes applicable		No taxes applicable
(g) Subdivision agreement	\$5,000 plus costs		Yes	Fee + GST	Yes	Fee + HST
(h) Non-routine subdivision agreement requiring more than 70 hours of work, inclusive of both law clerk and solicitor time	\$5,000 minimum Plus \$50 per hour for time of law clerk beyond 70 hours Plus \$100 per hour for time of solicitor beyond 70 hours					
(i) Pre-Servicing Agreement	Plus costs*		Yes	Fee + GST	Yes	Fee + HST
(j) Development Site Grading Agreement			108.15	\$2,271.15	281.19	\$2,444.19
			108.15	\$2,271.15	281.19	\$2,444.19

Condominium Applications

7. (a) Plan of Condominium Application	\$15,000.00			\$15,000.00		\$15,000.00
(b) Plus additional fees, if applicable:				\$0.00		\$0.00
(i) Revisions requiring re-circulation	\$1,500.00			\$1,500.00		\$1,500.00
(ii) Registration of each phase of a plan	\$1,000.00			\$1,000.00		\$1,000.00
(iii) Extension of draft approval	\$1,000.00			\$1,000.00		\$1,000.00
(iv) Revised draft approval plan requiring re-circulation	\$5,000.00			\$5,000.00		\$5,000.00
(v) Appeal of plan to Ontario Municipal Board	\$150.00			\$150.00		\$150.00
(c) Administration fee for Condominium Applications filed prior to February 6, 2008			Yes	Fee + GST	Yes	Fee + HST
(d) Administration fee for Condominium Applications filed after February 5, 2008	7% of works		Yes	Fee + GST	Yes	Fee + HST
	0% of works		Yes	Fee + GST	Yes	Fee + HST

Part Lot Control Exemption Applications

8. (a) Part Lot Control Exemption Application	\$4,000.00			\$4,000.00		\$4,000.00
(b) Extension of part lot control by-law	\$150 plus costs*		Yes	Fee + GST	Yes	Fee + HST
(c) Repeal of part lot control by-law and restriction	\$200 plus costs*		Yes	Fee + GST	Yes	Fee + HST

**TOWN OF CALEDON
PLANNING FEES BY-LAW**

AGREEMENTS

	Fee (Excl. Taxes)	JANUARY 1 TO JUNE 30, 2010		JULY 1, 2010 ONWARDS		
		PST	GST	Total Fee	HST	Total Fee
9.	Cash-in-lieu of Parking Agreement		Yes	Fee + GST	Yes	Fee + HST
10.	Cash-in-lieu of Parkland Dedication Agreement		Yes	Fee + GST	Yes	Fee + HST
11	Garden Suite Agreement		Yes	Fee + GST	Yes	Fee + HST
12	Amending Garden Suite Agreement		Yes	Fee + GST	Yes	Fee + HST
13	Cash-in-lieu of Parking Agreement/Cash-in-lieu of Parkland Dedication Agreement (non-routine) Non-routine agreement requiring more than 7.5 hours of work (inclusive of both law clerk and solicitor time)		Yes	Fee + GST	Yes	Fee + HST

\$500 plus costs*	
\$500 plus costs*	
\$500 plus costs*	
\$200 plus costs*	
\$500 minimum Plus \$50 per hour for time of law clerk beyond 7.5 hours Plus \$100 per hour for time of solicitor beyond 7.5 hours Plus costs*	

* - "+" Costs" include Registry Office Fees and Disbursements (inclusive of GST/HST)