

**CORPORATION OF THE TOWN OF HAWKESBURY  
BY-LAW NO. 21-2008**

**Being a by-law to prescribe a tariff of fees  
for the processing of applications  
made in respect of planning matters**

**REFERENCE: Section 69 of c.P. 13 Subsection 1  
of the Planning Act, R.S.O. 1990.**

**WHEREAS** Section 69 of the Planning Act, Chapter 13, R.S.O. 1990, empowers the Council of a municipality to pass a by-law establishing a tariff of fees for the processing of applications made in respect of planning matters, planning documents and mapping, which tariff shall be designed to meet the anticipated cost to the municipality;

**AND WHEREAS** the Planning and Conservation Land Statute Law Amendment Act (Bill 51), 2006, received Royal Assent on October 19<sup>th</sup>, 2006, and came into effect on January 1<sup>st</sup>, 2007, as specified by proclamation;

**AND WHEREAS** the Planning and Conservation Land Statute Law Amendment Act (Bill 51), 2006, makes numerous changes to the Planning Act relating to land use planning process by providing for earlier consultation and participation in the public notification;

**AND WHEREAS** Council of the Corporation of the Town of Hawkesbury deems it advisable and necessary to revise the tariff of fees schedule for the Planning Department for the processing of all planning applications in order to reflect the changes made to the Planning Act through Bill 51;

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

1. That the following tariff of fees shall apply in respect to the processing of each of the following types of application:

- a) Basic Official Plan Amendment.....\$3,000  
*Modification only of the designation. Development less than 1858 m<sup>2</sup> (20,000 s.f.) or 20 dwelling units.*
- b) Major Official Plan Amendment.....\$5,000  
*Creation of a new policy. Development in excess of 1858 m<sup>2</sup> (20,000 s.f.) or 20 dwelling units.*
- c) Basic Zoning By-law Amendment.....\$3,000  
*Modifications to only the provisions of the zone (no additional use, only a request to modify existing provisions such as height, area, frontage, setbacks, etc...); extension to a zoning boundary to include the existing property; and any amendment required under the conditions of a severance application.) All other shall be considered major.*
- d) Major Zoning By-law Amendment.....\$5,000  
*Major application requiring an Official Plan amendment and development in excess of 1858 m<sup>2</sup> (20,000 s.f.) or 20 dwelling units, and any application other than a basic amendment.*
- e) Removal of Holding Zone.....\$1,500
- f) Applications to the Minor Variance Committee..... \$500

- g) Applications to Council for preliminary review and consideration of plans of subdivision prior to the approval where the application involves:
    - (i) 25 acres or less ..... \$2,500 + all legal fees
    - (ii) over 25 acres ..... \$4,000 + all legal fees
  - h) Applications to Council for preliminary review and consideration of plans of condominium prior to the approval:..... \$2,500 minimum or \$115.00 per unit
  - i) Applications to Council for an exemption of condominium plan.....\$350.00
  - j) Applications to Council for the preparation and review of subdivision agreements: .....\$2,500 + all legal fees + \$2,500 supervision
  - k) Part Lot Control: ..... \$350 + all legal fees
  - l) Encroachment Agreement .....\$350 + all legal fees
  - m) For all Site Plan Agreements between a developer or redeveloper and the Town of Hawkesbury:
    - Site Plan Agreement .....\$1,000 + \$1,500 deposit for legal fees and supervision
    - Amendment to a Site Plan Agreement .....\$600 + \$1,500 deposit for legal fees and supervision
  - n) Application to Council for the review of consents, severances or any other application of the Land Division Committee... . \$650
  - o) Refund: Eighty percent (80%) of the Initial Application Fee shall be returned if an application is rejected by the Council as being incomplete or withdrawn prior to circulation.
  - p) A 15% administrative fee shall be charged for the processing of any invoice for professional services.
2. All applicants shall pay to the Municipality an amount equal to all legal, engineering and planners fees and disbursements incurred by the Municipality for advice with regard to any applications made in respect of planning matters. All legal fees shall be professional fees.
  3. Should the zoning and/or official plan amendment application require an Ontario Municipal Board hearing, the applicant shall pay the O.M.B. application fees as established by O.M.B. from time to time. In the event the Town attends the O.M.B. hearing on behalf of the applicant to defend the Official Plan or Zoning By-law or other related planning matters, the applicant shall deposit to the Town an amount of \$10,000.00 for all legal and administrative fees.
  4. By-law 82-2007 is hereby repealed.
  5. This by-law shall come into force and effect on March 31, 2008.

**READ A FIRST, SECOND AND DULY PASSED UPON THE THIRD READING THIS 31<sup>st</sup> DAY OF MARCH, 2008.**

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Mayor

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Clerk

