

BY-LAW NUMBER 24-2016
OF
THE REGIONAL MUNICIPALITY OF DURHAM

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

WHEREAS Subsection 69(1) 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.

NOW, THEREFORE, BE IT ENACTED AND IT IS HEREBY ENACTED as a by-law of The Regional Municipality of Durham by the Council thereof as follows:

1. In this by-law,
 - (a) "Delegated Municipalities" means the City of Oshawa, City of Pickering, Municipality of Clarington, Town of Ajax and Town of Whitby;
 - (b) "Major Regional Amendment Application" means an application to amend the Durham Regional Official Plan involving a change in land use designation, or policy that requires major technical studies, extensive analyses and consultation;
 - (c) "Minor Regional Amendment Application" means a site specific application to amend the Durham Regional Official Plan which is small in scale and involves a land use with minor and predictable impacts;
 - (d) "major" means a revision to a plan of subdivision or condominium application that is subject to:
 - i) A Delegated Municipality circulating the revision to the Region of Durham and itself collects a fee for the circulation; or
 - ii) The Region of Durham acting as approval authority re-circulates the applications or makes revisions to the conditions of draft approval.
 - (e) "non-exempt" means area municipal official plan amendment applications which exhibit Regional and/or Provincial interest and require Regional approval;
 - (f) "non-potable request" means a written notice by an owner/applicant to the Region and local municipality of intent to apply the non-potable site condition standards in preparing an Environmental Site Assessment (ESA) and/or Record of Site Condition (RSC) for a property;
 - (g) "Planning Act" means the *Planning Act*, R.S.O. 1990 c. P. 13;
 - (h) "Type 1" Certificate of Approval / Environmental Compliance Approval Application means an application circulated by the Ministry of the Environment and Climate Change where no Regional interests have been identified and a Regional Council resolution is not required; and,
 - (i) "Type 2" Certificate of Approval / Environmental Compliance Approval Applications means an application circulated by the Ministry of the Environment and Climate Change where there are Regional issues identified and/or a hearing is requested under the Environmental Protection Act and a recommendation is presented to Regional Council;
 - (j) "Standard Clearance" means clearance of Regional Planning Division conditions which may include conditions from other Regional Departments;

- (k) “Standard Review” means review and comments of rezoning applications which propose new physical development and/or reports/studies are required as part of the application;
- (l) “Minor Review” means review and comments of rezoning applications which change or broaden the range of permitted uses within existing development and no reports/studies are required as part of the application;
- (m) “Renewable Energy Approval” means an application circulated by the Ministry of the Environment and Climate Change for projects utilizing wind, solar or bio-energy such as thermal or anaerobic digestion;
- (n) “Minister’s Zoning Order” (MZO) means a site specific application circulated by the Ministry of Municipal Affairs and Housing to amend or revoke a MZO.

2. The following tariff of fees is hereby established for the following types of applications:

- (a) \$7,000.00 for each Minor Regional Amendment Application;
- (b) \$20,000.00 for each Major Regional Amendment Application;
- (c) \$2,500.00 for the re-activation of a Regional Official Plan Amendment after three (3) or more years of inactivity; and
- (d) For each application for a consent to convey, mortgage or charge land, or grant, assign or exercise a power of appointment in respect of land submitted to the Durham Region Land Division Committee:
 - i) \$1,000.00 for the application;
 - ii) \$300.00 for the review and comments of the Planning Division;
 - iii) \$500.00 for a Special Meeting;
 - iv) \$150.00 for tabling the application at the request of the applicant; and
 - v) \$750.00 for stamping a deed and finalizing documents for applications that create new lots and for stamping leases, mortgages and deeds for realignment of lot lines.
 - vi) \$250.00 for re-stamping a deed.
- (e) \$2,000.00 for processing an area municipal official plan amendment application initiated by an applicant;
- (f) \$4,000.00 for Regional approval of an adopted non-exempt area municipal official plan amendment initiated by the applicant;
- (g) \$250.00 for the preparation of a record for all applications appealed to the Ontario Municipal Board by an applicant;
- (h) For the review and comments on rezoning applications/zoning by-laws not related to any other planning application requiring Regional review:
 - i) \$1,500.00 for a Standard Review fee,
 - ii) \$500.00 for a Minor Review fee;
- (i) \$500.00 for non-potable request;
- (j) Publication costs associated with notice requirements of the Planning Act shall be borne by the applicant;

- (k) \$300.00 for "Type 1" Ministry of the Environment and Climate Change Certificate of Approval / Environmental Compliance Approval applications not associated with a Regional Official Plan Amendment application;
 - (l) \$1,000.00 for "Type 2" Ministry of the Environment and Climate Change Certificate of Approval / Environmental Compliance Approval applications not associated with a Regional Official Plan Amendment application;
 - (m) \$500.00 for the review and comments on a part-lot control exemption application circulated from Delegated Municipalities;
 - (n) \$1,000.00 for the review and comments on Ministry of the Environment and Climate Change Renewable Energy Approval applications;
 - (o) \$1,000.00 for the review and comments on Ministry of Municipal Affairs and Housing Minister's Zoning Order Amendment applications.
3. The following tariff of fees is hereby established for the processing of subdivision and condominium applications respecting lands in the Township of Brock, Scugog and Uxbridge:
- (a) \$4,500.00 for each application and \$100 per unit for any unit in excess of 50 units and \$1,125.00 for final approval of a plan of subdivision; and
 - (b) \$4,500.00 for each application and \$100 per unit for any unit in excess of 50 units and \$1,125.00 for final approval of a condominium description.
4. The fee for the processing and approval of a part-lot control exemption by-law in the Township of Brock, Scugog and Uxbridge shall be \$ 250.00 and \$100.00 per unit for any unit in excess of 5 units.
5. The following tariff of fees is hereby established for the processing of subdivision and condominium applications respecting lands in the Delegated Municipalities:
- (a) \$3,000.00 for the review of each application for approval of a plan of subdivision;
 - (b) \$1,500.00 for the review of each application for approval of a standard or leasehold condominium;
 - (c) \$3,000.00 for the review of each application for approval of a vacant land condominium;
 - (d) \$1,000.00 for the review of each application for approval of a common element condominium;
 - (e) \$1,500.00 for the review of each application for approval of a phased condominium;
 - (f) \$1,500.00 for the review of each application for approval of a condominium conversion;
 - (g) \$1,000.00 for the standard clearance of Regional conditions from delegated subdivision and condominium draft approvals for each phase of final approval and registration; and
 - (h) \$1,500 for a major applicant initiated amendment/red-line revision/change of conditions to a subdivision or condominium application.
6. All fees are to be paid by cheque or money order made payable to The Regional Municipality of Durham.

7. This by-law shall be known as the “Region of Durham Planning Application Fee By-law”.
8. By law No. 37-2014 of The Regional Municipality of Durham is hereby repealed effective the 30th day of June, 2016.
9. This by-law shall come into force on the 1st day of July, 2016.

BY-LAW read and passed this 18th day of May, 2016.

Roger Anderson, Regional Chair and CEO

Debi A. Wilcox, Regional Clerk