

**THE CORPORATION OF THE  
MUNICIPALITY OF CHARLTON AND DACK**

**BY-LAW NO. 196**

**BEING A BY-LAW TO PRESCRIBE A TARIFF OF FEES FOR THE PROCESSING OF  
APPLICATIONS IN RESPECT TO VARIOUS PLANNING MATTERS.**

**WHEREAS** the Planning Act, R.S.O., 1990, c.P13, as amended, Section 69(1) 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 Planning Act, R.S.O., 1990, c.P13, as amended, Section 69(2) provides that despite a tariff of fees established under subsection (1), the council of a municipality, a planning board, a committee of adjustment or a land division committee in processing an application may reduce the amount of or waive the requirement for the payment of a fee in respect of the application where the council, planning board or committee is satisfied that it would be unreasonable to require payment in accordance with the tariff.

**AND WHEREAS** the Council of the Corporation of the Municipality of Charlton and Dack deems it desirable to prescribe a consistent tariff of fees for the processing of applications made in respect to planning matters in the Central Timiskaming Planning Board Area;

**NOW THEREFORE** the Council of the Corporation of the Municipality of Charlton and Dack hereby enacts as follows:

1. **THAT** every person who makes application to the Council or the Committee of Adjustment, as the case may be, in respect to the following planning matters shall pay to the Corporation, payable upon submission of the application, the applicable fee as follows:

<b>Planning Application</b>	<b>Fee</b>
Zoning By-law Amendment	\$ 1,500.00
Lifting 'h' symbol	\$ 500.00
Minor Variance/Permission	\$ 225.00
Part-lot Control	\$ 500.00
Site Plan Control	\$ 650.00
Site Plan Agreement	\$ 1000.00

2. **THAT** notwithstanding Section 1, the Council may, in processing an application, by resolution reduce the amount of or waive the requirement for the payment of the prescribed fee in respect of the application where the Council is satisfied that it would be unreasonable to require payment in accordance with the tariff.
3. **THAT** the planning application fees set out in this by-law shall not be deemed to limit the municipality from requiring any applicant to enter into an agreement to recover any and all actual costs which may be incurred by the municipality in the review and processing of the application and which may be additional to the prescribed fee(s).
4. **THAT** a pre-consultation fee of \$150.00 shall be due and payable upon demand for consultation services provided before a planning application is submitted including a site visit, the preparation of a Planning Report or Planning opinion as conducted by the contract land use planner.
5. **THAT** any proponent of development shall pay a deposit of \$5,000 towards the cost of any proceedings before the Ontario Municipal Board in an appeal where the application is supported by the municipality. The proponent will be refunded the difference in the costs where they are determined by the Clerk to be less than the \$5,000; conversely, the proponent will be required to submit one or more additional deposits where the costs are anticipated to exceed the initial deposit.
6. **THAT** payment of fees provided herein are subject to the right of protest and appeal by the applicant under Section 69(3) of the Planning Act, R.S.O. 1990 c.P.13, as amended.

7. **THAT** this by-law shall come into force and effect upon the final passage thereof, and that all by-laws, parts of by-laws and resolutions inconsistent with this By-law are hereby repealed.

READ A FIRST AND SECOND TIME AND FINALLY PASSED THIS 13TH DAY OF JANUARY, 2014.

  
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WAYNE PAWSON/REEVE

  
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DAN THIBEAULT/CLERK-TREASURER CAO