

## THE CORPORATION OF THE MUNICIPALITY OF BLUEWATER

### BY-LAW NUMBER 120 – 2020

Being a By-law to provide for various Fees & Charges and to repeal By-law Numbers 136 – 2019, 18 – 2020 and 35 – 2020

**WHEREAS** section 391. (1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended, (*“Municipal Act”*) provides that, without limiting sections 9, 10 and 11, those sections authorize a municipality to impose fees or charges on persons,

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any municipality or local board;
- (c) for the use of its property including property under its control; and

**WHEREAS** under section 391. (3) of the *Municipal Act* the costs included in a fee or charge may include costs incurred by the municipality or local board related to administration, enforcement and the establishment, acquisition and replacement of capital assets; and

**WHEREAS** under section 391. (4) of the *Municipal Act* a fee or charge may be imposed whether or not it is mandatory for the municipality or local board imposing the fee or charge to provide or do the service or activity, pay the costs or allow the use of its property; and

**WHEREAS** under section 398. (1) of the *Municipal Act* fees and charges imposed by a municipality or local board on a person constitute a debit of the person to the municipality or local board respectively; and

**WHEREAS** section 69 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended (*“Planning Act”*) 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 costs 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

**NOW THEREFORE** The Council of the Corporation of the Municipality of Bluewater enacts as follows:

#### 1. INTERPRETATION

- 1.1 That in this By-law unless a contrary intention appears:

- (a) "Development Deposit" means a cash payment remitted to the Municipality held without interest by the Municipality to recover unpaid External Costs.
- (b) "External Costs" means professional services costs incurred by the Municipality to process and review a development or property related application/request included but not limited to legal, planning, survey, property title, engineering, real estate appraisal, peer review of studies and advertising.
- (c) "HST" means Harmonized Sales Tax.
- (d) "Municipality" means The Corporation of the Municipality of Bluewater.
- (e) "Person" means an individual, unincorporated association, sole proprietorship, partnership, corporation or municipality.
- (f) "Staff Costs" means the current hourly wage rate plus the associated payroll burden.

## **2. APPROVAL**

That the fees and charges listed in the column headed "Fee" on Schedule "A" of this By-law are approved and imposed for the associated "Service/Activity" commencing on the date of passage of this By-law.

That Schedule "A" forms part of this By-law.

## **3. TAXES**

That the fees and charges listed in Schedule "A" of this By-law are subject to HST where applicable and shall be added to the fee and charge.

## **4. WHEN PAYABLE**

That the fees and charges listed in Schedule "A" of this By-law plus all applicable taxes are due and payable:

- (a) at the time of the transaction for which the fees or charge is imposed; or
- (b) if subsection 4.(a) is not applicable on the due date specified in any invoice issued by the Municipality of Bluewater to any person or party in connection with a fee or charge listed on Schedule "A" to this By-law; or
- (c) if subsection 4. (a) or (b) is not applicable on the due date specified in the terms of a contract signed by the Municipality.

## **5. EXTERNAL COSTS**

That in addition to any planning, development or agreement fee all external costs incurred by the Municipality in processing and review of a project shall be recovered from the applicant/requester. External costs will be invoiced to the applicant/requester as they are received.

That in addition to any application/request for a highway disposition and sale of land, all external costs incurred by the Municipality in processing the application/request shall be recovered from the applicant/requester. External costs will be invoiced to the applicant/requester prior to approval of an agreement of purchase and sale.

## **6. DEPOSIT ON ACCOUNT OF EXTERNAL COSTS**

6.1 That all planning, development or agreement applications/requests shall include a Development Deposit to be held until the project is completed.

In the event that any invoices for external costs are not paid within ninety (90) days of project completion, amounts owing will be deducted from the Development Deposit.

6.2 Applicants for highway disposition or sale of land shall submit a Development Deposit upon receipt of advice from the Manager of Development Services that staff and commenting agency review is complete. The advice shall include the amount of Development Deposit, which is an estimate of professional fees to be incurred.

Any outstanding amounts owing at the time of approval of an agreement of purchase and sale will be added to the sale price.

6.3 That any unused portion of a Development Deposit will be returned to the party that paid the Development Deposit following project completion. No interest is paid on Development Deposits held by the Municipality.

6.4 That the Municipality may request an applicant/requester/developer to execute a Deposit Agreement when a development project is expected to incur external costs exceeding \$15,000.00.

## **7. INTEREST CHARGES**

That any portion of a fee or charge that remains unpaid beyond the date fixed for payment shall bear interest at the rate of 1.25% (15% per annum) after thirty (30) days and each month thereafter until such fee or charge is paid in full.

**8. COLLECTION – UNPAID INVOICES**

8.1 That fees and charges in Schedule “A” of this By-law imposed on a person or party constitute a debt of the person or party to the Corporation of the Municipality of Bluewater. The Treasurer of a local municipality may add the fees and charges imposed by the municipality to the tax roll for the following property in the local municipality and collect them in the same manner as municipal taxes.

- i) In the case of fees and charges for the supply of a public utility, the property to which the public utility was supplied.
- ii) In all other cases any property for which the owners are responsible for paying the fees and charges.

8.2 That in accordance with subsection 8.1 (1.) and (2.) unpaid charges on invoices, including interest charges will be added to the tax roll after 6 months or billing cycles.

9. That this By-law shall supersede any other By-law and/or resolution inconsistent with the provisions set out herein.

10. If a Court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid the remainder of this By-law shall be valid and remain in full force and effect.

11. This By-law shall come into full force an effect on November 2, 2020.

12. By-law Numbers 139 – 2019, 18 – 2020 and 35 – 2020 are hereby repealed.

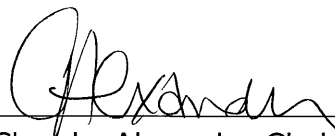
By-law read a first and second time this 2<sup>nd</sup> day of November, 2020.

By-law read a third time and finally passed this 2<sup>nd</sup> day of November, 2020.



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Paul Klopp, Mayor



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Chandra Alexander, Clerk

THE CORPORATION OF THE MUNICIPALITY OF BLUEWATER

SCHEDULE "A" to BY-LAW NUMBER 120 - 2020

<b>Service/Activity</b>	
Building Permit Fees - see the current Building By-law	
Development Charges Fees - see the current Development Charges By-law	
Planning Application Fees - see the current Planning Act Applications Fees By-law	
Water and Sewer Fees - see the current Water and Sewer Services Fees By-law	
Fire Department Fees - see the current Fire Department Fees for Services By-law	
<b>Service Grouping: Administration</b>	<b>Fee</b>
Tax Certificate	\$ 50.00
Property Information Report	\$ 75.00
Property Information Report - analysis of current survey respecting zoning by-law compliance; survey created within ninety (90) days of request for analysis	\$ 75.00
Request for letter of agreement compliance	\$ 100.00
Information Searches - search, research, copying - first ½ hour	No charge
Information Searches - search, research, copying - every hour after ½ hour relating to a single enquiry	\$ 35.00
Certification of Documents	\$ 15.00
Administration of an oath or declaration - Planning Act applications are exempt	\$ 10.00
Courier charge - minimum weight package/envelope	\$ 30.00
Courier charge - over minimum weight package/envelope	\$ 30.00 plus External Costs
Print or copy of document - black and white	\$ 0.25
Print or copy of document - colour	\$ 0.75
Print plan/map - larger than ledger size (11" X 17")	\$ 10.00
<b>Service Grouping: Planning, Development and Property Services</b>	<b>Fee</b>
Request and process property title information from Title Searcher	\$ 75.00 plus External Costs
Acquire parcel information from ONLAND	\$ 25.00 plus External Costs

Document and By-law registrations in Land Registry systems	\$ 87.50 plus External Costs
Consent to Applications for First Registration in Land Titles	\$ 200.00 plus External Costs
Request for release of registered by-laws	\$ 200.00 plus External Costs
Prepare and process easements and property transfers required as a condition of development approval	\$ 350.00 plus External Costs
Application for Highway Closure and Disposition of Land	\$ 525.00 plus External Costs
Municipal Review and Concurrence of an Antenna System	\$ 200.00 plus External Costs
Request for Municipal Review and Concurrence of Utility projects and completion of Municipal Consultation Form for renewable energy projects	Staff Costs plus External Costs
Request to list 0.3 m reserve	\$ 200.00 plus External Costs
Arrange preparation of Subdivision, Condominium, Site Plan Control, Development, Minor Variance, Consent, Servicing, Miscellaneous Agreements and Amending Agreements	\$ 325.00 plus External Costs
Request for Release of Agreement	\$ 525.00 plus External Costs
Site Plan Control - Minor Application and Amendment to Minor Application	\$ 250.00 plus External Costs
Site Plan Control - Major Application and Amendment to Major Application	\$ 500.00 plus External Costs
Development Inspection Fees - Interim and/or Project Completion - initial two (2) inspections	No charge
Development Inspection Fees - Interim and/or Project Completion - each additional inspection	\$ 125.00 plus External Costs
Development Deposit - Development, Minor Variance, Consent, Servicing, Miscellaneous and Amending Agreements; Major Encroachment Agreement	\$ 1,000.00 plus External Costs
Development Deposit - Plan of Subdivision, Plan of Condominium, Major Site Plan Control Approval (Site Plan Control as determined by the Chief Building Official)	\$ 5,000.00 plus External Costs
Request for Private Road Naming	\$ 350.00

	plus External Costs
Encroachment Application - Major Application, Minor Application includes Permit (if approved) and Patio/Café Permit (if approved)	\$ 125.00
Encroachment - Quinquennial Inspection	\$ 125.00
<b>Sewage System Comments</b> - where two (2) applications are being processed together, only one fee will apply, being the higher of the fees.	
Comment - existing sewage system - Official Plan Amendment	\$ 181.00
Comment - existing sewage system - Zoning By-law Amendment	\$ 127.00
Comment - existing sewage system - Minor Variance	\$ 127.00
Comment - existing sewage system - Severance (resulting in two properties or fewer)	\$ 268.00
Comment - Severance (resulting in three properties or more)	\$ 509.00
Comment - Plan of Subdivision/Condominium	\$ 1,058.00
<b>Service Grouping: Licenses/licenses</b>	<b>Fee</b>
Marriage Licence	\$ 100.00
Lottery Licenses:	
Bingo License	\$ 3% of the prize value
Raffle License	\$ 3% of the prize value - minimum \$5.00
Break Open License	\$ 3% of the prize value
<b>Service Grouping: Waste Management</b>	<b>Fee</b>
Minimum charge for waste other than bags	\$ 10.00
Industrial Packer - per yd <sup>3</sup>	\$ 20.00
Residential Packer - per yd <sup>3</sup>	\$ 20.00
Industrial truck or container (loose) - per yd <sup>3</sup>	\$ 15.00
Large truck, wagon or trailer - up to 5 yd <sup>3</sup>	\$ 60.00
Full size pickup 8 ft. box - level 2 yd <sup>3</sup> - above level charge by yd <sup>3</sup>	\$ 30.00
Mid size pickup 6 ft. box - level 1.5 yd <sup>3</sup> - above level charge by yd <sup>3</sup>	\$ 25.00
Small size pickup 5 ft. box - level 1.0 yd <sup>3</sup> - above level charge by yd <sup>3</sup>	\$ 20.00
Pick up truck with small trailer - add t pickup charges above	\$ 20.00
Car, truck, couches, mattresses etc.	\$ 10.00
Burnables (wood) any type of lumber, furniture etc.	Applicable rate

Asphalt shingles, drywall	Double applicable rate
Stoves, water tanks, bed springs, scrap metal	No charge
Fridges, freezers, air conditioners, any item tagged freon free	No charge
<b>Service Grouping: Facilities &amp; Recreation</b>	<b>Fee</b>
<b>Halls</b>	
Main Hall - Hensall, Stanley, Zurich, including kitchen and bar - per day. Includes weddings.	\$ 619.47
Buck and Doe surcharge - per day	\$ 100.00
Prior day to decorate or day after clean up - per day	\$ 100.00
Family-related functions/company meeting, unlicensed (kitchen included) until 9 p.m. - per day	\$ 177.88
Family-related functions/company meeting, licensed (kitchen included) until 9 p.m. - per day	\$ 244.25
Funeral lunch/Celebration of Life, unlicensed - per day	\$ 177.88
Beer/Liquor Cups (sleeve of 50)	\$ 3.50
Main Hall - sports (i.e. volleyball, floor hockey, pickleball) - per hour	\$ 31.86
Hensall Upstairs Hall (kitchen/bar included) - per day	\$ 88.50
<b>Ice Rates</b>	
Youth - Prime (weekdays from 4 p.m. to close, all day on weekends) - per hour	\$ 115.93
Adult - Prime (weekdays from 4 p.m. to close, all day on weekends) - per hour	\$ 124.78
Non - Prime - per hour	\$ 74.34
Ticket Ice - per hour	\$ 8.85
Ice Surface (no ice, off season) - per day	\$ 619.47
Ice Surface - Buck and Doe surcharge - per day	\$ 100.00
Ice Surface - off season sports (i.e. volleyball, floor hockey, pickleball) - per hour	\$ 31.86
<b>Ball Diamond/Soccer Pitch</b>	
Minor Ball or Soccer Team - per team - per season	\$ 154.87
Single Diamond Rental - per game	\$ 53.10
Adult Ball per team - per season	\$ 354.87
Tournament - One day, one diamond	\$ 177.88
Tournament - Three days, two diamonds	\$ 442.48
<b>Pavillion Rental</b>	
Per Day	\$ 53.10
<b>Service Grouping: Miscellaneous</b>	<b>Fee</b>
Line Fences Act - request for award by fence-viewer	\$ 150.00



Property Blade Sign - production and installation of property blade sign	\$ 35.00
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