



THE CORPORATION OF THE MUNICIPALITY OF SHUNIAH

BY-LAW NO 3288-23

Being a by-law to prescribe a tariff of fees for the processing of applications made in respect of Planning Act matters and to Repeal By-law No. 3208-21.

**Recitals:**

- a) Section 69 of the *Planning Act* permits the Council of a municipality to pass a by-law prescribing a tariff of fees for the processing of an application made with respect to planning matters.
- b) Council deems it expedient to further repeal and place By-law No. 3208-21 to update existing tariff of fees.

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF SHUNIAH ENACTS AS FOLLOWS:

1. The tariff of fees for the processing of applications made with respect to planning matters under the *Planning Act* shall be as set out in Schedule "A" attached hereto.
2. If an application was commenced and received by The Corporation of the Municipality of Shuniah prior to the coming into force of the enabling by-law, the application fees and other costs related to the application shall be the fees and other costs related to the application that Council had prescribed for such application immediately prior to the coming into force of the enabling by-law.
3. Any conflict of fees outlined in any other by-law passed prior to the date of passing of this by-law; the fees as set out in Schedule "A" as may be amended from time to time, shall prevail.
4. That By-law No. 3208-21 is hereby repealed.
5. That Schedule "A" be an integral part of this by-law.
6. That this By-law shall come into force and take effect upon final passage hereof.

READ A THIRD AND FINAL TIME THIS 28<sup>th</sup> DAY OF MARCH, 2023

Wendy Landry  
Mayor

JBellamy  
Clerk

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Clerk

**1. Official Plan amendment**

- 1.1. The pre-consultation fee as set out in the Municipality's Fee By-law is to be paid when the application to amend the Official Plan is submitted for pre-consultation.
- 1.2. The application fee as set out in the Municipality's Fee By-law is to be paid when application to amend the Official Plan is submitted.
- 1.3. A cheque payable to the Lakehead Region Conservation Authority in the applicable amount specified by the Lakehead Region Conservation Authority is to be submitted with the application.
- 1.4. A cheque payable to the Municipality of Shuniah in the applicable amount specified on the Municipality's Fee By-law is to be submitted with the application.
- 1.5. If an Official Plan Amendment adopted by Council is appealed to the Ontario Land Tribunal, the applicant will be required to reimburse the Municipality for all legal fees and disbursements incurred by it. For this purpose a deposit as indicated in the Municipality's Fee By-law will be required after the submission of the appeal to the Ontario Land Tribunal. When the matter has been concluded the applicant will be billed any additional amount owing or refunded any surplus remaining.

**2. Zoning Amendment Application**

- 2.1. The pre-consultation fee as set out in the Municipality's Fee By-law is to be paid when the application to amend the Zoning By-law is submitted for pre-consultation.
- 2.2. A cheque payable to the Municipality of Shuniah in the applicable amount specified on the Municipality's Fee By-law is to be submitted with the application.
- 2.3. A cheque payable to the Lakehead Region Conservation Authority in the applicable amount specified by the Lakehead Region Conservation Authority is to be submitted with the application.
- 2.4. Actual cost of planning reports obtained by the Municipality to process the application from outside sources will be the responsibility of the applicant.
- 2.5. If the applicant amends the application and a further public meeting under subsection 34 (12) of the *Planning Act*, is required, an additional fee as set out in the Municipality's Fee By-law is to be paid prior to the circulation of the public meeting notice.
- 2.6. If a Zoning By-law passed by Council is appealed to the Ontario Land Tribunal, the applicant will be required to reimburse the Municipality for legal fees and disbursements incurred by it. For this purpose a deposit as indicated in the Municipality's Fee By-law will be required after the submission of the appeal to the Ontario Land Tribunal. When the matter has been concluded the applicant will be billed any additional amount owing or refunded any surplus remaining. If a deposit has been obtained for a companion Official Plan amendment appealed to the Ontario Land Tribunal, no additional deposit will be required by the Municipality.
- 2.7. The fee as set out in the Municipality's Fee By-law is to be paid when a request to remove Holding Symbol is submitted.

**3. Consent Application**

- 3.1. The pre-consultation fee as set out in the Municipality's Fee By-law is to be paid when each consent application is submitted for pre-consultation.
- 3.2. A cheque payable to the Municipality of Shuniah in the applicable amount specified on

the Municipality's Fee By-law is to be submitted with each consent application.

- 3.3. A cheque payable to the Lakehead Region Conservation Authority in the applicable amount specified by the Lakehead Region Conservation Authority is to be submitted with the application.
- 3.4. Actual cost of planning reports obtained by the Municipality to process the application from outside sources will be the responsibility of the applicant.
- 3.5. The fee as set out in the Municipality's Fee By-law for each document to be paid when a Certificate of Secretary-Treasurer is issued.
- 3.6. The fee as set out in the Municipality's Fee By-law is to be paid when request to change conditions is of consent submitted.
- 3.7. If a Consent granted by the Committee of Adjustment is appealed to the Ontario Land Tribunal, the applicant will be required to reimburse the Municipality for legal fees and disbursements incurred by it. For this purpose a deposit as indicated in the Municipality's Fee By-law will be required after the submission of the appeal to the Ontario Land Tribunal. When the matter has been concluded the applicant will be billed any additional amount owing or refunded any surplus remaining. If a deposit has been obtained for a companion Official Plan amendment appealed to the Ontario Land Tribunal, no additional deposit will be required by the Municipality.

#### **4. Minor Variance Applications**

- 4.1. The pre-consultation fee as set out in the Municipality's Fee By-law is to be paid when each minor variance application is submitted for pre-consultation.
- 4.2. A cheque payable to the Municipality of Shuniah in the applicable amount specified on the Municipality's Fee By-law is to be submitted with each minor variance application.
- 4.3. A cheque payable to the Lakehead Region Conservation Authority in the applicable amount specified by the Lakehead Region Conservation Authority is to be submitted with the application.
- 4.4. Actual cost of planning reports obtained by the Municipality to process the application from outside sources will be the responsibility of the applicant.
- 4.5. If a Minor Variance granted by the Committee of Adjustment is appealed to the Ontario Land Tribunal, the applicant will be required to reimburse the Municipality for legal fees and disbursements incurred by it. For this purpose a deposit as indicated in the Municipality's Fee By-law will be required after the submission of the appeal to the Ontario Land Tribunal. When the matter has been concluded the applicant will be billed any additional amount owing or refunded any surplus remaining. If a deposit has been obtained for a companion Official Plan amendment appealed to the Ontario Land Tribunal, no additional deposit will be required by the Municipality.

#### **Subdivision or Condominium Application**

- 5.1. The pre-consultation fee as set out in the Municipality's Fee By-law is to be paid when the subdivision application is submitted for pre-consultation.
- 5.2. A cheque payable to the Municipality of Shuniah in the applicable amount specified on the Municipality's Fee By-law is to be submitted with a subdivision application. Lots or blocks to be deeded to public agencies will be exempt from the additional lot block fee indicated in the Municipality's Fee By-law.
- 5.3. A cheque payable to the Municipality of Shuniah in the applicable amount specified on the Municipality's Fee By-law is to be submitted with the condominium application. Parking units and locker units will be exempt from the additional unit fee.
- 5.4. A cheque payable to the Lakehead Region Conservation Authority in the applicable amount specified by the Lakehead Region Conservation Authority is to be submitted with the application.

5.5. If a subdivision or condominium plan approved by the Municipality is appealed to the Ontario Land Tribunal, the applicant will be required to reimburse the Municipality for all legal fees and disbursements incurred by it. For this purpose a deposit as indicated in the Municipality's Fee By-law will be required after the submission of the appeal to the Ontario Land Tribunal. When the matter has been concluded the applicant will be billed any additional amount owing or refunded any surplus remaining. If a deposit has been obtained for a companion Official Plan Amendment appeal or Zoning amendment appeal to the Ontario Land Tribunal, no additional deposit will be required by the Municipality.

## **6. Removal of Holding Symbol**

6.1. A cheque payable to the Municipality of Shuniah in the applicable amount specified on the Municipality's Fee By-law is to be submitted with the request of the removal of the Holding Symbol.

6.2. Actual cost of planning reports obtained by the Municipality to process the application from outside sources will be the responsibility of the applicant.

6.3. A cheque payable to the Municipality of Shuniah in the applicable amount specified on the Municipality's Fee By-law is to be submitted with an application for Interim Control By-law.

6.4. Actual cost of planning reports obtained by the Municipality to process the application from outside sources will be the responsibility of the applicant.

## **7. Other Planning Agreements**

7.1. Site plan control agreements, development agreements or any other agreement not specified in this Schedule; the fee as set out in the Municipality's Fee By-law is to be paid prior to the submission of the by-law to Council for any such agreements.

7.1.1. The executed agreement shall specify that the owner reimburse the Municipality for legal fees and disbursements, engineering, surveying and other fees incurred by the Municipality in the negotiation, preparation, registration and implementation of the provisions and matters covered by the agreement.