

Planning and Development Fees Policy - 2021

Under
Section 21 (m.1) of the *Conservation Authorities Act*

For the
Lake Simcoe Region Conservation Authority

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Dated: January 1, 2021

Basis

Legislative

The *Conservation Authorities Act* provides the legislative basis to allow conservation authorities in Ontario to charge fees for services approved by the Minister of Natural Resources. Section 21(m.1) of the *Act* allows for the collection of fees for planning and development related activities such as:

- Permitting
- Plan review
- Public and legal inquiries

Policy

The Ministry of Natural Resources (MNR) established the *Policies and Procedures for the Charging of Conservation Authority Fees* to fulfill Section 21(m.1) of the *Conservation Authorities Act*. These *Policies and Procedures* further provide the Lake Simcoe Region Conservation Authority (LSRCA) with the policy basis to charge fees for planning and development proposals.

Principles

As a result of the legislative and policy basis, the LSRCA's Fees Policy is based on the following:

- The user-pay principle
- Adequate consultation and notification
- Opportunity or right to an appeal

Planning and Development Fees Policy - 2021

Relationship to Planning and Development Program Budget

The fees on the attached Schedules are designed to recover 100% of the cost of providing a planning and regulatory service to the member municipalities, development industry, and landowners.

Process and Notification

In 2008, a Working Group was established with members of BILD (Building Industry and Land Development Association) and planning staff of the LSRCA. The purpose of the Working Group was to review the proposed changes to the existing Fees Policy in accordance with its monitoring provisions. This revised Policy reflects the discussions and consensus achieved with BILD. Ultimately, this Fees Policy requires approval by the LSRCA Board of Directors (BOD). Once approved, the Policy is posted on the LSRCA website and is circulated to:

- Regional and local municipalities
- Neighboring Conservation Authorities
- Conservation Ontario
- Ministry of Natural Resources
- BILD
- OSSGA
- Consultants and the general public as requested

The update for 2021 is based upon direction from the Board of Directors to update the Fee Schedule to address Cost of Living (2%). (Reference: 30-20-BOD May 22, 2020).

Implementation

Plans of Subdivision and Condominium

The fees charged for plans of subdivision will include the estimated number of Lots/Units for any Blocks within the plan. As such, the circulation of any subsequent plan of condominium or residential site plan to the LSRCA will not trigger any further fee requirement unless there is a significant change (+) in the unit count.

Golf Course / Aggregate Applications

The maximum golf course/aggregate fee will be triggered for those complex applications based on magnitude, environmental features, and study requirements.

Date of Effect

This Fees Policy requires approval from the LSRCA Board of Directors. Generally, this Fees Policy will be in effect for a two-year period commencing on January 1, 2021. The Policy supersedes and replaces all previous LSRCA Fee Policies.

Planning and Development Fees Policy - 2021

Appeal

An applicant, proponent, or developer has the right to appeal should he or she be dissatisfied with the prescribed fee. Any appeal shall be heard by the LSRCA Board of Directors through a deputation by the proponent. The appeal will be heard in accordance with the *Statutory Powers Procedure Act* based on the principles of fairness, opportunity, and notification.

Monitoring

This Fees Policy shall be monitored on an annual basis to evaluate its effectiveness and fairness. A Working Group has been established with members of BILD to evaluate this Fees Policy.

Fee Schedules

Updated May 2020 per LSRCA Board of Directors (BOD-30-20)

Note – All Fees Include HST

Applications made under the *Planning Act*

| Category | Fee |
|--|-----------------|
| Block/Neighbourhood Plans – Proponent Driven | \$5,100 |
| Official Plan Amendments - Proponent Initiated | \$2,040 |
| Zoning By-Law Amendments - Proponent Initiated | \$1,020 |
| Draft Plan (Subdivision/Condo) Approval – Minimum Fee | \$15,300 |
| Draft Plan Approval - >60 Lots/Units | \$255/Lot, Unit |
| Draft Plan Approval – Maximum Fee | \$40,800 |
| Final Plan Approval - Minimum Fee | \$12,240 |
| Final Plan Approval - >48 Lots/Units | \$255/Lot, Unit |
| Final Plan approval - Maximum Fee | \$35,700 |
| Draft Plan of Subdivision – Red-line Revision (Triggering additional technical review) | \$5,100 |
| Site Plan – Residential/Institutional (>15 units) | \$17,340 |
| Site Plan – Residential/Institutional (<15 units) | \$7,140 |
| Site Plan - Residential (single-unit)/Agricultural | \$1,530 |
| Site Plan – Golf Courses, Aggregate; Minimum Fee | \$15,300 |

Planning and Development Fees Policy - 2021

| Category | Fee |
|---|------------------------|
| Site Plan - Golf Courses, Aggregate; Maximum Fee | \$30,600 |
| Site Plan – Commercial and Industrial | \$7,140 |
| *NEW* Site Plan Amendment Fee -Minor (Minimal Review or Revisions) | \$2,550 |
| *NEW* Site Plan Amendment Fee – Major (Technical Review Required) | \$5,100 |
| Greater Than (>) Three (3) technical re-submissions | \$2,040 |
| Site Plan – Water Balance Review Only (WHPA Q2 & WBOP) | \$1,530 |
| Water Balance Review (WHPA Q2 Area) – typical technical review | \$1,020 |
| Phosphorus Offsetting Policy (POP) Review Only | \$1,530 |
| Consent/Minor Variance Application | \$525 |
| Development Potential Review – Planning (in writing) | \$525 |
| Peer Review (e.g., Geotechnical Study) | Cost Paid by Applicant |
| *NEW* Site Visit Fee (Required for Requested Site Visits that are not subject to a current and open application under the <i>Planning Act</i> .) | \$1,530 |

Permit Applications made under the *Conservation Authorities Act* and O.Reg.179/06

Private Residential Property

| Category | Fee |
|--|-------------------|
| Major Permit Application – Single Family Dwelling | \$1530 |
| Intermediate Permit Application – (e.g., boathouses, garage) | \$1020 |
| Minor Permit Application – (e.g., decks, pools) | \$306 |
| Permit – Revisions | \$525 |
| Retroactive Permit | Double Permit Fee |
| Legal/Real Estate Inquiries | \$525 |
| Letter of Comment | \$255 |

Planning and Development Fees Policy - 2021

Major Residential (Subdivision), Commercial, Industrial, Institutional Proposals

| Category | Fee |
|--|-------------------|
| Permit Application – (grading, stormwater, outfalls, channel re-location, bridges, etc.) | \$3,570 |
| Intermediate Permit Application | \$1,530 |
| Permit Revisions | \$765 |
| Retroactive Permits | Double Permit Fee |
| Green Energy Permits | \$5,100 |

Municipal Proposals

| Category | Fee |
|--|---------|
| Major Permit Application – (large geographic areas, technical review needed) | \$3,060 |
| Intermediate Permit Application | \$1,020 |
| Permit Revisions | \$525 |

Large Fill Proposals (>250m³ of Fill Placement)

| Category | Fee |
|--|---|
| Base Fee | \$5,100 + \$1/m ³ |
| Retroactive/Unauthorized Works | Double Base Fee + \$1/m ³ |
| Speciality Crop Areas within the Provincial Greenbelt (e.g. top dressing or dyke management) | Base Fee + .50 cents/m ³ to a maximum of \$3,060 |

Note – Any Peer Review required by the LSRCA shall be paid by the applicant or proponent

Environmental Compliance Approval (ECA) Review

| Category | Fee |
|--|---------|
| Minor ECA Stormwater Works Review for <2ha <ul style="list-style-type: none"> • Typically, minor site plans. • Municipal projects <2ha; | \$2,040 |
| Moderate ECA Stormwater Works Review for 2ha to 5ha <ul style="list-style-type: none"> • Typically, larger site plans and condominiums. • Municipal projects 2ha to 5ha; | \$4,080 |

Planning and Development Fees Policy - 2021

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|---|-------------------------------------|
| <p>Major Stormwater Works Review for >5ha</p> <ul style="list-style-type: none"> Typically, Draft Plans of Subdivisions and major site plans. Large scale municipal projects >5ha; | \$7,650 |
| <p>Minor Stormwater Conveyance Systems</p> <ul style="list-style-type: none"> Local municipal roads, 500 metres long or less | \$1,530 |
| <p>Major Stormwater Conveyance Systems</p> <ul style="list-style-type: none"> Large road projects, arterials, greater than 500 metres in length | \$3,060 |
| <p>Site or Topic Specific Technical Expert Peer Review</p> <ul style="list-style-type: none"> This is for the rare instance where there is need for an outside Technical Expert (i.e., geotechnical). All external fees will be agreed upon by applicant prior to commencement; | \$510 + TBD Technical Review Fee |

Technical Reviews (Non-Application)

| Category | Fee |
|---|---------|
| <p>Minor Technical Review</p> <ul style="list-style-type: none"> Due diligence review, minor technical studies; | \$2,550 |
| <p>Major Technical Review</p> <ul style="list-style-type: none"> Detailed studies including floodplain analysis, detailed boundary delineation, peer review of existing reports; | \$5,100 |

Planning and Development Fees Policy - 2021

Glossary

O.Reg.179/06

- Refers to the Lake Simcoe Region Conservation Authority specific regulation under the *Conservation Authorities Act*.

Major Municipal Permit Application

- Major municipal permit applications refer to applications that require technical reports or analysis to support the application as well as applications for works that cover large geographic areas such as multiple road culvert or bridge replacements and large-scale municipal servicing and road projects.
- This includes proposed works such as the construction of sewers or watermains where multiple crossings of regulated areas are required, building of new roads and significant road widenings.

Minor Municipal Permit Application

- This refers to a permit application which does not require any technical reports or analysis to support the application.
- This also includes permit applications for road resurfacing, minor bridge, or culvert repairs, like for like driveway / roadway culvert replacements, re-grading of existing roadside ditches and minor road widenings where the type of road cross section remains unchanged.

Minor Permit

- A minor permit **requires no technical review** and is a small-scale project.

Retroactive Permit

- A retroactive permit is a permit **required** arising from the failure to obtain a permit before works commenced.

Water Balance Review (WHPA-Q2 and WBOP)

- The water balance review fee in the WHPA-Q2 area and Applications subject to the Lake Simcoe Protection Plan Water Budget Offsetting Policy for LSPP 4.8-DP and 6.40-DP for site plans (\$1,500) is applied to those applications typically not circulated to the LSRCA in accordance with the Memoranda of Understanding (MOU) with the watershed municipalities. The LSRCA's review of these site plan applications will be restricted to the water balance only (i.e., it will not include a review of the grading/drainage/ESC plans etc.).
- The water balance review fee in the WHPA-Q2 area for site plans and plans of subdivision/condominium (\$1,000) is added to those applications typically circulated to the LSRCA in accordance with the MOU. The water balance review for these applications will be part of our overall review as it relates to stormwater management, grading, drainage, natural heritage, etc.