

Authority: Item 10, General Issues Committee
Report 19-002 (PED19015(a))
CM: March 27, 2019
Ward: City Wide

Bill No. 108

CITY OF HAMILTON

BY-LAW NO. 19-108

To Amend By-law No. 12-282, Respecting Tariff of Fees

WHEREAS Section 69 of the *Planning Act*, R.S.O 1990, Chapter 13, as amended, authorizes municipalities to enact a by-law to prescribe a Tariff of Fees for the processing of applications made in respect of planning matters;

AND WHEREAS Section 391 of the *Municipal Act*, 2001, S.O.2001, c. 25, as amended, authorizes municipalities to enact by-laws to impose fees on any class of person for services or activities provided or done by or on behalf of the municipality;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That By-law No. 12-282 be updated to include fees referred to in Schedule "A".
2. The Tariff of Planning and Growth Management fees in Schedule "A" annexed hereto and forming part of this By-law are hereby approved and adopted.
3. The fees shall be paid at the time of and with the making of an application referred to in Schedule "A".
4. No application, service or activity listed in Schedule "A" shall be deemed to have been made, provided or completed, and no application shall be received, unless the appropriate fee is paid in accordance with this By-law.
5. The amounts of the fees in Schedule "A" of this By-law shall be adjusted annually by the percentage change during the preceding year of the Consumer Price Index (CPI) for Toronto, and the resulting figures shall be rounded off to the nearest five (\$5.00) dollar interval.
6. This By-law shall be deemed to have come into force on May 9, 2019.

PASSED this 9th day of May, 2019.

M. Pearson
Acting Mayor

J. Pilon
Acting City Clerk

SCHEDULE "A" To By-law No. 19-108
 Planning and Economic Development Department
 2019 Fees (Effective May 9, 2019)

PLANNING FEES	Fees Effective May 9, 2019	Fees Effective January 1, 2020
1 Official Plan Amendment and/or Zoning Bylaw Amendment to establish a New Pit or Quarry <i>(In addition to base fee, the owner/applicant shall bare any and all cost pertaining to Peer Reviews and for an Aggregate Advisor, if required)</i>	\$ 138,330	\$ 138,330
2 Pit or Quarry – Expansion <i>(In addition to base fee, the owner/applicant shall bare any and all cost pertaining to Peer Reviews and for an Aggregate Advisor, if required)</i>	\$ 55,340	\$ 55,340
3 Official Plan Amendment (Rural or Urban)¹ (comprised of Phase 1 and Phase 2 fee)	\$ 28,504	\$ 33,271
a) Phase 1 – Services up to City Council Report	\$ 16,833	\$ 19,647
b) Phase 2 – Services subsequent to Council Resolution approval	\$ 11,671	\$ 13,624
c) Recirculation with no advertising required	\$ 924	\$ 1,139
d) Public Notice recirculation due to cancellation of a Public Meeting by the applicant or agent	\$ 924	\$ 1,139
e) Advertising <i>(minimum charge, if applicable)</i>	\$ 1,360	\$ 1,465
f) Amended application with public consultation	\$ 3,692	\$ 4,051
g) Non-Profit Affordable Housing (Fees waived subject to eligibility as outlined on application form) ⁵	Fees Waived ⁵	Fees Waived ⁵
4 Rezoning Application,^{1,2}		
a) Routine	\$ 19,996	\$ 24,109
b) Secondary Suites	\$ 4,999	\$ 6,027
c) Complex <i>(comprised of Phase 1 and Phase 2 fee)¹</i>	\$ 31,211	\$ 35,054
i) Complex Phase 1 - Services up to City Council Report	\$ 21,037	\$ 23,627
ii) Complex Phase 2 - Services subsequent to Council Resolution approval	\$ 10,174	\$ 11,427
iii) Plus Residential per unit Fee	\$ 360	\$ 540
iv) Plus Non-Residential per square metre charge	\$ 5	\$ 8
c) Public Notice recirculation due to cancellation of a Public Meeting by the applicant or agent	\$ 924	\$ 1,139
d) Advertising <i>(minimum charge, if applicable)</i>	\$ 1,360	\$ 1,465
e) Severance of Surplus Farm Dwelling	\$ 7,872	\$ 8,868
f) Amended applications with Circulation	\$ 1,847	\$ 2,026
g) Recirculation	\$ 1,847	\$ 2,026
h) Removal of a 'H' Holding Provision	\$ 3,230	\$ 3,868
i) Removal of a 'H' Holding Provision (Downtown)	\$ 3,756	\$ 5,634
j) Supplementary Report Fee	\$ 3,000	\$ 4,500
k) Non-Profit Affordable Housing (Fees waived subject to eligibility as outlined on application form) ⁵	Fees Waived ⁵	Fees Waived ⁵
Note: Fee amounts shall be based on fees that are in effect on the date of final approval.		
5 Site Plan Control		
a) Full Application (plus applicable per unit or per square metre charge)	\$ 19,358	\$ 24,137
i) Agricultural Uses - 1/2 of Applicable Fee ⁶ (plus applicable per unit or per m ² charge) (DAR)	\$ 9,679	\$ 12,069
b) Amendment to an Approved Site Plan (plus applicable per unit or per square metre charge)	\$ 10,188	\$ 14,097
i) Agricultural Uses - 1/2 of Applicable Fee ⁶ (plus applicable per unit or per m ² charge) (SPAR)	\$ 5,094	\$ 7,049
c) Minor Application (plus applicable per unit or per square metre charge)	\$ 9,342	\$ 13,406
i) Agricultural Uses - 1/2 of Applicable Fee ⁶ (plus applicable per unit or per m ² charge) (MDAR)	\$ 4,671	\$ 6,703
d) Preliminary Site Plan Review	\$ 8,286	\$ 11,244
e) Resubmission <i>(on the 4th occasion and thereafter)</i>	\$ 750	\$ 750
f) Site Plan Approval Extension		
i) 3 month	\$ 234	\$ 651
ii) 6 month	\$ 468	\$ 702
iii) 9 month	\$ 699	\$ 1,049
iv) 1 year	\$ 1,605	\$ 1,605

<i>PLANNING FEES continued</i>	<i>Fees Effective May 9, 2019</i>	<i>Fees Effective January 1, 2020</i>
g) 1 & 2 Family Residential on the Hamilton Beach Strip (outside of Heritage Conservation District) (DAB)	\$ 7,036	\$ 9,409
h) 1 & 2 Family Residential within or contiguous to Major Open Space Areas, Environmentally Sensitive Areas or Provincially Significant Areas (as designated in the Official Plan)	50% of Applicable Fee	50% of Applicable Fee
i) Plus per unit Residential charge for first 10 units	\$ 828	\$ 957
j) Plus per unit Residential charge for additional units (11-50 units to a max of 50 units)	\$ 498	\$ 575
k) Plus per square metre charge for new gross floor area for non-residential developments, prior to the Issuance of final site plan approval to a maximum of 5,000 m2 for industrial and 50,000 m2 for commercial approval	\$ 7.10	\$ 8.15
l) 1 & 2 Family Residential, including accessory buildings and structures, decks, and additions on properties within the Existing Residential (ER) Zone in Ancaster (DAER)	\$ 2,320	\$ 2,320
m) Non-Profit Affordable Housing (Fees waived subject to eligibility as outlined on application form) ⁵	Fees Waived ⁵	Fees Waived ⁵
Note: Fee amounts shall be based on fees that are in effect on the date of final approval.		
Note: Vertical Development capped at \$35,000		
6 Plans of Subdivision¹		
a) Subdivision Application	\$ 45,366	\$ 49,119
i) Plus Addition Per Unit charge (0 - 25 units)	\$ 407	\$ 496
ii) Plus Addition Per Unit charge (26 - 100 units)	\$ 180	\$ 270
iii) Plus Addition Per Unit charge (101 units +)	\$ 144	\$ 216
iv) Plus Addition Per Block charge	\$ 782	\$ 841
b) Recirculation of revisions	\$ 1,562	\$ 1,816
c) Revision – Draft Plan approved		
i) Minor Revisions	\$ 1,180	\$ 1,180
ii) Major Revisions	\$ 34,018	\$ 36,832
d) Extension – Draft Plan approved	\$ 510	\$ 510
e) Maintenance (<i>File over 3 years old</i>)	\$ 478	\$ 495
f) Advertising (<i>minimum charge, if applicable</i>)	\$ 1,360	\$ 1,465
g) Amended Application with public consultation	\$ 6,170	\$ 7,768
h) Non-Profit Affordable Housing (Fees reduced by 25%, subject to eligibility as outlined on application form) ⁵	25% Reduction ⁵	25% Reduction ⁵
i) Street Lighting Review and Evaluation	\$ 4,281	\$ 6,422
7 Plan of Condominium¹		
a) Construction – with Public Process	\$ 18,000	\$ 18,000
i) Plus Addition Per Unit charge	\$ 75	\$ 75
b) Construction – without Public Process	\$ 14,993	\$ 14,993
i) Plus Addition Per Unit charge	\$ 75	\$ 75
c) Condominium Conversions	\$ 26,140	\$ 26,140
i) Plus Addition Per Unit charge	\$ 100	\$ 100
d) Recirculation	\$ 1,110	\$ 1,110
e) Revision	\$ 1,195	\$ 1,195
f) Maintenance Fee (<i>File over 3 years old</i>)	\$ 460	\$ 460
g) Exemption	\$ 1,265	\$ 1,265
h) Extension	\$ 870	\$ 870
i) Non-Profit Affordable Housing (Fees reduced by 25%, subject to eligibility as outlined on application form) ⁵	25% Reduction ⁵	25% Reduction ⁵
8 Part Lot Control Application		
i) Plus per Lot/Unit/Part	\$ 230	\$ 230
ii) Plus per Unit Finance Fee (<i>only collected if a new parcel of land is created</i>)	\$ 18	\$ 18
iii) Extension	\$ 1,075	\$ 1,075

<i>PLANNING FEES continued</i>	<i>Fees Effective May 9, 2019</i>	<i>Fees Effective January 1, 2020</i>
9 Consent Application		
a) Land Division Consent Fee		
i) Fully Serviced Lot	\$ 2,801	\$ 2,845
ii) Property serviced by well / cistern	\$ 2,860	\$ 2,860
iii) Additional fee plus Base Fee where no sanitary sewer exists or if services are new to the area and any existing house is still serviced by a septic system.	\$ 371	\$ 374
b) Recirculation	\$ 190	\$ 190
c) Deed Certification	\$ 220	\$ 220
d) Deferral or Extension	\$ 63	\$ 65
e) Validation of Title	\$ 450	\$ 450
f) Plus per Unit Finance Fee <i>(collected if a new parcel of land is created)</i>	\$ 18	\$ 18
10 Minor Variance	\$ 2,738	\$ 3,302
a) Routine Minor Variance (applies to pools, decks, sheds, accessory buildings, porches, eave projections and recognizing legal non-complying situations)	\$ 595	\$ 595
b) Variance(s) required "after the fact"	\$ 3,394	\$ 4,119
c) Recirculation	\$ 260	\$ 275
11 Formal Consultation <i>(Fee will be credited to any required future application)</i>³	\$ 1,200	\$ 1,200
12 Sign Variance	\$ 595	\$ 595
13 Sign Erected, Located and/or Displayed without a Permit	\$ 1,265	\$ 1,265
14 Neighbourhood Plan or Modified Neighbourhood Plan Preparation	\$ 2,290	\$ 2,290
15 Property Reports (respecting Official Plan, Zoning, Rental Housing Protection, Heritage Designation)	\$ 178	\$ 179
16 MECP Environmental Compliance Approval Administration Fee (Plus HST)	\$ 2,290	\$ 2,290
17 Cash in Lieu of Parking Administration Fee (Plus HST)	\$ 520	\$ 520
18 Environmental Sensitive Areas Impact Evaluation Group (ESAIEG)	\$ 388	\$ 390
19 Record of Site Condition Administration Fee (Plus HST)	\$ 398	\$ 400
20 Peer Review of Special Studies Administration Fee (Plus HST)	Consultant Fee	Consultant Fee
21 Tree Protection		
a) General Vegetation Inventory Review	\$ 365	\$ 365
b) Tree Protection Plan Review	\$ 605	\$ 605
22 Other Fees		
a) Records Search ⁴ (Plus HST)	\$ 25	\$ 25
b) Photocopying Fee - per page (Plus HST)	\$ 0.50	\$ 0.50

23 Local Planning Appeals Tribunal

In addition to the fees set out above in sections 1., 2., 3., 4., 6., 7., 9. and 10, the total fees payable shall include all fees associated with supporting an applicant at a hearing where the application was approved by City Council including City legal fees, City staff fees, outside legal counsel and consultant/witness fees where required, but excluding the cost of the Planning and Economic Development Department staff. These additional fees shall be collected through the process set out in a cost acknowledgement agreement which must be signed and submitted as part of the applications identified in sections 1., 2., 3., 4., 6., 7., 9. and 10.

1 Joint Application – Where applications are made for an Official Plan Amendment, Zoning By-law Amendment, Approval of a Draft Plan of Subdivision or Condominium Description, or any combination thereof, the total fees will be reduced by 25%.

2 Rezoning - For the purposes of fees, there are three (3) types of rezoning applications: Routine, Secondary Suites and Complex. When an application is submitted, the following guidelines are used to determine the type of application:

- **Routine**

- Applications to add one specific use (i.e. that does not change the zoning district); or
- Applications to reduce yard requirements or modify other district or zone requirement (i.e. only one requirement); or
- Applications to rezone three (3) single detached dwelling lots or less; or
- Applications to extend a "temporary use".

- **Secondary Suites** - Applications to add a secondary suite (dwelling unit) to an existing residential dwelling.

- **Complex** - All other Applications.

3 Formal Consultation fee is not credited towards Minor Variance or Consent application fee.

4 Records Search fee is charged at a rate of \$25.00 plus HST per 15 minutes with a minimum charge of \$25.00 plus HST.

5 Fees or payments required by any Conditions of Approval remain in effect.

6 Excluding proposed developments related to the Cannabis Industry.

GROWTH MANAGEMENT FEES		<i>Fees Effective May 9, 2019</i>	<i>Fees Effective January 1, 2020</i>
1	Subdivision Agreement Preparation		
a)	Subdivision Agreement Preparation - New Process	\$ 3,380	\$ 3,995
b)	Subdivision Agreement Preparation - Old Process	\$ 3,665	\$ 3,665
c)	Minor Revision to Subdivision Agreement	\$ 392	\$ 473
d)	Major Revision to Subdivision Agreement	\$ 798	\$ 950
e)	Subdivision (or any other type of) Agreement Amendment	\$ 1,050	\$ 1,050
2	Special Agreements		
a)	External Works Agreement Preparation	\$ 4,930	\$ 4,930
b)	Special Sewer Service Agreement	\$ 4,200	\$ 4,200
c)	Special Water Service Agreement	\$ 4,200	\$ 4,200
d)	Joint Sewer/Water Service Agreement	\$ 4,200	\$ 4,200
e)	Consent Agreement	\$ 4,200	\$ 4,200
f)	Consent Agreement with warning clauses only	\$ 2,100	\$ 2,100
h)	Shoring Agreement and Drainage Review	\$ 5,370	\$ 8,055
l)	Pre-Service Agreement	\$ 4,200	\$ 4,200
j)	Pre-Service Agreement Addition Cost per unit	\$ 35	\$ 35
k)	Pre-Grading Agreement	\$ 4,200	\$ 4,200
l)	Pre-Grading Agreement Phased / Staged Construction	\$ 2,200	\$ 2,200
3	Design Review Engineering		
a)	Engineering Review Fee	\$ 3,710	\$ 3,710
b)	Engineering Review Fee - Additional Cost per Unit / Residential	\$ 280	\$ 280
c)	Engineering Review Fee - Additional Cost / Hectare / Non Residential	\$ 270	\$ 270
d)	MOEP Sewer Application Process (ECA Review Fee)	\$ 1,100	\$ 1,100
e)	Amend Water Licence Process	\$ 2,920	\$ 2,920
f)	Resubmission of Engineering Drawings for review and approval (per page)	\$ 395	\$ 395
g)	Review of Special Study Administration Fee (Note: for special studies including but not limited to Karst, Geomorphology, Hydrology, Traffic etc.)	\$ 1,635	\$ 1,635
h)	Construction Management Plan	\$ 3,942	\$ 5,913
1	Engineering Design Review is a fixed cost which includes 3 submissions of Engineering drawings. Fourth and subsequent submissions will be subject to applicable revision		
2	Design review fee shall be applied to each and all phases of servicing of the draft plan of subdivision.		
4	Construction Engineering Supervision		
a)	Engineering Construction Supervision- for the first < \$1,000,000 of construction value, minimum of \$10,000, Plus HST	6.0%	6.0%
b)	Engineering Construction Supervision- for the next \$ 1 Million - \$2 million of construction value, Plus HST	5.0%	5.0%
c)	Engineering Construction Supervision - for the construction value over \$2 million, Plus HST	4.0%	4.0%
d)	Engineering Construction Revision Fee (Resubmission Review Fee, price per page) - As Built Drawings	\$ 395	\$ 395
e)	Subdivision Security Reduction Fee (for fourth and subsequent security reduction request), Plus HST	\$ 325	\$ 325
f)	Review and Inspection for Rehabilitation or Replacement of Existing Sewer Service (Video Inspection), Plus HST	\$ 450	\$ 450
5	Final Approval		
a)	Final Approval and Registration Fee (Subdivision)	\$ 1,505	\$ 1,505
b)	Final Approval and Registration Fee (Condominium)	\$ 1,505	\$ 1,505
6	Advance on Pre-Grading		
a)	Advance on Pre-Grading (2% of Construction cost with a min of \$2,000 to a max of \$5,000)	2.0%	2.0%
7	Lot Grading		
a)	Lot Grading Acceptance inspection per unit (single and semi), Plus HST	\$ 468	\$ 500

b) Lot Grading Acceptance inspection per multi-unit block (3 - 8 units), Plus HST	\$	956	\$	1,019
c) Lot Grading Service Connection Applications	\$	2,484	\$	3,726
d) Lot Grading Re- inspection fees (3rd and subsequent), Plus HST	\$	150	\$	225

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<i>GROWTH MANAGEMENT FEES continued</i>		<i>Fees Effective May 9, 2019</i>	<i>Fees Effective January 1, 2020</i>
8 Sanitary Sewer and Water Drawing Review Fee			
a) Sewer and Water Drawing Review Fee- for Site Plans Major	\$	1,665	\$ 1,665
b) Sewer and Water Drawing Review Fee - for Site Plans Minor	\$	840	\$ 840
9 Small Service Water Permit Inspection Fee (Less than 100mm diam.)			
a) Small Service Permit - Administration Fee (Sewer Water Permits, WTR, SAN, STM, SAN & STM), Plus HST	\$	180	\$ 180
b) Small Service Permit - Water Inspection (Sewer Water Permits, WTR, SAN, STM, SAN & STM), Plus HST	\$	550	\$ 550
c) Small Service Water Permit - Additional Cost per metre of Service(Sewer Water Permits), Plus HST	\$	10	\$ 10
10 Large Service Water & Sewer Permit Inspection Fee (100mm diam. and larger)			
a) Large Service Water & Sewer Permit - Administration Fee (Sewer Water Permits), Plus HST	\$	180	\$ 180
b) Large Service Water & Sewer Permit - Water Inspection & Testing (Sewer Water Permits), Plus HST	\$	685	\$ 685
c) Large Service Water & Sewer Permit - Additional Cost per metre of Service (Sewer Water Permits), Plus HST	\$	10	\$ 10
11 Site Plan			
a) Site Plan Grading Inspection, Plus HST	\$	2,220	\$ 3,330
b) Minor Site Plan Per Inspection (Final Site Plan Inspection = Grading Inspection), Plus HST	\$	315	\$ 315
c) Site Plan Security Reduction Fees (for second and subsequent security reduction request), Plus HST	\$	325	\$ 325
d) After Hours Inspection Fee (Minimum 4 hours), Plus HST	\$	355	\$ 355
12 Site Alteration			
a) Site Alteration Process - review and circulate plans - Residential	\$	696	\$ 924
b) Site Alteration Process - review and circulate plans - Non-residential	\$	2,770	\$ 2,770
c) Site Alteration Process - per plan type on 4th submission and thereafter	\$	450	\$ 675
13 Municipal Service Extension Flat Rate Fees			
a) Sanitary Sewer / Unit	\$	7,745	\$ 7,745
b) Storm Sewer / Unit	\$	9,045	\$ 9,045
c) Watermain / Unit	\$	5,430	\$ 5,430
14 Miscellaneous Fees			
a) Street Lighting Review and Evaluation	\$	4,281	\$ 6,422
b) Municipal Street Number Request	\$	354	\$ 359
c) Street Name Change	\$	2,310	\$ 2,310
d) <i>LPAT Appeal In addition to the fees set out above, the total fees payable shall include all fees associated with supporting an applicant at a hearing where the application was approved by City Council including City legal fees, City staff fees, outside legal counsel and consultant/witness fees where required, but excluding the cost of the Planning and Economic Development Department staff. These additional fees shall be collected through the process set out in a cost acknowledgement agreement which must be signed and submitted as part of the applications identified. Plus HST</i>	\$	1,056	\$ 1,584
e) Pay Assurance Administration Fee, Plus HST	\$	5,000	\$ 5,000
f) Discharge of Agreements	\$	420	\$ 420
g) Compliance Requests, Plus HST	\$	120	\$ 120
h) Record Search (Fee is charged at a rate of \$25 plus HST. per 15 minutes with a minimum charge of 25 plus HST.)	\$	25	\$ 25
i) Photocopying Fee, per page, Plus HST	\$	0.50	\$ 0.50