

The Corporation of the Municipality of Brighton

By-Law No. 109-2020

Being a By-Law to establish Planning and Building Fees and Service Charges for the Municipality of Brighton, Effective January 1, 2021

Whereas, *Sections 391(1) of the Municipal Act S.O. 2001, c. 25, as amended*, authorizes the Council of a local municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it; for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and for the use of its property including property under its control;

And Whereas, *Section 69 of the Planning Act, R.S.O. 1990, Chapter P. 13*, provides that the Council of a municipality may prescribe a tariff of fees for the processing of applications made in respect of planning matters;

And Whereas, *Section 7 of the Building Code Act, S.O. 1992, Chapter 23*, as amended, authorizes a municipal Council of a municipality to pass a by-law requiring the payment of fees on applications for and issuance of permits and prescribing the amounts thereof;

And Whereas, pursuant to *Section 400(f) of the Municipal Act S.O. 2001, c. 25, as amended*, the Council of the Corporation of the Municipality of Brighton provided notice of the proposed user fees and charges in The Independent on Wednesday, November 25, 2020 and held a Public Meeting on Monday, December 7, 2020.

Now Therefore – the Council of the Corporation of the Municipality of Brighton hereby enacts as follows:

1. **That** the fees and charges set out in “F” and “G” attached to this By-law shall apply to every request made to the Corporation of The Municipality of Brighton and all Municipal Departments or any officer or employee of the Municipality of Brighton, including but not limited to fees or charges for requests for documents, reports, letters and other information whether written, printed or electronically produced or stored or produced or stored in any other manner, searches, inspections, applications, permits, programs and the use of its facilities or properties, or for any other service or activity provided by the Municipality to any person or other authorized costs payable by the Municipality;
2. **That** Interest at the rate of 15.0% per annum (1.25% per month) shall be added to overdue accounts. The amount owing may be added by the

Treasurer of the municipality to the tax roll Schedules “F” and “G” attached hereto form part of this By-law.

3. **That** should any provision of the By-law, including any provision contained in one or more of the attached Schedules be determined by a court of competent jurisdiction to be invalid or void and of no force and effect, it is the stated intention of Council that such invalid provision shall be severable and the remainder of the By-law, including any applicable Schedule shall continue in full force and effective;
4. **That** this By-Law shall come into force and effect on January 1, 2021.
5. **That** the Short Title of this By-law shall be “The Planning and Building Fees and Charges By-law”.

Read a first, second and third time and finally passed this 14th day of December 2020.

Brian Ostrander, Mayor

Candice Doiron, Clerk

Schedule "F"
To the Planning Department
Corporation of the Municipality of Brighton

Service		Fee
1	Entrance Permit	\$500.00 application fee
2	Open Road Cut Permit	\$350.00, plus \$3000.00 deposit
3	Bore Under Municipal Road Permit	\$350.00, plus \$3,000.00 deposit
4	Permission to Access a Municipal Right of Way Permit	\$350.00, plus \$3,000.00 deposit
5	Road Allowance Closure	\$700.00 plus costs (eg. Legal appraisal, advertising, land cost)
6	Encroachment	\$700.00 application fee, plus costs (legal, survey, advertising)
7	Work Order Compliance	\$80.00
8	Planning and Zoning Information	\$80.00
9	Subdivision Agreement Compliance	\$80.00
10	Site Plan Compliance	\$80.00
11	Copy of Comprehensive Zoning By-law	\$100.00
12	Copy of Official Plan	\$100.00
13	Lot or Agreement Release (Clerk)	\$100.00 plus legal costs

Schedule "F"
To the Planning Department
Corporation of the Municipality of Brighton

Fees for the processing of applications made in respect of Planning matters:

Application		Fee
1	Official Plan Amendment, Major Residential ^{1,2}	\$8,000.00+ \$1,000.00(trust deposit)
2	Official Plan Amendment, Major Commercial ^{1,2}	\$12,000.00+ \$1,000.00(trust deposit)
3	Official Plan Amendment, Other ^{1,2}	\$3,500.00+ \$1,000.00(trust deposit)
4	Zoning By-Law Amendment, Major Residential	\$7,000.00
5	Zoning By-Law Amendment, Major Commercial	\$7,000.00
6	Zoning By-Law Amendment, Other	\$2,000.00
7	Combined OPA/ZBA for Major Commercial fee, and Major Residential Applications only	OPA plus 50% of ZBA fee
8	Zoning By-Law Amendment: H-Removal	\$500.00
9	Consents (Severance)	\$1,000.00
10	Minor Variance, Major Residential	\$3,000.00,plus \$45.00 per unit
11	Minor Variance, Major Commercial	\$3,000.00
12	Minor Variance, Other	\$850.00
	Site Plan Agreement, Major Residential ^{1,2}	\$3,500.00,plus \$40.00 per unit, plus \$1,000.00(trust deposit)

Schedule "F" (Continued)
To the Planning Department
Corporation of the Municipality of Brighton

Fees for the processing of applications made in respect of Planning matters:

Application		Fee
14	Site Plan Agreement, Major Commercial ^{1,2}	\$5,500.00,plus \$1,000.00(trust deposit)
15	Site Plan Agreement, Other ^{1,2}	\$3,000.00,plus \$1,000.00(trust deposit)
16	Amending Site Plan Approval	\$1,900.00,plus \$1,000.00(trust deposit)
17	Application for Draft Plan of Subdivision/ Condominium	\$3,500.00+ \$200.00 \$10,000.00 trust deposit
18	Application for Extension of Draft Plan Approval	\$2,000.00
19	Application for Amendments to Draft Plan Approved Plans and/or Conditions:	
	i) Notice Required	\$3,000.00
	ii) No Notice Required	\$1,250.00
20	Application for Final Approval of Plan of Subdivision/Condominium	\$3,000.00,plus \$45.00/unit
21	Application for Part Lot Control Exemption	\$1,000.00,plus \$45.00/unit
22	Merger of Lots Application	\$1,000.00
	Pre-consultation (fee will be credited to applicant if/when formal application is submitted within 6 months of first pre-consultation, to a maximum 2 pre-consultations (ie - credit does not apply to any pre-consultations after the second)	\$500.00

Schedule “F” (Continued)
To the Planning Department
Corporation of the Municipality of Brighton

Fees for the processing of applications made in respect of Planning matters:

Note:

- 1 The application fees for Official Plan Amendments, Site Plan Agreements and Plans of Subdivision/Condominium are non-refundable and are used to cover the Municipality of Brighton’s on-going costs related to the project.
- 2 The trust deposit for the Official Plan Amendments, Site Plan Agreements and Plans of Subdivision/Condominium applications are refundable and used to ensure that funds are available to cover the Municipality of Brighton’s planning, engineering and legal consulting costs relating to each application.
- 3 Minor shall mean any property 10,000 square feet or less, or any residential property of four units or less.

**Schedule “G”
To the Building Department
Corporation of the Municipality of Brighton**

	Service	Fee
1	Building Compliance – with survey	\$50.00
2	Residential dwellings (and new additions)	\$1.00 per square foot
3	Residential Accessory Buildings (garage, carport, boathouse, shed, etc.)	\$0.65 per square foot
4	New Commercial Building Permit	\$1.15 per square foot
5	New Industrial Building Permit	\$0.50 per square foot
6	New Institutional Building Permit	\$1.15 per square foot
7	Commercial Renovations Permit	\$14.00 per \$1,000.00 building value
8	Industrial Renovations Permit	\$8.00 per \$1,000.00 building value
9	Institutional Renovations Permit	\$14.00 per \$1,000.00 building value
10	Agricultural Building Permit (Includes agricultural buildings and Structures such as barns, farm equipment, Storage buildings, silos, stables.	the lesser of \$100.00 plus \$0.30 per square foot or \$100.00 plus \$9.00 per \$1,000.00 building value (see Note 2 below)
11	Decks, chimneys, woodstoves, pools (or other structures not specified herein)	\$160.00
12	Change of Use Permit	\$10.00 per \$1,000.00 building value
13	Transmission Tower	\$400.00
14	Temporary Building or Trailer	\$100.00 per 3 month period

Schedule “G” (Continued)
To the Building Department
Corporation of the Municipality of Brighton

Service		Fee
15	Revisions to Plans after Building Permit is issued	\$123.00
16	Revisions to plans after permit is issued, non-residential per square foot of revised building area	\$0.10 per square foot
17	Alternative Solution Fee	\$600.00, plus third party review cost
18	Inspection Cancellation Fee within 24 hours (when inspection has been booked and works are not complete)	\$50.00
19	Building Security Deposit	\$2,000.00 (see Note 3 below) (refundable)(new dwellings)
20	Demolition Permit	\$205.00
21	Occupancy Permit	\$119.00
22	Minimum Building Permit Fee	
	i) Residential and agricultural	\$150.00
	ii) All other categories	\$200.00

Note 1: The fee calculated in accordance with the Schedule “B” above, shall be **Doubled** in instances where the construction commences prior to the issuance of a Building Permit.

Note 2: When determining construction value for agricultural building and structures, only a signed contract with a firm cost from a reputable contractor will be accepted.

Note 3: The Building Security Deposit shall be returned to the payee upon receipt of a written request subject to confirmation that final inspection has been completed and all deficiencies have been corrected. No deposit shall be refunded after the second anniversary of the date of the issuance of the building permit.