

The Corporation of the Municipality of Brighton

By-Law No. 114-2023

Being a By-Law to establish Planning and Building Fees and Service Charges for the Municipality of Brighton, Effective January 1, 2024

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 on the municipal website and municipal social media platforms and held a Public Meeting on Monday, December 4, 2023.

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, 2024.
5. That By-law 002-2023 be repealed in its entirety.
6. 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 **18** day of **December 2023**.

Original Signed By
Brian Ostrander, Mayor

Original Signed By
Candice Doiron, Cler

Schedule F

To the Planning Department

Corporation of the Municipality of Brighton

Service		Fee
1	Planning and Zoning Information	\$80.00
2	Subdivision Agreement Compliance	\$80.00 plus staff Standard rate
3	Site Plan Compliance	\$80.00, plus staff Standard rate
4	Copy of Comprehensive Zoning By-law	\$100.00
5	Copy of Official Plan	\$100.00
6	Lot or Agreement Release (Clerk)	\$100.00 plus legal costs
7	Work Order Compliance	\$80.00, plus staff standard rate for any required inspections or development agreement reviews
8	<p>Road Allowance Closure</p> <p>i) Inland Road Allowance: Above 100 feet of frontage on an inland road allowance, plus \$10.00 per each additional foot. Road allowances lying adjacent to lots within registered plans of subdivision shall be offered for sale at fair market value.</p> <p>ii) Road Allowance Leading to Water: The value of the lands will be determined through the Offer of Purchase and Sale negotiation process and will not be valued less than the fair market value together with such premium as mutually negotiated between the Council and the applicant.</p>	<p>Application Fee of \$1,000.00, plus land acquisition costs as follows:</p> <p>Inland Road Allowance: \$10.00 per foot frontage for one-half of its width. Road allowances lying adjacent to lots within registered plans of subdivision shall be offered for sale at fair market value through an appraisal.</p> <p>Road Allowance Leading to Water: The value of the lands will be determined through the Offer of Purchase and Sale negotiation process and will not be valued less than the fair market value (appraisal) together with such premium as mutually negotiated between the Council and the applicant.</p> <p>NOTE: Final purchase price of all road allowances shall include the appraised value of standing timber or underground mineral resources.</p>

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
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1	Pre-Application: <ul style="list-style-type: none"> - Initial or General Enquiry - Stage I - Principle of Land Use Letter - Stage II – Complete Application Letter - Pre-Consultation - Public Works Pre-Consultation (Entrances, Connections, Drainage) - Consultation Letter, Lower Trent Conservation (LTC) 	No Fee 25% of Application Fee 25% of Application Fee * 50% of Pre-consultation fees redeemed at time of Submission of a Complete Application \$515.00 See LTC
2	Official Plan Amendment, Major Residential ¹	\$10,000.00
3	Official Plan Amendment, Major Commercial ¹	\$12,000.00
4	Official Plan Amendment, Other ¹	\$4,000.00
5	Official Plan Amendment – Mixed Use	A blend of costing based on devoted gross floor area
6	Community Improvement Plans Community Improvement Plans: Basic Fee – Major New Area or Project Plan - Community Improvement Plans: Basic Fee – Minor New Area or Project Plan - Community Improvement Plan Amendment	\$5,000, plus Public Notice \$1,000 50% of Application Fee
7	Zoning By-Law Amendment, Major Residential ¹	\$7,000.00
8	Zoning By-Law Amendment, Major Commercial ¹	\$7,000.00
9	Zoning By-Law Amendment - Mixed Use	A blend of costing based on devoted gross floor area
10	Zoning By-Law Amendment H-Removal	\$1,000.00
11	Zoning By-Law Amendment, Other	\$2,500.00
12	Ministerial Zoning Order	\$10,000.00
13	Combined OPA/ZBA for Major Commercial fee, and Major Residential Applications only	OPA plus 50% of ZBA fee
14	Temporary Use By-Law or Extension	\$2,500.00
15	Consents (Severance) <ul style="list-style-type: none"> - New lot - Technical (easement, lot addition, consent cancellation) 	\$3,000.00 \$2,000.00
16	Minor Variance, Major Residential ¹	\$3,000.00, plus \$45.00 per unit
17	Minor Variance, Major Commercial ¹	\$3,000.00
18	Minor Variance, Other	\$1,500.00
19	Site Plan Pre-Consultation Fee	50% of Site Plan Control Application Fee
20	Site Plan Agreement, Major Residential ¹	\$3,500.00 + \$40/unit + \$1,000.00 trust deposit
21	Site Plan Agreement, Major Commercial ¹	\$5,500.00 + \$1,000.00 trust deposit

Application		Fee
22	Site Plan Agreement, Other ¹	\$3,000.00 + \$1,000.00 trust deposit

23	Site Plan Control Approval, no agreement applicable	\$1,500.00
24	Amending Site Plan Approval & Agreement	\$2,000.00 + \$1,000.00 trust deposit
25	Application for Site Plan Undertaking	\$800.00
26	Off-site Improvement Agreement	Staff Standard rate, plus legal
27	Pre-Servicing or Model Home Agreement	\$2,000.00 plus legal costs plus \$10,000.00 trust deposit
28	Application for Draft Plan of Subdivision/ Condominium	\$4,500.00 + \$200.00 per lot/block + \$10,000.00 trust deposit
29	Application for Final Approval of Subdivision/Condominium	\$3,000.00 + \$45.00 per lot
30	Conversion to Condominium	\$4,000.00, plus \$500 per unit + \$10,000.00 trust deposit
31	Condominium Exemption Request	\$2,400.00
32	Application for Extension of Draft Plan Approval	\$2,000.00
33	Application for Amendments to Draft Plan Approved Plans and/or Conditions: i) Notice Required ii) No Notice Required	\$3,000.00 \$1,500.00
34	Application for Part Lot Control Exemption	\$1,000.00, plus \$45.00/unit
35	Merger of Lots Application	\$1,000.00
36	Cash in lieu of Parkland: i) Commercial/Industrial ii) Other	2% of appraised land value, OR as per Parkland Dedication By-Law under Section 42 of the Planning Act 5% of appraised land value OR as per Parkland Dedication By-Law under Section 42 of the Planning Act
37	Cash-in-lieu of Parking	\$6,000 per stall or as per Section 40 of the Planning Act
38	Request to Amend Approval Conditions or Agreement Minor Major	\$500.00 \$2,000.00
39	Deeming By-law	\$2,000.00, plus legal costs
40	Staff attendance to Local Planning Appeal Tribunal	At Staff Standard rate

41	Impact Assessment Costs	At cost, as per a Municipally accepted study received as part of a development application
Application		Fee
42	Development Agreement related Costs	As noted in the Development Agreement

Staff Standard Rate

The tariff of fees herein shall apply for the provision of development review services provided by Staff. These fees are applicable for any work rendered on Plan of Subdivision or Condominium applications, Official Plan Amendment applications, or Site Plan Control applications after the application has received first approval. Staff Rates are per hour:

Director	\$135.00
Manager	\$100.00
Technician/Planner 1	\$75.00
Administrative Assistant	\$65.00

¹ Minor shall mean any property 10,000 square feet or less, or any residential property of four units or less, unless otherwise established in a Council decision.

Peer Review Fees

Applications being accompanied by required reports or studies may be subject to peer or external review at the discretion of the Municipality. Also, legal opinions or legal tasks associated with an application may be sought by the Municipality. Such external costs that are related to the application will be borne by the Applicant.

Fees for Peer review, Legal, or other external resources	\$ - At the Cost of the Applicant, Plus 15% Administrative Fee
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Schedule G

To the Building Department

Corporation of the Municipality of Brighton

	Service	Fee
1	Building Compliance – with survey	\$80.00
2	Residential dwellings (and new additions)	\$1.40 per square foot , Minimum of \$1,900.00 for new dwellings
3	Residential Accessory Buildings (garage, carport, boathouse, shed, etc.)	\$1.00 per square foot
4	New Commercial Building Permit	\$1.55 per square foot
5	New Industrial Building Permit	\$1.00 per square foot
6	New Institutional Building Permit	\$2.00 per square foot
7	Commercial Renovations Permit	\$20.00 per \$1,000.00 building value
8	Industrial Renovations Permit	\$2,000.00 minimum, \$11.50 per \$1,000.00 building value
9	Institutional Renovations Permit	\$2000 minimum, \$22.00 per \$1,000.00 building value
10	Drawings review fee for Institutional/Commercial/ Industrial or any generally large or specialized projects requiring outside review. The corporation will require a Cost Acknowledgement Agreement to be entered into and a deposit of \$5,000.00 to be submitted to initiate the review. The full cost of the external review will be borne by the Applicant.	\$5,000.00 minimum deposit. External costs fully borne by Applicant, plus 15% administrative fee
11	Agricultural Building Permit (Includes agricultural buildings and Structures such as barns, farm equipment, storage buildings, silos, stables.	\$250.00 minimum, the lesser of \$250.00 plus \$0.50 per square foot OR \$250.00 plus \$12.00 per \$1,000.00 building value, (see Note 2 below)

	Service	Fee
12	Decks, pools, chimneys, woodstoves (or other structures not specified herein)	\$1.00 per square foot Minimum \$200.00
13	Change of Use Permit	\$20.00 per \$1,000.00 building value (see Note 2 below)
14	Transmission Tower	\$1,500.00
15	Revisions to Plans after Building Permit is issued - Residential	\$200.00
16	Revisions to plans after permit is issued, non- residential per square foot of revised building area	\$200.00

17	Alternative Solution Fee	\$1000.00, plus third party review cost
18	Re-Inspection Fee (inspection requested, work not ready for inspection)	\$50.00
19	Inspection Cancellation Fee within 24 hours (when inspection has been booked and works are not complete)	\$60.00
20	Building Security Deposit	\$4,000.00 - new dwellings, refundable (see Note 3 below)
21	Demolition Permit	\$500.00
22	Occupancy Permit/Letter	\$120.00
23	Minimum Building Permit Fee	\$250.00 unless otherwise specified
24	Building Code Agency Services	At Cost, plus Administrative Fee of 15%

Note 1: The fee calculated in accordance with the Building Fees 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 grading inspection has been completed and all deficiencies have been corrected. No deposit shall be returned after the second anniversary of the date of the issuance of the building permit. Applicants may request an extension beyond the end of two years in extenuating circumstances. Extension approval may be granted upon recommendation by the Chief Building Official to the Director of Finance and Administrative Services.

Note 4: External review fees will be subject to an additional 15% administrative fee, or the staff hourly standard rate.