

CORPORATION OF THE TOWNSHIP OF RYERSON

BY-LAW # 16 - 12

BEING A BY-LAW TO PROVIDE FOR FEES CHARGED BY THE CORPORATION OF THE TOWNSHIP OF RYERSON

WHEREAS the Corporation of the Township of Ryerson charges various fees for licenses, permits, and services offered by the Corporation,

AND WHEREAS the Municipal Act, 2001, S.O. 2001, c 25, Sections 390 to 400 gives authority for a municipality to impose fees and charges,

AND WHEREAS pursuant to Section 69 of the Planning Act, R.S.O. 1990, C.P. 13, a Council of a Municipality may, by by-law, prescribe a tariff of fees for the processing of applications made in respect of planning matters, which tariff shall be designed to meet only the anticipated cost to the municipality or to a Committee of Adjustment in respect of the processing of each type of application provided for in the tariff,

AND WHEREAS the Corporation deems it advisable to create a comprehensive by-law to provide for the charging of fees,

NOW THEREFORE the Council of the Corporation of the Township of Ryerson enacts as follows:

1. That the fees set out in Schedule 'A' annexed to and forming part of this By-Law shall be charged for licences, permits, services and documents listed therein.
2. A fee shall be charged to the proponent of any application of a planning nature, before an approval or review of the application is undertaken by Council.

a) Any person who is required to pay a fee for the processing of an application in respect of a planning matter may pay the amount of the fee under protest and thereafter appeal to the Municipal Board against the levying of the fee or the amount of the fee by giving written notice of appeal to the Municipal Board within thirty days of payment of the fee. The Municipal Board shall hear an appeal made under this clause and shall dismiss the appeal or direct that a refund payment be made to the appellant in such amount as the Board determines.

b) The fee for the processing of applications made with respect to planning matters shall be set out in Schedule 'B' annexed to and forming part of this by-law. The fees set out in Schedule 'B' do not include additional costs, which may also be collected as fees, pursuant to sub-paragraphs (c) and (d) below.

c) In planning matters the Municipality may in its discretion require the services of professional consultants such as planners, lawyers, surveyors, engineers and other experts and professional persons. In such cases the applicant will be required to pay the actual cost to the Municipality of such services in addition to any fixed Municipal fees. The applicant shall be provided upon reasonable request with the amount expended to date on such consultants and an estimate of the anticipated future cost to complete the matter. The applicant

may be required to provide a deposit or other security for a reasonable estimate of such cost prior to the Municipality before proceeding, and if such cost exceed the original estimates, may be asked to provide additional security or deposit before the matter is completed.

d) In addition to the fees set out in Schedule 'B', the applicant shall be responsible for any legal or other costs incurred by the Municipality if the Municipality is requested by the applicant to defend a decision it has made before the Ontario Municipal Board. The provisions of subparagraph (c) immediately above apply to such costs and the Municipality may decline to defend the matter unless the applicant provides security for such costs.

e) The Clerk of the Municipality, upon receipt of an application and payment thereof, shall commence processing the applications, in accordance with regulations and procedures established in the Planning Act, R.S.O., 1990, as amended.

3. That the fees set out in Schedule 'C', prescribe fees under the Nuisance Beaver Control By-law 28-08, as per authority given in Section 427 of the Municipal Act. By-law 30-08 is hereby repealed.

4. Notwithstanding that a tariff of fees is prescribed, the Council of the Municipality may reduce the amount of, or waive the requirement for the payment of a fee at its discretion in cases of hardship where it is determined that the action for which the fee is to be charged will be for the general benefit of the municipality and its ratepayers;

5. That if the provisions of this by-law conflict with any other by-law of the Corporation heretofore passed then the provisions of this by-law shall prevail.

6. This by-law shall come into force on the date of passing.

Read a First, Second, and
Third time, Signed and the
Seal of the Corporation affixed
thereto and finally passed in
Council this 15 day of May 2012.

Original signed by Glenn Miller

REEVE.

Original signed by Judy Edwards

DEPUTY CLERK.