



The Otonabee Region Conservation Authority
250 Milroy Drive, Peterborough, Ontario, K9H 7M9
Phone: 705-745-5791 Fax: 705-745-7488
email: otonabee@otonabeeconservation.com

PLAN REVIEW & PERMITTING SERVICES FEE POLICY AND SCHEDULE

This policy outlines the Otonabee Region Conservation Authority's policies for setting and charging fees in support of its Plan Review and Section 28 permitting activities

Approved by Board of Directors Resolution 92/13, November 28, 2013

Amended by Board Resolution 29/16, date April 21, 2016

Amended by Board Resolution 63/17, date September 21, 2017

Basis

In January 1996, a provincial Omnibus Bill was passed which, by amending the *Conservation Authorities Act*, empowered conservation authorities (CAs) to collect fees for services approved by the Minister of Natural Resources. Section 21(m.1) of the *Conservation Authorities Act* allows for the collection of fees for services such as plan review, permitting, public and legal inquiries, conservation land management and community relations. The document entitled 'Policies and Procedures for the Charging of Conservation Authority Fees (June 1997, updated March 1999),' included the Ministry of Natural Resources (MNR) Procedural Manual established guidelines for fee collection. The document states that CA fee structures should be designed to recover, but not exceed, the costs associated with administering and delivering the services on a program basis. The manual also states that the setting of fees should be dependent on the complexity of applications and the level of effort required to process the application.

In 2017, the Otonabee Region Conservation Authority (Otonabee Conservation) approved an Authority-wide fee policy for activities that entail the granting of permission as well as those activities where a service is provided. The granting of permission includes the issuance of permits under Ontario Regulation 167/06 (i.e., Section 28 permitting), while the review of *Planning Act* applications is considered a service. As per the Authority-wide Fee Policy, the Authority will charge a fee for the granting of permission or for the providing of service where the permission or service provides a direct benefit to an identifiable individual, group or agency.

Principles

The Plan Review & Permitting Fee Policy and Schedule is based upon the following three principles:

- User-pay
- Adequate consultation and notification
- Right to appeal

Implementation, Update Process and Public Notification

The attached Fee Schedules form part of this policy. Authority staff shall apply the fees as prescribed on the Fee Schedules when reviewing planning and development related applications. Otonabee Conservation reserves the right to modify or adjust fees should the review require a substantially greater or lower level of review and/or assessment or for applications that have not been included in the attached Fee Schedules. Any such adjustments from fees outlined in the Fee Schedules due to increased or decreased work required, must be approved by the Manager, Plan Review & Permitting Services.

Fee Schedules are established by Otonabee Conservation's Board of Directors following consultation with local municipalities and other stakeholders. Authority staff will consult with municipalities and key stakeholders at a level appropriate for proposed changes to the Fee Schedule. The greater the impacts of changes to the fee schedules, the larger the scale of consultation will be. Consultation will, at a minimum, include a direct mail-out to key stakeholders (e.g., municipalities, local home builder associations), the posting of proposed changes to the Otonabee Conservation website, and the posting of a notice in the Authority's administrative office.

No guarantees are provided for requested cost adjustments in the consultation process. Fees are necessary to finance Otonabee Conservation's plan review and permitting functions in the absence of other provincial or municipal funding.

Exemptions

Exemptions to the application of fees established on the Fee Schedules include:

- Non-profit conservation groups contributing to the protection and restoration of the natural environment such as Ducks Unlimited (DU), Nature Conservancy of Canada (NCC), Ontario Federation of Hunters and Anglers (OFAH), Kawartha Land Trust (KLT), and Community Stream Steward Program (CSSP).
- Local municipalities (including the County of Peterborough) forming part of the Authority for planning applications, inquiries, permits, and review of environmental assessments (EA).
- Works requiring a Letter of Authorization from the Authority (See Policy 3.1.2(1)) of the 'Watershed Planning & Regulation Policy Manual' for a list of these works).

Transition

The establishment of this Policy supersedes and replaces all previous Fee Schedules. The Policy also applies to proposals not previously invoiced, such as draft approved plans of subdivision that predated any Fee Schedules or additional technical reports associated with active applications not previously invoiced.

Appeal

An applicant has the right to appeal a fee and request either a reduction or waiving of the fee. In order to appeal a fee, the applicant must submit in writing the reasons for the appeal. The consideration for waiving/reducing a fee will be based largely on: 1) the scope of work required to administer and review the application and supporting technical reports; and, 2) if the municipality has waived or reduced their application fee.

Appeals will first be heard by the Chief Administrative Officer. If still not satisfied, an appeal may be heard by the Executive Committee. Appeals heard by the Executive Committee will be dismissed or upheld through a resolution. The appellant will then be notified in writing of the Committee's decision.

Monitoring

This Policy shall be monitored from time to time to evaluate its effectiveness and fairness. The Policy, including its Fee Schedules will subject to a comprehensive staff review at least every four years and annually for a cost of living adjustment. Any changes or amendments to the Policy shall proceed through the approval process utilized to establish the fee schedule.

PLAN REVIEW FEE SCHEDULE
(FOR APPLICATIONS AND INQUIRIES MADE UNDER THE PLANNING ACT)

Plan Review Category	As of January 1, 2015	As of January 1, 2018
Proposal Inquiry	\$250	\$275
Minor Variance		
• Minor	\$300	\$325
• Intermediate	\$1,000	\$1,050
• Major	\$1,950	\$2,075
Consent (Severance)		
• Minor	\$375	\$400
• Intermediate	\$1,100	\$1,175
• Major	\$2,050	\$2,175
Zoning By-Law Amendment		
• Minor	\$375	\$400
• Intermediate	\$1,100	\$1,175
• Major	\$2,050	\$2,175
Official Plan Amendment		
• Minor	\$475	\$500
• Intermediate	\$1,200	\$1,325
• Major	\$2,200	\$2,325
Site Plan		
• Minor	\$400	\$425
• Intermediate	\$1,250	\$1,325
• Major	\$4,000	\$4,225
Plan of Subdivision/Condominium		
• Draft Plan Conditions		
○ Minor	\$5,000	\$5,300
○ Major	\$10,000	\$10,600
• Clearance of Conditions	\$1,500/ha	\$1,600/ha
• Draft Plan Extension	\$1,000	\$1,050
• Reactivation	\$1,000	\$1,050
• Revision Fee	\$1,000	\$1,050
Golf Courses/Aggregate Pits	\$5,000	\$5,300
Optional Expedited Review	TBD	TBD
Other Fees		
Additional Technical Review	\$75/hr	\$80/hr
Additional Site Visits	\$75/hr	\$80/hr
Application Amendments	50% of fee to a maximum of \$500	50% of fee to a maximum of \$525
File Reactivation	50% of fee to a maximum of \$500	50% of fee to a maximum of \$525

THE FINE PRINT:

Minor – An application is determined to be “Minor” where there is low risk of impact on a natural hazard or natural features and no technical letters or studies are required. Subdivisions less than 5 hectares in size are determined to be “Minor”.

Intermediate – An application is determined to be “Intermediate” where there is moderate risk of impact on natural hazards or natural features and/or the review of a single technical report/plan (e.g., Environmental Impact Study, Floodplain Analysis, Stormwater Management Plan) is required.

Major – An application is determined to be “Major” where risk to natural hazard and natural features is high and/or the review of 2 or more technical reports/plans (e.g., Environmental Impact Study, Floodplain Analysis, Stormwater Management Plan) is required. Subdivisions greater than 5 hectares are determined to be “Major”.

1. Applicants and/or municipalities are encouraged to consult with staff prior to submission of all applications to determine the extent and nature of information required to accompany the application, and to determine the appropriate fee.
2. Application fees are collected in the following fashion and must be paid before Otonabee Conservation review will commence:
 - a. Application fees for Minor Variances, Zoning By-Law Amendments and Site Plan applications are collected by the municipality.
 - b. Fees for Consents (Severance), Plans of Subdivision and Plans of Condominium will be collected by the municipality within the City of Peterborough, the City of Kawartha Lakes and the Municipality of Trent Hills. Fees for Consent (Severance), Plans of Subdivision and Plans of Condominium within the County of Peterborough will be invoiced to applicants directly.
 - c. Fees for Official Plan Amendments will be collected by the municipality within the City of Peterborough, the City of Kawartha Lakes, the Township of Douro-Dummer, the Township of Cavan Monaghan, the Township of Otonabee-South Monaghan and the Municipality of Trent Hills. Fees for Official Plan Amendments will be invoiced to the applicant directly within the Township of Asphodel-Norwood and Selwyn Township.
3. Otonabee Conservation reserves the right to modify or adjust fees should the review require a substantially greater or lower level of review and/or assessment or for applications that have not been included in the above table.
4. Consolidated Planning Act applications will be subject to only the higher of the application fees if submitted within a one year time period.
5. Peer review fees will be recovered when a report contains information that is beyond the scope of Otonabee Conservation’s in-house expertise OR come to a third-party resolution where there is conflict.
6. Otonabee Conservation reserves the right to increase fees without notice to address year to year increases that may occur from inflationary increases in operating costs
7. The net hectare fee required for Clearance of Conditions will exclude lands outside of the development limit (e.g., natural hazards, natural heritage features and buffers). This fee will be capped at \$25,000.
8. Fees for applications requiring technical review are based on the initial submission and two resubmissions. Submissions beyond those three will be reviewed and charged at the hourly technical review rate.
9. Fees for amendments to applications are charged when the proposed development is modified after planning approval has been granted. Application Amendment fees are based on the fee in place at the time the amendment request is made.
10. A File Reactivation fee is charged for applications that have been dormant for over one year. File Reactivation fees are based on the fee in place at the time of reactivation.

11. All studies submitted to Otonabee Conservation for review become the property of the Authority and the information may be used by Otonabee Conservation and its member municipalities. In order for members of the public to view any studies, plans and reports related to a permit, a formal request under the Municipal Freedom of Information Protection and Privacy Act, PRSO 1990, c M. 56 is required. Access is subject to statutory exemptions.

PERMIT FEE SCHEDULE

(FOR APPLICATIONS MADE UNDER ONTARIO REGULATION 167/06 – DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND WATERCOURSES)

Permit Category	As of January 1, 2015	As of January 1, 2018
Real Estate/Legal Inquiry	\$125	\$125
Proposal Inquiry	\$250	\$275
Letter of Authorization	\$0	\$0
Development Applications (Adjacent to or within Flooding Hazards, Erosion Hazards or Unstable Soils)		
• Minor	\$325	\$350
• Intermediate	\$950	\$1,000
• Major	\$1,750	\$1,850
Development Adjacent to Wetlands, Interference with Wetlands, Alterations to Shorelines and Watercourses		
• Minor	\$450	\$475
• Intermediate	\$1,050	\$1,100
• Major	\$1,850	\$1,950
Large Fill	\$1000 + \$0.80/m ³ imported	\$1025 + \$0.80/m ³ imported
Golf Courses	\$5,000	\$5,300
Other Fees		
Violations or Unauthorized Works	2x permit cost	2x permit cost
Additional Technical Review	\$75/hr	\$80/hr
Additional Site Visit	\$75/hr	\$80/hr
File Reactivation	50% of fee to a maximum of \$500	50% of fee to a maximum of \$525
Permit Amendments (after approval)	50% of fee to a maximum of \$500	50% of fee to a maximum of \$525
Optional Expedited Review	TBD	TBD
Administrative Fee For Board Process		
• At scheduled Board Meeting	\$200	\$200
• At Special Meeting	\$350	\$375

THE FINE PRINT:

Minor – An application is determined to be “Minor” where there is low risk of impact on a natural hazard or natural features and no technical letters or studies are required.

Intermediate – An application is determined to be “Intermediate” where there is moderate risk of impact on natural hazards or natural features and/or the review of a single technical report/plan (e.g., Environmental Impact Study, Floodplain Analysis, Stormwater Management Plan) is required.

Major – An application is determined to be “Major” where risk to natural hazard and natural features is high and/or the review of 2 or more technical reports/plans (e.g., Environmental Impact Study, Floodplain Analysis, Stormwater Management Plan) is required.

1. Applicants and/or municipalities are encouraged to consult with staff prior to submission of all applications to determine the extent and nature of information required to accompany the application, and to determine the appropriate fee.
2. Application fees must be paid at the time of filing an application. A permit will not be issued unless the application fee has been submitted.
3. Otonabee Conservation reserves the right to modify or adjust fees should the review require a substantially greater or lower level of review and/or assessment.
4. Where an application is made and determined not to be subject to Ontario Regulation 167/06, the application fee will be refunded less a \$100 administrative fee.
5. Permits are generally granted for two years. Permit extensions or renewals will not be granted. Applicants may re-apply for the reissuance of a new permit for the original approved works in accordance with most recent technical requirements and legislation.
6. Projects with multiple components will be subject to only the higher of the application fees, not the aggregated amount.
7. Fees for applications requiring technical review are based on the initial submission and two resubmissions. Submissions beyond those three will be reviewed and charged at the hourly technical review rate.
8. Otonabee Conservation reserves the right to increase fees without notice to address year to year increases that may occur from inflationary increases in operating costs.
9. Peer review fees will be recovered when a report contains information that is beyond the scope of Otonabee Conservation’s in-house expertise OR come to a third-party resolution where there is conflict.
10. Permit Amendment fees are based on the fee in place at the time the amendment request is made. Permit amendment fees for Large Fill are not subject to a \$500 cap.
11. A File Reactivation fee is charged for applications that have been dormant for over one year. File Reactivation fees are based on the fee in place at the time of reactivation.
12. All studies submitted to Otonabee Conservation for review become the property of the Authority and the information may be used by Otonabee Conservation and its member municipalities. In order for members of the public to view any studies, plans and reports related to a permit, a formal request under the Municipal Freedom of Information Protection and Privacy Act, PRSO 1990, c M. 56 is required. Access is subject to statutory exemptions.