

**THE CORPORATION OF THE  
TOWNSHIP OF LANARK HIGHLANDS**

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**BY-LAW NO. 2022-1799**

**BEING A BY-LAW TO PRESCRIBE A TARIFF OF FEES FOR PROCESSING  
APPLICATIONS IN RESPECT OF PLANNING MATTERS ADMINISTERED BY  
THE CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS**

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**WHEREAS** the Council of the Township of Lanark Highlands wishes to establish user fees and charges for the Planning Department of the Township of Lanark Highlands;

**AND WHEREAS** the Municipal Act, SO, 2001 as amended, Section 391 (1) authorizes a municipality to impose fees or charges on persons:

- (a) For services or activities provided or done by or behalf of it;
- (b) For costs payable by it for services or activities provided or done by or behalf of any other municipality or any local board; and
- (c) For the use of its property including property under its control;

**AND WHEREAS** the Planning Act, RSO 1990, Section 69. (1) states: the Council of a municipality, by bylaw, and a planning board, by resolution, may establish 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 or land division committee constituted by the council of the municipality or to the planning board in respect of the processing of each type of application provided for in the tariff;

**NOW THEREFORE**, the Council of the Corporation of the Township of Lanark Highlands enacts as follows:

**1. GENERAL REGULATIONS**

- 1.1. That Schedule "A" attached to this by-law sets out the fees, charges and policies related to fees and charges for the Planning Department of the Corporation of the Township of Lanark Highlands and forms part of this by-law are hereby adopted;
- 1.2. Where any by-law, passed prior to this by-law, conflicts with the terms of this by-law, this by-law shall prevail.

**2. SEVERABILITY**

- 2.1. If a court of competent jurisdiction declares any section or part of this bylaw invalid, it is the intention of Council that the remainder of the By-law shall continue in force.

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**3. ULTRA VIRES**

3.1. Should any sections of this by-law, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.


**4. REPEAL OF FORMER BY-LAWS**

4.1. That Bylaw 2019-1591 – Bylaw to Prescribe a Tariff of fees for processing applications in respect of Planning Matters hereby be repealed;

**5. EFFECTIVE DATE**

5.1. This By-Law shall be deemed to be effective as of the date of passage.

**ENACTED AND PASSED** this 11<sup>th</sup> day of October, 2022.

  
Peter McLaren, Reeve

  
Amanda Noël, Clerk



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**SCHEDULE "A"**

**1.0 FEE SCHEDULE**

<b>2022</b>	<b>Fees</b>	<b>Deposits</b>
Official Plan Amendment	\$660.00	\$2000.00
Zoning By-law Amendment	\$660.00	\$2000.00
Combined OPA/ZBA	\$1100.00	\$2000.00
Site Plan Control Agreement	\$570.00	\$2000.00
Site Plan Amendment minor (less than 10% change)	25% of the fee	
Site Plan Amendment major	50% of the fee	
Combined ZBA/SPC	\$1020.00	\$2000.00
Minor Variance	\$720.00	\$2000.00
Minor Variance Amendment minor (less than 10% change)	25% of the fee	
Minor Variance Major Amendment	50% of the fee	
Combined MV/SPC	\$1070.00	\$2000.00
Subdivision Review	\$2500.00 plus \$60/hour per related staff review	\$5000.00
Subdivision minor change, prior to draft approval	\$750.00 plus \$60/hour per related staff review	
Subdivision major change, prior to draft approval	\$1000.00 plus \$60/hour for other staff review	
Part Lot Control Application	\$500.00	
Consent	\$500.00 plus \$215 each additional severance	\$1500.00
Consent Amendment	\$150.00	
Cash-in-lieu	Waterfront lots \$600.00 Other lands \$450.00	
Removal of Holding Symbol	\$450.00	\$500.00
Temporary Use By-law	\$500.00	\$1500.00
Zoning Certificate	\$75.00/ property file	
Communication Tower Application	\$200.00	
No significant movement of file for 1 year	50% of original fee	
Pre-consultation Meetings	Inquiry plus one pre-consultation free; after which \$60.00/hour prior to application being deemed complete	
Review of applications by other (Fire, PW)	\$60.00/hour during pre-consultation phase, to come from deposit after application is deemed complete (will be placed in appropriate budget line)	
Third Party Review of Studies	All costs borne by the applicant	
Legal Fees	All costs borne by the applicant	

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**1. Collection in the Same Manner as Taxes**

- 1.1. The Township of Lanark Highlands retains the right, as authorized by the Municipal Act, 2001, SO 2001 Section 398 (2) to 'add fees and charges imposed by the municipality and collect them in the same manner as municipal taxes' if the fees and charges are not paid as originally billed.

**2. Staff time**

- 2.1. Staff time shall be charged against a file whenever possible for tribunals, meetings or hearings in accordance with various challenges against the Township under the Planning Act or other applicable legislation.

**3. Due Dates**

- 3.1. Receipt of an invoice shall be deemed to have occurred:
- 3.1.1. on the date of delivery in the case of personal delivery;
  - 3.1.2. five days after mailing by registered mail;
  - 3.1.3. seven days after mailing by regular mail.
- 3.2. All invoices are to be payable within 30 days of the receipt of the invoice

**4. Collection and use of deposits**

- 4.1. The Township collects deposits for a number of functions. Policies related to deposits vary dependant on the purpose it was collected. The payee is responsible for following all policies and processes to ensure that the deposit is returned, if applicable. All deposits will be returned without interest or penalty.