

POLICY



PLANNING & DEVELOPMENT NBMCA FEES POLICY AND SCHEDULES PD10-06

Approved: July 24, 2019

Revised:

NBMCA Fees Policy and Schedules

Legislative Framework

In January 1996, a provincial Omnibus Bill was passed which amended the Conservation Authorities Act. One of the amendments to the Act empowered conservation authorities to charge fees for services approved by the Minister of Natural Resources. The document entitled Policies and Procedures for the Charging of Conservation Authority Fees (June 1997, updated March 1999) included in the MNR Procedural Manual sets 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. It is recognized that the Board may vary the % of cost recovery, based on factors such as the size of a municipality. The manual also states that setting fees are dependent on the complexity of applications and the level of effort required to administer the application. Fees take into account estimated staff time, overhead, travel, and materials costs to provide the service. The following forms the foundation of a policy for the administration and preparation of fee schedules, for the planning and the permitting functions provided by NBMCA.

Principles

NBMCA's planning and permitting programs (Ontario Regulation 177/06 Development, Interference with Wetlands and Alterations to Shorelines and Watercourses and Ontario Regulation 332/12 Sewage Systems) Fees Policy is based upon the following three principles:

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

Planning Services Fee Administration

In accordance with the current practice and the *Plan Review Agreements* with our municipalities and the East Nipissing Planning Board, all planning application fees are negotiated with the municipality/planning board and are to be collected by the municipality/planning board and

remitted to the CA. When a municipality/planning board requires a new application and fee for a resubmission, NBMCA's planning services fees will also be applicable.

Implementation, Update Process and Public Notification

The attached permitting Fee Schedules form part of this policy. At its February 2015 meeting, NBMCA Board of Directors approved the 2015 budget report in which staff recommended “an annual fee adjustment in line with the Ontario Consumer Price Index (CPI) starting in 2016.”

NBMCA staff shall apply the permitting fees as prescribed on the Fee Schedules when reviewing development and on-site sewage system related applications. Plan review fees are set as per the *Plan Review Agreement*. NBMCA does reserve 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 Fee Schedules. Any such adjustments from fees outlined in the Fee Schedules due to increased or decreased work required, must be approved by the Chief Administrative Officer.

Fee Schedules are established by NBMCA Board of Directors. NBMCA staff will consult with municipalities and key stakeholders at a level appropriate for proposed changes to the Fee Schedule. The larger the impacts of changes to the fee schedules, the larger the scale of consultation will be.

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

This Policy including its fee schedules shall be monitored as necessary to evaluate its effectiveness and fairness. The Policy, including its fee schedules will be adjusted annually for cost adjustments and will be subject to a comprehensive staff review at least every five years. Any changes or amendments to the Policy shall proceed through the approval process utilized to establish the fee schedule.

Methodology for Calculating Fees and Increases

Reporting on the administration of fees and consultation will include analysis of the following issues and data, where relevant:

- Analysis of trends in shifts in markets and in cost of living, workload changes, and types of applications;
- Consultation with developers/municipalities about work effort, new planning/legislative requirements and streamlining;
- General overview of status of cost recovery, statistics of numbers of applications and annual changes, where required;
- Level of service/review turn-around timing and areas of improvement of level of service/staffing demands;
- Cost cutting measures as required; and
- Status of Local Planning Appeal Tribunal (LPAT) , Mining and Lands Tribunal (MLT) and Building Code Commission appeals – trends in legal costs (no detailed backup of staff time allocations, and file costs will be included).

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 Board's decision.

Date of Effect

The Fees Policy becomes effective as of the date of NBMCA Board of Directors approval. Fee schedules are updated annually as per the CPI, and submitted for budget approval of the Board of Directors.

Appendix A

NBMCA Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (O. Reg. 177/06) Fee Schedule

Fee Schedule

Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (O. Reg. 177/06)



Under Section 28 of the *Conservation Authorities Act*, R.S.O. 1990, c. C.27

Schedule C – Program Fees Effective April 1, 2021

Please note: All NBMCA permits are tax exempt

Application Type (and typical description)	2021 Fee
Major Projects Includes multiple residential units/blocks ¹ , institutional commercial buildings greater than 464 m ² (5,000 ft ²), new or replacement infrastructure (bridges, culverts and utility crossings) greater than 25 m (82 ft) in width of excavation and stormwater management ponds/cells, fill activity greater than 2,000 m ³ (2,616 yd ³), grading greater than 1 ha (2.5 acres), channelization/shoreline alterations greater than 500 m (1640 ft).	\$1,240.00
Large Projects Any new residential dwelling, or new institutional/commercial building less than or equal to 464 m ² (5,000 ft ²), residential additions/ reconstruction/basements greater than 92.9 m ² (1,000 ft ²), new or replacement infrastructure (bridges, culverts, utility crossings) 5 to 25 m (16 to 82 ft) in width of excavation, fill activity 500 to 2,000 m ³ (654 to 2616 yd ³); grading 0.5 to 1.0 ha (1.2 to 2.5 acres); shoreline alterations 50 to 500 m (164 to 1640 m), channel maintenance** greater than 200 m (656 ft) in length and similar.	\$880.00
Standard Projects Additions, reconstruction, auxiliary buildings and structures less than or equal to 92.9 m ² (1,000 ft ²), foundation (crawl space or piers) replacement/reconstruction, new or replacement infrastructure (bridges, culverts, utility crossings) less than 5 m (less than 16 ft) in width of excavation, fill activity 100 to 500 m ³ (131 to 654 yd ³), grading up to 0.5 ha (1.2 acres), channelization/ shoreline alterations less than 50 m (164 ft) in length, docks and boathouses - new construction, modifications, or extensions with lake bed contact area greater than 15 m ² , channel maintenance** less than or equal to 200 m (656 ft) in length and similar.	\$450.00
Small Projects Auxiliary ² buildings and structures less than 20 m ² (215 ft ²), additions with a total gross floor area less than 20 m ² (215 ft ²), fill activity less than 100 m ³ (131 yd ³), docks and boathouses – new construction, modifications, or extensions with lake bed contact area less than or equal to 15 m ² and similar.	\$195.00
Revisions Applications which are modified or amended following approval; overall scope of project remains the same (also includes review of modifications to previously reviewed sediment and erosion control plans).	50% of base permit application fee
Permit Extensions If the CA has granted permission for an initial period that is less than the applicable maximum allowable, an extension may be granted.	\$80.00
Review of Applications Retroactive to Project Commencement (Violations)	100% surcharge of base permit fee
Refund Policy For a withdrawn application prior to a site inspection being conducted: <ul style="list-style-type: none"> Application processed– no inspection conducted Fees are non-refundable once a site inspection has been conducted. 	Refund 75% application fee
Property Inquiries For <u>written</u> responses to legal, real estate and related financial inquiries by landowners or others on their behalf. <ul style="list-style-type: none"> Written response without a site inspection With a site inspection (Development Regulations Only) With a site inspection (Development Regulations and Sewage Systems Combined) 	\$145.00 \$260.00 \$510.00

The above permit fees shall include a maximum of 1 pre-consultation meeting and 3 site visits. Where a permit application requires additional site visits or consultations, the NBMCA reserves the right to charge additional fees. All fees are payable at the time the application is submitted.

Permits for multiple residential units/blocks may be issued for a maximum 60 months. All other permits may be issued for maximum 24 months. Auxiliary buildings or structures shall include sheds, on-land retaining walls, gazebos, decks, etc. which are non-habitable.

** Maintenance shall mean no change in size, location or shape.

Fill Activity – includes the placement, removal or grading of fill material of any kind whether it originated on the site or elsewhere.

Appendix B

NBMCA On-site Sewage System Program (O. Reg. 332/12) Fee Schedule

FEE SCHEDULE

On-site Sewage System (O.Reg. 332/12)
Under the Building Code Act, 1992

Program Fees Effective April 1, 2021

Please note: All NBMCA permits are tax exempt

Application Type/Service	2021 Fee
Class 2	\$540
Class 3	\$540
Class 4 and Class 5 (Holding Tank)	
Residential with a daily design flow < 3000 l/day	\$920
Residential with a daily design flow > 3000 l/day	\$1000
Non-residential	\$1000
Alternative Solutions Application	\$1200
Class 4 Tank Replacement Only	\$400
Sewage System Decommissioning/Demolition	\$155
Change of Registered Owner on Permit	\$100
Permit Extension (per year, maximum 3 years)	\$165
Permit Amendment (other than ownership change)	\$165
Conditional Notice of Completion	\$165
Additional Inspection due to deficiencies	\$165
OBC Clearance (i.e. deck, garage construction)	\$100
OBC Clearance with a site inspection	\$260
Sewage System File Review	
Use Permit provided by owner	\$180
Additional fee for copy of Use Permit	\$270
File Request (copy of sewage system permit)	\$90
Legal Inquiry (Lawyer/Real Estate Inquiry)	\$160
On-site Sewage System Review - Planning Act Proposal	
\$200 for the application plus \$100.00 for each additional lot or part lot created (minimum charge of \$300/application)	\$200+
All lots greater than 4 ha (10 acres) in size with no constraints (no site inspection)	\$200
Review of Lands to be Sold/Developed - Sewage Systems Only	\$270
Review of Lands to be Sold/Developed - Sewage Systems + DIA	\$510
Mandatory Maintenance Inspections (MMI)	\$140
MMI Late Fee (applied after 90 days)	\$50
Refund Policy	
Withdrawn applications, prior to a permit being issued:	
Application processed; no inspection conducted	75% of fee
Application processed; first inspection completed; permit not issued	50% of fee
NO REFUND for fees of \$150.00 or less. NO REFUND once a permit is issued.	