

## THE CORPORATION OF THE TOWNSHIP OF MACHAR

### **BY-LAW NO. 13-22**

being a by-law prescribing a tariff of fees for the processing of applications made in respect to planning matters.

WHEREAS the Planning Act, R.S.O. 1990 (69) provides that the Council of a municipality may by by-law prescribe a tariff of fees for the processing of planning applications:

The Council of the Corporation of the Township of Machar enacts as follows:

1. A fee shall be charged to the proponent of any application of a planning nature, before a review or decision of the application is undertaken by Council. This fee will be non-refundable.
2. 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 Ontario 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 30 days of payment of the fee.
3. The Municipal Board shall hear an appeal under Clause (2) and shall dismiss the appeal or direct that a refund payment be made to the appellant in such amount as the Board determines.
4. The following fee schedule is hereby established for applications in the amounts as stated:
  - a) Official Plan Amendment (no amendment to Zoning By-Law) \$1,000.00
  - b) Official Plan Amendment (with amendment to Zoning By-Law) \$1,500.00
  - c) Zoning By-Law Amendment \$1,000.00
  - d) Proposed Plan of Subdivision Review \$2,000.00
  - e) Proposed Subdivision Agreement Review \$2,000.00
  - f) Applications for Consent submitted for review \$1,000.00
  - g) Cash in Lieu of Parkland \$2,500.00 + HST per lot created
  - h) Minor Variance \$1,000.00
  - i) Lakeshore Road Closing \$1,000.00
5. The fees established in Clause (4) of this by-law do not include any disbursements incurred by the Township on behalf of the Applicant for the processing of the application. Where Council incur costs necessary as part of its review and processing of the application such as planning, legal, engineering, advertising, postage, special meetings, etc. such costs will be billed to the applicant. Council will require a deposit payable in advance to be applied against the final and full costs of the processing of the planning application. **The deposit will be \$4,000.00 for applications where a singular lot is involved.** The deposit will be \$8,000.00 where multiple lots are involved, eg Plan of Subdivision. The deposit if exhausted will be replenished at the same corresponding amounts upon notification from the Township prior to continuing.
6. The Clerk of the municipality, upon receipt of the application and certified payment thereof, shall present a copy to Council for its recommendation and approval or non-approval.
7. Upon a decision being made, the Clerk shall notify the applicant of Council's decision immediately.
8. The Clerk shall then commence processing the application, in accordance with regulations and procedures established in the Planning Act, R.S.O. 1990 as amended.
9. This by-law shall come into full force and effect upon date of passage. By-Law No. 15-20 is hereby repealed.

READ A FIRST, SECOND, THIRD & FINAL TIME THIS 27<sup>th</sup> DAY OF June 2022.

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Mayor Lynda Carleton

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Clerk Administrator Brenda Paul, AMCT

#### OTHER ADMINISTRATIVE FEES:

Tax Certificate or Zoning Compliance	\$80. per roll number
Search Fee (+ Costs) or Returned Cheque	\$80. per roll number
Tax Statement (Duplicate Tax Information)	\$40. per roll number
Commissioning Taxpayer Affidavits	\$40. per document

BP

**TOWNSHIP OF MACHAR**  
**APPLICATION TO PURCHASE & CLOSE**  
**ORIGINAL 66 FOOT LAKESHORE ROAD ALLOWANCE**

Owner(s) name & phone no. \_\_\_\_\_

Property description & 911 address \_\_\_\_\_

Name of lake & property roll number \_\_\_\_\_

As the registered owner(s) of the above property in the Township of Machar, I/we hereby apply to have the original 66 foot lakeshore road allowance in front of the lands referred to above stopped up, closed and conveyed to me/us and agree to the following terms and conditions:

Reason I/we wish to purchase \_\_\_\_\_

I/we agree:

- a) To obtain at our own expense a reference plan of survey satisfactory to the Township's solicitor of the original lakeshore road allowance to be closed.
- b) To pay all costs of advertising, posting of notices, and legal fees incurred by the Township and such payment shall not be contingent upon successful completion of the road closing.
- c) To pay to the Township \$1.00 per square foot of original lakeshore road allowance to be stopped up, closed and conveyed, contingent upon successful completion of the road closing.
- d) To accept title to the original lakeshore road allowance, subject to a covenant prohibiting the clearance of natural vegetation thereon and a further covenant establishing a 66 foot setback from the high water mark for all buildings, structures and sewage disposal systems, hereafter constructed. This clause shall not supercede any zoning by-law requirements and/or setbacks.
- e) To accept title to the original lakeshore road allowance subject to such water easements as may be reasonably required by the Township.

Fee of \$1000.00 plus \$4,000.00 deposit is enclosed with this application. The fee will be forfeited if the application does not proceed within 6 months. All costs incurred will be payable. Applications will not be processed during the winter.

Please note all parties, including adjoining neighbours, must provide written consent to the survey and the consents must be submitted to our office.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_.

Owner's Signature \_\_\_\_\_

Printed Owner(s) Name(s) \_\_\_\_\_

Owner's Signature \_\_\_\_\_

Street/Box No. \_\_\_\_\_

Owner's Signature \_\_\_\_\_

Town & Province \_\_\_\_\_

Owner's Signature \_\_\_\_\_

Postal Code \_\_\_\_\_

## **PROCEDURES & COSTS TO PURCHASE 66' LAKESHORE ROAD ALLOWANCE**

To be completed by Applicant:

- a) Complete and file application with the Township including fee of \$1000.00 plus \$4,000.00 deposit to be applied against costs incurred for legal, advertising, etc..
- b) Clearly indicate your choice of solicitor for completing the transaction with the Township solicitor.
- c) Obtain written neighbours' consents. Sample neighbours written consent forms are attached. These forms are provided for your convenience and we make no representation with respect to their legality.
- d) Once application has been accepted by Council, obtain a reference plan of survey. The survey must show any buildings and/or encroachments on the lakeshore road allowance. We will require 2 copies.

To be completed by the Township and Township solicitor:

- a) Acceptance of application by Council.
- b) Advertising for 4 weeks in local newspaper.
- c) Printing and posting of notices in immediate neighbourhood.
- d) Consider any neighbour comments received.
- e) Execution of by-law, if approved.
- f) All legal matters necessary for the transaction, including all registrations and collection of Township and solicitor accounts.

Costs to be paid by Applicant:

- a) Township administration fee and all costs incurred for legal, advertising, printing and posting of notices, photocopies, etc..
- b) Reference plan of survey (contact surveyor of choice for an estimate).
- c) Land cost at \$1.00 per square foot + HST (footage as determined by Surveyor).
- d) Solicitor's account for completing the transaction with Township solicitor (contact the solicitor of your choice for an estimate).

Solicitor to work with Township solicitor for completion;

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Please ensure all areas of application are completed. Thank you.

For Office Use Only:

Fee and Deposit received: \_\_\_\_\_

Lakeshore Zoning \_\_\_\_\_

Accepted by Resolution \_\_\_\_\_

## NEIGHBOUR'S WRITTEN CONSENT TO PURCHASE 66' LAKESHORE ROAD ALLOWANCE

As part of the procedure for purchasing the lakeshore road allowance in front of your property, written consent is required from the neighbours/owners on each side of the property to agree on the boundary line of lakeshore road allowance to be purchased.

We encourage communication with the neighbours/owners prior to obtaining the survey, in order to identify any potential objection prior to incurring costs.

However, written consent to the actual survey is also required and may be submitted on Part 2 of the following form.

PARTY PURCHASING LAKESHORE ROAD ALLOWANCE \_\_\_\_\_

PROPERTY DESCRIPTION/CIVIC ADDRESS \_\_\_\_\_

### Part 1 (prior to survey)

*I am an adjoining neighbour/owner to the above noted application to purchase lakeshore road allowance. The potential purchaser has communicated with me prior to the survey and I have the following comments:*

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NEIGHBOUR(S) SIGNATURE \_\_\_\_\_

NEIGHBOUR(S) PRINTED NAME \_\_\_\_\_

NEIGHBOUR(S) MAILING ADDRESS \_\_\_\_\_

NEIGHBOUR(S) PHONE NUMBER \_\_\_\_\_

NEIGHBOUR(S) PROPERTY DESCRIPTION/CIVIC ADDRESS \_\_\_\_\_

DATE OF SIGNATURE/COMMENTS \_\_\_\_\_

**This form is provided for your convenience and we make no representation with respect to its legality. Part 1 may be completed prior to survey and must be submitted with your application for acceptance by Council. Part 2 must be completed and submitted after the survey. Please note obtaining the survey does not guarantee Council acceptance of your application, nor obligate approval of the purchase.**

E.&O.E.

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NEIGHBOUR(S) PRINTED NAME \_\_\_\_\_

NEIGHBOUR(S) MAILING ADDRESS \_\_\_\_\_

NEIGHBOUR(S) PHONE NUMBER \_\_\_\_\_

NEIGHBOUR(S) PROPERTY DESCRIPTION/CIVIC ADDRESS \_\_\_\_\_

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### Part 2 (required after the survey)

*I am an adjoining neighbour/owner to the above noted application to purchase lakeshore road allowance. I have viewed the survey and I have the following comments:*

PART & SURVEY NUMBERS \_\_\_\_\_

Consent \_\_\_\_\_

Object \_\_\_\_\_

NEIGHBOUR(S) SIGNATURE \_\_\_\_\_

NEIGHBOUR(S) PRINTED NAME \_\_\_\_\_

NEIGHBOUR(S) MAILING ADDRESS \_\_\_\_\_

NEIGHBOUR(S) PHONE NUMBER \_\_\_\_\_

NEIGHBOUR(S) PROPERTY DESCRIPTION/CIVIC ADDRESS \_\_\_\_\_

DATE OF SIGNATURE/COMMENTS \_\_\_\_\_

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E.&O.E.

BP updated Jun 6, 2011

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PART & SURVEY NUMBERS \_\_\_\_\_

Consent \_\_\_\_\_

Object \_\_\_\_\_

NEIGHBOUR(S) SIGNATURE \_\_\_\_\_

NEIGHBOUR(S) PRINTED NAME \_\_\_\_\_

NEIGHBOUR(S) MAILING ADDRESS \_\_\_\_\_

NEIGHBOUR(S) PHONE NUMBER \_\_\_\_\_

NEIGHBOUR(S) PROPERTY DESCRIPTION/CIVIC ADDRESS \_\_\_\_\_

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