

Corporation of the Township of South Frontenac

**A By-Law to Establish Fees and Charges Collected by The Corporation of the
Township of South Frontenac**

By-Law Number 2024-59



**SOUTH
FRONTENAC**

Short Title: "The Fees and Charges By-law"

Consolidation Of Amendments

Subject	Amending By-Law	Effective Date
Planning Fees Schedule	By-law 2024-62	September 10, 2024
Unopened Road Allowance Fees	By-law 2024-67	October 1, 2024
Recreation Service Fees	By-law 2024-77	December 3, 2024

The By-law numbers highlighted in this consolidation refer to the By-laws that amended the principal By-Law (By-law 2024-59).

Original copies are obtainable upon request from the Clerk's Department.

By-Law Number 2024-59**A By-Law to Establish Fees and Charges to be Collected by The Corporation of the Township of South Frontenac**

Whereas subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

Whereas section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

Whereas section 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

Whereas section 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1);

Whereas section 391(1) of the *Municipal Act, 2001* provides that a municipality may impose fees or charges on persons:

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

Whereas subsection 391(2) of the *Municipal Act, 2001* provides that a fee or charge imposed for capital costs related to services or activities may be imposed on persons not receiving an immediate benefit from the services or activities but who will receive a benefit at some later point in time;

Whereas subsection 391(3) of the *Municipal Act, 2001* provides that the costs included in a fee or charge may include costs incurred by the municipality or local board related to administration, enforcement and the establishment, acquisition and replacement of capital assets;

Whereas subsection 391(4) of the *Municipal Act, 2001* provides that a fee or charge may be imposed whether or not it is mandatory for the municipality or local board imposing the fee or charge to provide or do the service or activity, pay the costs or allow the use of its property;

Whereas subsection 391(5) of the *Municipal Act, 2001* provides that, in the event of a conflict between a fee or charge by-law and the *Municipal Act, 2001*, or any other act or regulation made under any other act, the by-law prevails;

Whereas fees and charges listed in the Schedules attached hereto may be administered and calculated in accordance with other Township by-laws or provincial legislation or both, including but not limited to:

- (i) animal services by-laws;
- (ii) business licensing by-laws;
- (iii) fire prevention and suppression by-laws;
- (iv) parking by-laws;
- (v) lottery licensing by-laws
- (vi) the Building Code Act, 1992, its regulations and by-laws passed under the Act or its regulations;

(vii) the Funeral, Burial and Cremation Services Act, 2002, its regulations and by-laws passed under the Act or its regulations; and

(viii) subsection 69(1) of the Planning Act, R.S.O. 1990, c. P.13;

Whereas it is deemed expedient to pass this By-law;

Therefore Be It Resolved That the Council of the Corporation of the Township of South Frontenac hereby enacts as follows:

1. Council hereby establishes the fees and charges as set out in the schedules to this By-law for The Corporation of the Township of South Frontenac (South Frontenac). The fees and charges will be subject to Harmonized Sales Tax (HST) and Retail Sales Tax (RST), where applicable.
2.
 - a) Unless otherwise stipulated, the fees and charges shall be adjusted annually, on January 1 by the Consumer Price Index of the third quarter of the prior year .
 - b) In those instances where the fee is not adjusted by the Consumer Price Index in one year, the cumulative adjustment for past years may be made in future years, as approved by Council.
 - c) Despite paragraph 2(a), fees and charges may be adjusted, as approved by council, to recover at a minimum, respective service, administration and capital costs, as well as costs for any other purpose in any amount permitted under applicable law.
3. Payment is received at the time of the transaction for which the fee or charge is imposed, or upon the due date specified in the terms of a contract signed by the Township or an invoice issued by the Township.
4. Unless otherwise stipulated, any portion of a fee or charge that remains unpaid beyond the date fixed for payment may bear interest at the rate of 1.25% (15% per annum) after thirty (30) days and each month thereafter until such fee or charge is paid in full.
5. The Township may use a collection agency to collect any unpaid fee or charge, including interest charged pursuant to section 4 and the collection agency's fees, as approved by the Township, shall be added to the unpaid amounts to become the total amount payable to the collection agency.
6. The Treasurer shall add unpaid fees and charges imposed by the municipality to the tax roll associated with the property in the Township of South Frontenac and collect them in the same manner as municipal taxes:
 - a) In the case of fees and charges for the supply of a public utility, the property to which the public utility was supplied.
 - b) In all other cases, any property for which all of the owners are responsible for paying the fees and charges.
7. Where this By-law established a fee and charge for a fee that also exists in another by-law that predates the effective date of this by-law, the fee and charge in this By-law shall be the applicable fee and charge and the other by-law is hereby effectively amended.
8. In the event that By-law 2024-59, as amended, is repealed and re-enacted or amended in its entirety, it shall be assigned the same by-law number, due to the fact this by-law is mentioned in several other related by-laws.
9. Should any part of this By-law, including any part of any schedule, be determined by a court of competent jurisdiction to be invalid or of no force and effect, it is council's intention that such invalid part of this by-law shall be severable and that the remainder of this by-law including the

remainder of the impugned schedule, as applicable, shall continue to operate and to be in force and effect.

10. This By-law shall come into force and take effect on the date of its passage.

Given First and Second Readings: Tuesday, September 3, 2024

Given Third Reading and Passed: Tuesday, September 3, 2024

James Thompson, Clerk

Ron Vandewal, Mayor

Schedule A of By-law 2024-59
Corporate Services Fees and Charges
(Treasury Department)

Description	Amount	Effective Date

Schedule B of By-law 2024-59**Corporate Services Fees and Charges**

(Clerk's Department, Office of the Chief Administrative Officer and
Human Resources Department)

Description	Amount	Effective Date
Unopened Road Allowance Fees		October 1, 2024
Purchase Price (Minimum purchase price per parcel: \$2,500.00 plus HST - See Schedule B of By-law 2024-66)	\$16.15 per square metre	
Application Fee See Schedule C of By-law 2024-66	\$1000.00	
Administrative Fee See Schedule C of By-law 2024-66	\$50.00	
Signage Fee See Schedule C of By-law 2024-66	\$100.00	
Deposit See Schedule C of By-law 2024-66	\$3500.00	
Licence/Encroachment Agreement Fees		
Application Fee See Schedule C of By-law 2024-66	\$400.00	
Annual Licence Agreement Fee See Schedule C of By-law 2024-66	\$10.00	

**Schedule C of By-law 2024-59
Development Services**

Application Type	Fee	Engineering and Legal Deposit
Pre-consultation fee:		
Minor variances, Consents, Site Plans (pre-consultation fee)	\$150	
Zoning By-law amendments, Official Plan Amendments, Plan of subdivision/condominium (pre-consultation fee)	\$400	
Consent Application:	\$1,347	
Change of conditions - minor	\$320	
Change of conditions – major (requiring recirculation)	\$560	
Zoning By-law Amendment:	\$1,964	
After building without a permit	\$3,700	
Minor Variance Application:	\$1,230	
Applications requiring extra work (4+ variances)	\$1,445	
After building without a permit	\$2,206	
Site Plan Agreement:		
Site Plan – Commercial, industrial, institutional developments less than 4000 square feet + Site Engineering / Legal Deposit	\$2,506	\$2,000
Site Plan – Commercial, industrial, institutional developments equal to or greater than 4000 square feet + Site Engineering / Legal Deposit	\$3,300	\$2,000
Site Plan – Multi-residential	\$2,506	\$2000
Site Plan – Residential Waterfront	\$1,200	
Site Plan – Residential Waterfront (after minor variance)	\$475	
Site Plan – Residential Waterfront (after ZBLA)	\$475	
Official Plan Amendment:	\$2,806	
Plan of subdivision/condominium:		
Draft Plan Application - Plan of subdivision/condominium – less than 20 units	\$2,978	\$5,000
Draft Plan Application - Plan of subdivision/condominium – more than 20 units	\$3,583	\$5,000
Change of condition following Draft Plan Approval including red line revisions	\$2000	
Draft Plan Extension	\$1,311	
Final Design Review	\$775	
Zoning:		
Zoning Compliance Review	\$110	
Zoning Compliance Review – Drawing revisions	\$55	
Zoning Compliance Letter	\$123	
Zoning Compliance Letter (within 48 hours)	\$252	

Other fees:		
Calculation of MDS	\$275	
Calculation of MDS (recalculation)	\$140	
Deeming By-law	\$431	
File Search Fee	\$87	
Licence Agreement	\$373	
Lifting of 0.3m reserve	\$1,223	
Lot and Grading Plan –Deposit		\$3,000
Natural Heritage Review	\$175	
Part Lot Control By-law	\$982	
Preparation of Condominium agreement	\$1,775	
Preparation of Subdivision agreement	\$1,775	
Preparation of Pre-servicing agreement	\$1,775	
Preparation of Model Home agreement	\$1,775	
Preparation of Development agreement	\$373	
Property Information Search	\$87	
Removal of 'H' Symbol	\$965	
Removal of 'H' Symbol – Additional Dwelling Unit	\$110	
Request for Municipal Support Resolution in respect to the OPA FIT or similar programs		
15 Kilowatts or less	\$750	
Greater than 15 Kilowatts	\$1,500	
Sign Posting	\$157	
Source Water Protection – Risk Assessment Review	\$225	
Source Water Protection - Section 59 Notice that activity is not prohibited and does not need a Risk Management Plan	\$225	
Telecommunications Tower review	\$1,886	
Validation of Title	\$700	

Schedule D of By-law 2024-59

Fire & Emergency Services

Description	Amount	Effective Date

**Schedule E of By-law 2024-59
Public Services**

Description	Category 1 – Youth, seniors, not-for-profit		Category 2 – Adult users		Category 3 – Commercial use, non-residents		Effective Date
	New users	Phase in	New users	Phase in	New users	Phase in	
Phased-in facilities							January 1,2025
Community Halls – Storrington Centre, Glendower Hall, Harris Park Hall, Sydenham Library Community Room							
Hourly rate	\$10.00	\$3.40	\$15.00	\$5.10	\$40.00	\$13.60	
Rectangular fields and baseball diamonds							
Regular hourly rate (7am – 7pm)	\$12.50	\$4.25	\$20.00	\$6.80	\$60.00	\$20.40	
Regular hourly rate (7pm – 11pm +20% lights premium)	\$15.00	\$5.10	\$24.00	\$8.16	\$72.00	\$24.48	
Tournament hourly rate (7am – 7pm)	\$15.00	\$5.10	\$25.00	\$8.50	\$65.00	\$22.10	
Tournament hourly rate (7pm – 11pm +20% lights premium)	\$18.00	\$6.12	\$30.00	\$10.20	\$75.00	\$25.50	
Park rental – Special events							
Hourly rate	\$10.00	\$3.40	\$20.00	\$6.80	\$60.00	\$20.40	

Facilities not phased-in	Category 1 – Youth, Seniors, Not-For-Profit	Category 2 – Adult Users	Category 3 – Commercial Use, Non-residents	Effective Date
Gazebos/ pavilions				January 1, 2025
Hourly rate	\$5.00	\$10.00	\$30.00	
Courts				
Regular hourly rate (7am – 7pm)	\$2.00	\$3.00	\$10.00	
Regular hourly rate (7pm – 11pm +20% lights premium)	\$2.40	\$3.60	\$12.00	
Tournament hourly rate (7am – 7pm)	\$4.00	\$6.00	\$16.00	
Tournament hourly rate (7pm – 11pm +20% lights premium)	\$4.80	\$7.20	\$19.20	

1. Existing user groups will be subject to a phased in rate. In year one (2025), existing user groups will be subject to their applicable rate, reduced by 66%. In year two (2026), existing user groups will be subject to their applicable rate, reduced by 33%. In year three (2027), existing user groups will be subject to the full applicable rate.

2. Notwithstanding Clause 2. a. of By-law 2024-59, as amended, the fees shall be adjusted annually with a 4% increase.

3. This By-law shall come into force and take effect on the date of its passage.