

POLICY

To charge fees for services related to planning and development related activities under Section 21 (m.1) of the *Conservation Authorities Act*

For the

Nottawasaga Valley Conservation Authority
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Effective Date: December 16, 2011

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. Section 21(m.1) of the *Conservation Authorities Act* allows for this collection of fees for services such as plan review, permitting, public and legal inquiries, conservation land management, and community relations. This Policy to charge fees primarily applies to the planning and engineering services provided by the NVCA.

Basis

This Policy has been prepared in conformity with the *Conservation Authorities Act* and the *Policies and Procedures for the Charging of Conservation Authority Fees*, established by the Ministry of Natural Resources. This Policy is based on the user-pay principle. The fees and revenues generated through this Policy are designed to recover the costs associated with administering and delivering the services on a program basis.

Process and Public Notification

This Policy has been established through the normal procedural process of the NVCA. Annually, the Policy is reviewed to monitor the effectiveness of the schedule of fees and (accordingly) to make any changes. Staff of the NVCA brings forward any suggested changes to the Policy to the Board of Directors. The Board and its meetings are open to the public for comments. The municipal members on the Board are encouraged to consult with their municipal staff. The draft fee schedule is circulated in advance of the Board's consideration to interested stakeholders for comment. The Policy is also circulated to the Ministry of Natural Resources for their information and comment.

Implementation

It is the objective of the NVCA to provide an effective and efficient delivery of planning and related services. To achieve this objective, land use proposals will be reviewed in a timely fashion. Comments on applications under the Planning Act will be provided in time for the legislated public meeting or hearing.

Permit applications under the Conservation Authorities Act will be generally processed within timelines outlined in MNR's May 2010 "Policies and Procedures for Conservation Authority Plan Review and Permitting Activities" (Calc Report). The Calc report identifies that Conservation Authorities are to make a decision (i.e. recommendation to approve or referred to a Hearing) with respect to a permission (permit) application and pursuant to the Conservation Authorities Act within 30 days for a complete minor application and 90 days for a complete major application. The NVCA will notify applicants, in writing, within 21 days of the receipt of a permission (permit) application, as to whether the application has been deemed complete or not. The applicant should pre-consult with NVCA staff prior to submission of an application to determine complete permit application requirements for specific projects.

The attached "Schedule of Fees" forms part of this Policy. Staff of the NVCA shall apply the fees as prescribed on the Schedule of Fees when reviewing planning and development related applications.

Exemptions to the application of these fees 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 Anglers and Hunters (OFAH), Friends of the Mad River, New Tecumseth Streams Committee;
- Local municipalities forming part of the NVCA for permit applications, inquiries, and site assessments only; and
- Works not requiring permit approval from the NVCA include: construction of unenclosed decks, fences, detached buildings and structures less than 10 square metres, awnings, above ground pools, temporary pools, top dressing of properties (0.1m of fill or less), top dressing of driveways (0.1 m of fill or less, plus filling in potholes), hot tubs, holding tanks where the area is returned to the original grade and the fill is removed off site, and other minor works as determined by the Chief Administrative Officer.

The following addresses the permit fee hierarchy identified in the "Schedule of Fees":

- Minor Permits may include: in-ground Pools, driveways not subject to flooding or erosion, sheds less than 46 square metres (500 square feet), septic systems and screened in porches.
- Intermediate permits may include: single family dwellings and non habitable structures greater than 46 square metres (500 square feet).
- Major Permits may include large scale development such as golf courses not requiring planning act approval and watercourse alterations exceeding 100 metres (30 feet) in length, etc.
- Letter of approval may include instances where municipal partners require clearance for works not requiring permit approval within a regulated area or other similar circumstances as determined by staff.

The charging of fees related to plans of subdivision shall be collected in two phases. The first 50% of the fees shall be paid at the time of application. The remaining 50% shall be paid once draft plan approval is achieved and detailed plans have been submitted. The remaining fee will be calculated based upon the number of lots (increase/decrease) provided in the detailed plans. The remaining fees may be collected in phases if the total charge is greater than \$50,000. A letter of credit must be posted in order to allow for any phasing of the remaining 50% fee. Approval of the Chief Administrative Officer is required to implement any phasing of the fees.

Transition

The establishment of this Policy supercedes and replaces all previous Fee Schedules. The Policy also applies to proposals not previously invoiced, such as draft approved plans of subdivision which predated any fee schedule.

Appeal

The fee appeal process will be based on the principles of fairness, opportunity, and notification. Any deviation from this Policy requires the approval of the Board of Directors. The appellant must submit in writing to the Chief Administrative Officer the reasons for the appeal. The written request will also identify the need and desire to present the appeal before the Board of Directors. Once heard, the appeal will be dismissed or upheld through a resolution passed by the Board of Directors. The appellant will be notified accordingly of the Board's decision.

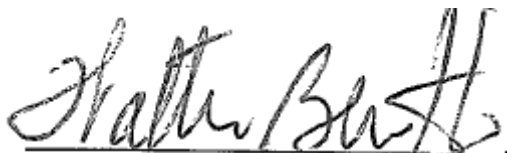
Monitoring

This Policy shall be monitored from time to time to evaluate its effectiveness and fairness. Any changes or amendments to the Policy shall proceed through the approval process utilized to establish the fee schedule. This Policy, as a minimum, will be reviewed once annually including a review of the cost of living adjustment.

Certification



Wayne R. Wilson
Chief Administrative Officer



Chair Walter Benotto
NVCA Board of Directors

NOTTAWASAGA VALLEY CONSERVATION AUTHORITY
FEE SCHEDULE
Effective: December 16, 2011

A.	APPLICATIONS MADE UNDER THE PLANNING ACT	
	Official Plans and Secondary Plans	General Levy
	Comprehensive Zoning By-law	General Levy
	Site Specific Official Plan and Zoning By-Law Amendments	\$ 500
	Additional Fee for technical study review	\$ 750
	Letter of approval (no technical review or site inspection required)	\$ 100
	Plan of Subdivision/Condominium - Residential	
	Minimum Fee	\$10 000
	Lot Fee (single, semi-detached, duplex)	\$ 310
	Unit Fee (townhouse, triplex etc)	\$ 155
	Plan of Subdivision/Condominium – Industrial/Commercial	
	Minimum Fee	\$10 000
	Net hectare fee	\$ 2 500
	Site Plans	
	Letter of Approval (where no technical review or site inspection is required)	\$ 500
	Minor: Site Plan Area <2 ha.	\$ 1 250
	Intermediate: Site Plan Area >2 ha. to < 4 ha.	\$ 5 000
	Major: Site Plan Area > 4ha. (additional \$1 250 ha. charge for sites over 10 ha)	\$12 500
	Site Plan – Residential (multi unit)	Use Residential Subdivision Fees
	Site plan - golf courses	\$15 000
	Aggregate proposals: minimum fee	\$50 000
	Net hectare fee	\$ 1 250
	Aggregate proposals: Above water table proposals or expanded extraction within a licensed area less than 40 ha.	\$12 500
	Consents	\$ 300
	Additional fee for technical study review, for example SWM Report or EIS	\$ 500
	Letter of approval for (no technical review or site inspection required)	\$ 100
	Variances	\$ 200
	Additional fee for technical study review, for example SWM Report or EIS	\$ 500
	Letter of approval for (no technical review or site inspection required)	\$ 100
B.	NIAGARA ESCARPMENT PERMIT APPLICATIONS	
	Base Fee	\$ 300
	Additional fee for technical study review, for example EIS	\$ 500
	Letter of approval (no technical review or site inspection required)	\$ 100

C. APPLICATIONS MADE UNDER THE CONSERVATION AUTHORITIES ACT		
Letter of Approval		\$ 100
Permit Application minor works		\$ 200
Permit Application intermediate works		\$ 500
Permit Application major works		\$ 1 500
Permit application large fill projects (see procedural guideline for more detail)		
250 – 1000 m ³		\$500 plus \$0.80 per m ³
>1000 m ³		\$1500 plus \$0.80 per m ³
Permit – unauthorized works		2 X permit fee
Permit – amendment/renewal		\$ 100
Additional fee for significant technical review		varies
D. Other		
Legal/Real Estate Inquiries		\$ 200
Comprehensive Mapping Request (minimum fee)		\$ 2 000
Legal/Consultant Peer Review Costs (charged on the basis of cost recovery)		varies
Provision of Individual Property Information		\$ 50
Development Pre-consultations requiring technical study review (minimum fee)		\$ 500

Notes:

- Plans of subdivision/condominium and site plan fees include permitting fees under the NVCA's Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation, Ontario Regulation 172/06.
- Permit approval will not be required from the NVCA for certain small scale projects such as outlined NVCA's Policy to Charge Fees or determined by the NVCA's CAO.
- Please see NVCA's Policy for Charging Fees for an explanation of the minor, intermediate and major permit fees.
- When processing and reviewing consolidated applications (e.g. OPA/ZBA/Subdivisions) the higher fee would be applied.
- NVCA reserves the right to reassess the review fee after 2 years of receipt of the application based on timing and receipt of technical information.
- NVCA reserves the right to charge additional review fees based on excess work subject to Board of Directors review and direction.
- The applicant will be responsible for any external peer review costs necessary to review submitted technical submissions.
- An administrative fee of \$50 may be charged for processing refunds. Please note that permit fees are non refundable.

Attachment A - 2011 Costs for Mapping/GIS Requests

Datasets:

Tiles: 35km²

Price: \$75/Tile

Minimum Fee: \$50

Data Set Request for >25 Tiles: \$2000

This Fee will apply to the following Data Sets:

- NVCA Regulated Areas
- NVCA Estimated Floodlines
- NVCA Wetlands
- 2m Contours
- DEM
- NVCA Watercourses
- NVCA Landuse
- NVCA Woodlands
- 2002 DTM Data
- ArcHydro Layers/Results
- NVCA Slope
- ELC
- Natural Heritage Layers/Results
- Other NVCA owned and created datasets that require cost recovery

Mapping Requests

Map Requests	Data Processing fee	Printing Fee/map
Pre-made NVCA General Maps (8.5x11 or 11x17)	\$50/hr	Free *
Custom Made Maps: Data Processing Fee** + PRINTING COSTS		
8.5x11 or 11x17		\$5.00
ANSI C (17x22)		\$20.00
ANSI D (22x34)		\$25.00
ANSI E (24x36)		\$30.00
Add Ortho Imagery to ANSI C or larger		Add \$10.00

*up to 3 print outs for free after which a \$5/map will be charged

**Prices may vary depending on complexity of requests.