

# **FEE STRUCTURE BY-LAW NO. 2/17 (AS AMENDED)**

## **A BY-LAW OF SOUTH INTERLAKE PLANNING DISTRICT**

**WHEREAS** Section 21(3) of *The Planning Act* provides that:

21(3) The board of a planning district may adopt:

- (a) a by-law establishing the fees and charges to be paid for services provided by the district, including licenses, permits, certificates and other approvals and documents issued by the district; and
- (b) other by-laws, not inconsistent with this Act, that may be necessary to carry out and exercise its duties and powers under this Act.

**AND WHEREAS** it is deemed desirable and expedient to repeal Fee Structure By-Law No. 1/15, and all amendments thereto, and substitute therewith a new Fee Structure By-Law;

**AND WHEREAS** the members of the South Interlake Planning District Board are of the opinion that a new Fee Structure By-Law should be passed setting forth the fees to be charged by the South Interlake Planning District;

**NOW BE AND IT IS ENACTED AS FOLLOWS:**

### **1.0 DEFINITIONS**

- 1.1 **"Basement Development"** means any development or interior renovations in the basement area of a home, including the finishing of a previously unfinished basement, structural or material alterations, and basement underpinning.
- 1.2 **"Building Permit"** means a permit authorizing construction and/or renovations, issued by the South Interlake Planning District pursuant to the applicable municipal Zoning By-Law and the Manitoba Building Code.
- 1.3 **"Construction Value"** means the total monetary worth of the final project costs, including all construction costs, material costs, and labour costs associated with the project.
- 1.4 **"Demolition Permit"** means a permit authorizing the demolition of a building(s) and/or structure(s), issued by the South Interlake Planning District pursuant to the Manitoba Building Code.
- 1.5 **"Development Permit"** means a permit authorizing development, including construction and/or land use, issued by the South Interlake Planning District pursuant to the *The Planning Act* and the applicable municipal Zoning By-Law.
- 1.6 **"Occupancy Permit"** means a permit authorizing the occupancy of a building, or portion of a building, issued by the South Interlake Planning District pursuant to the Manitoba Building Code.
- 1.7 **"Plumbing Permit"** means a permit authorizing plumbing installations and repairs, including all rough-ins and hook-ups, issued by the South Interlake Planning District pursuant to the Manitoba Plumbing Code and Manitoba Building Code.
- 1.8 **"Secondary Suite"** means a self-contained accessory dwelling unit in accordance with the applicable municipal Zoning By-Law.
- 1.9 **"Security Deposit"** means a monetary payment to the South Interlake Planning District (SIPD) in association with a Building Permit, pursuant to this By-Law. The refunding of the security deposit by the SIPD shall be in accordance with this By-Law.
- 1.10 **"Sign Permit"** means a permit authorizing the erection or installation of a sign, issued by the South Interlake Planning District pursuant to the applicable municipal Zoning By-Law and the Manitoba Building Code.

**2.0 DEVELOPMENT APPLICATION FEES**

2.1 Tables in this section of the By-Law outline all development application fees which shall be paid to the South Interlake Planning District (SIPD) by the applicant upon their submission of a complete development application to the SIPD.

Sec. #	AMENDMENTS TO PLANNING DOCUMENTS	FEES
2.2	SIPD Development Plan Amendment Application	\$3,000.00 (plus postage)
2.3	Secondary Plan Amendment Application	\$2,000.00 (plus postage)
2.4	Zoning By-Law Amendment Application (map and/or text)	\$2,000.00 (plus postage)
2.5	Advertising Deposit for Development, Secondary Plan, or Zoning By-Law Amendment Application	\$1,200.00 per application <sup>1</sup>

<sup>1</sup> The balance of the advertising deposit, following payment of all advertising costs associated with the application, shall be returned to the applicant upon completion of the application process.

Sec. #	VARIANCE & CONDITIONAL USE	FEES
2.6	Minor Variance Application	\$250.00
2.7	Variance Application	\$500.00 (plus postage)
2.8	Each Additional Variance at the Same Site (Same Application)	\$75.00
2.9	Variance (Use Substantially Similar to a Permitted Use)	\$800.00 (plus postage)
2.10	Variance Order Amendment Application	\$500.00 (plus postage)
2.11	Conditional Use Application	\$500.00 (plus postage)
2.12	Conditional Use Amendment Application	\$500.00 (plus postage)
2.13	Largescale Livestock Conditional Use Application	\$800.00 (plus postage)
2.14	Advertising Deposit for Largescale Livestock Conditional Use Application	\$600.00 per application <sup>2</sup>
2.15	Extension of Variance or Conditional Use Application	\$200.00

<sup>2</sup> The balance of the advertising deposit, following payment of all advertising costs associated with the application, shall be returned to the applicant upon completion of the application process.

Sec. #	SUBDIVISION	FEES
2.16	Subdivision Application Base Fee (1 lot)	\$700.00 (plus postage)
2.17	Subdivision Application Additional Lot Fee (more than 1 lot)	\$150.00 / additional proposed lot
2.18	Amendment to Subdivision Application	\$300.00
2.19	Extension of Subdivision Conditional Approval	\$300.00
2.20	Extension of Subdivision Certificate of Approval	\$300.00

**3.0 PERMIT FEES**

3.1 Tables in this section of the By-Law outline all permit fees which shall be paid to the South Interlake Planning District (SIPD) by the applicant.

3.2 Development Permit and Application Review fees shall be paid by the applicant to the SIPD at the time of submission of a complete permit application to the South Interlake Planning District (SIPD).

3.3 Building Permit, Plumbing Permit, Occupancy Permits, Demolition Permits, and Sign Permits shall be paid by the applicant to the SIPD at the time of permit issuance by the SIPD. Application Review fees shall be deducted from the total amounts owing at the time of permit issuance.

3.4 Notwithstanding the above, the minimum Building Permit fee, unless specified as a flat rate, shall be \$200.00.

Sec. #	RESIDENTIAL BUILDINGS AND ADDITIONS	FEES
3.5	Development Permit	\$100.00
3.6	Building Permit Application Review	\$100.00

3.7	Building Permit: New and Relocated Single Detached Dwellings, Two-Family Dwellings, and RTMs	\$0.80 / ft <sup>2</sup> (first floor) <sup>3</sup> \$0.40 / ft <sup>2</sup> (additional floors) <sup>3</sup>
3.8	Building Permit: New and Relocated Mobile Homes (incl. plumbing)	\$300.00
3.9	Building Permit: Additions to Single Detached Dwellings, Two-Family Dwellings, RTMs, and Mobile Homes	\$0.80 / ft <sup>2</sup> (first floor) <sup>3</sup> \$0.40 / ft <sup>2</sup> (additional floors) <sup>3</sup>
3.10	Building Permit: New and Additions to Multi-Family Residential Dwellings	\$11.50 / \$1,000.00 of construction value
3.11	Building Permit: Basement Development (incl. plumbing)	\$300.00
3.12	Building Permit: Replacement Foundations	\$0.40 / ft <sup>2</sup>
3.13	Building Permit: Renovations, Repairs, Fire Restoration	1% of construction value
3.14	Building Permit: Secondary Suites	\$0.50 / ft <sup>2</sup>
3.15	Plumbing Permit: Single Detached Dwellings, Two-Family Dwellings, and RTMs	\$150.00
3.16	Plumbing Permit: All Other	\$20.00 / fixture
3.17	Plan Review & Project Meetings	\$100.00 / hour
3.18	Revisions to Plans	\$200.00 / submission

<sup>3</sup> Includes the combined floor area of a given dwelling / RTM / mobile home, all enclosed floors, attached garages, and other insulated areas (e.g., finished attics, sunrooms, etc.). Exclusions include seasonal non-insulated areas and structures, open or covered, such as decks, screened porches or verandas, patios at grade, steps, uncovered walkways, wheelchair ramps, cornices, eaves and similar projections, and landings of 50 square feet in area or less.

Sec. #	ACCESSORY BUILDINGS AND ADDITIONS (INCL. SOFT-SIDED)	FEES
3.19	Development Permit	\$50.00
3.20	Building Permit Application Review	\$50.00
3.21	Building Permit for New Detached Accessory Structure / Additions (120-800 ft <sup>2</sup> )	\$150.00
3.22	Building Permit for New Detached Accessory Structure / Additions (801-1,200 ft <sup>2</sup> )	\$250.00
3.23	Building Permit for New Detached Accessory Structure / Additions (> 1,201 ft <sup>2</sup> )	\$11.50 / \$1,000.00 of construction value
3.24	Revisions to Plans	\$150.00

Sec. #	DECKS AND WHEELCHAIR RAMPS	FEES
3.25	Development Permit	\$50.00
3.26	Building Permit Application Review	\$50.00
3.27	Building Permit: Open or Covered Decks, Porches (non-insulated), or Verandas (non-insulated)	\$0.30 / ft <sup>2</sup>
3.28	Building Permit: Wheelchair Ramp	\$150.00

Sec. #	POOLS & HOT TUBS	FEES
3.29	Development Permit	\$50.00
3.30	Building Permit Application Review	\$50.00
3.31	Building Permit Fee for Above-Ground Outdoor Pools	\$200.00
3.32	Building Permit Fee for Hot Tubs	\$150.00
3.33	Building Permit Fee for In-Ground Pools	\$400.00

Sec. #	COMMERCIAL BUILDINGS AND ADDITIONS	FEES
3.34	Development Permit	\$150.00
3.35	Temporary Development Permit	
	- First Year	\$150.00
	- Second-Year Renewal	\$1,000.00
	- Third-Year Renewal	\$2,000.00
	- Fourth-Year Renewal	\$3,000.00
	- Fifth-Year Renewal	\$4,000.00
3.36	Building Permit Application Review: Construction Value Between \$1,000 - \$20,000	\$100.00

3.37	Building Permit Application Review: Construction Value Between \$20,001 - \$50,000	\$150.00
3.38	Building Permit Application Review: Construction Value Between \$50,001 - \$100,000	\$200.00
3.39	Building Permit Application Review: Construction Value Between \$100,001 - \$250,000	\$300.00
3.40	Building Permit Application Review: Construction Value Between \$250,001 - \$500,000	\$600.00
3.41	Building Permit Application Review: Construction Value Between \$500,001 - \$1,000,000	\$1,500.00
3.42	Building Permit Application Review: Construction Value Between \$1,000,001 - \$2,000,000	\$3,000.00
3.43	Building Permit Application Review: Construction Value over \$2,000,001	15% of Building Permit Fee
3.44	Building Permit: Base Fee	\$200.00 for first \$1,000.00 of construction value
3.45	Building Permit: Incremental Fee	\$11.50 / \$1,000.00 of construction value
3.46	Building Permit: Renovations, Repairs, Fire Restoration	1% of construction value
3.47	Plumbing Permit	\$200.00 (base) + \$25.00 / fixture
3.48	Plan Review & Project Meetings	\$100.00 / hour
3.49	Revisions to Plans	\$250.00 / submission

Sec. #	OCCUPANCY PERMITS	FEES
3.50	Occupancy Permit Application Review	\$100.00
3.51	Occupancy Permit	\$325.00 (single) + \$300.00 / suite
3.52	Occupancy Permit Associated with a Building Permit	none
3.53	Interim Occupancy Permit (Duration Determined by Inspector)	\$200.00 per suite
3.54	Interim Occupancy Extension (3 months)	\$400.00 per suite
3.55	Occupancy Permit - Part 9 Change of Use and/or Tenant	\$250.00
3.56	Occupancy Permit - Part 3 Change of Use and/or Tenant	\$375.00
3.57	Inspections and/or Reports Associated with Occupancy Permits	\$100 / hour + travel <sup>4</sup>

<sup>4</sup> Travel means mileage compensated at a rate of \$0.50 per kilometre driven to and from the site.

Sec. #	AGRICULTURAL / FARM BUILDINGS AND ADDITIONS	FEES
3.58	Development Permit: Buildings and Structures with a Gross Floor Area of < 1,200 ft <sup>2</sup>	\$150.00
3.59	Development Permit: Buildings and Structures with a Gross Floor Area of > 1,201 ft <sup>2</sup>	\$250.00

Sec. #	SOLAR INSTALLATIONS	FEES
3.60	Development Permit (Ground-Mounted Systems Only)	\$50.00
3.61	Building Permit Application Review	\$50.00
3.62	Building Permit for Roof-Mounted Solar Panel Installation	\$150.00
3.63	Building Permit for Ground-Mounted Solar Panel Installation	\$8.00 / \$1,000.00 of construction value

Sec. #	DEMOLITION	FEES
3.64	Demolition Permit Application Review	\$75.00
3.65	Demolition Permit for Buildings (120 – 800 ft <sup>2</sup> )	\$75.00
3.66	Demolition Permit for Buildings ( > 801 ft <sup>2</sup> )	\$0.10 / ft <sup>2</sup> (commercial); \$150.00 (residential)

Sec. #	SIGNS	FEES
3.67	Sign Permit Application Review	\$100.00
3.68	Sign Permit: Fixed Sign	\$200.00 / sign
3.69	Sign Permit: Mobile Sign	\$150.00 / location per year

3.70	Sign Permit: Temporary Mobile Sign	\$50.00 / location per year
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Sec. #	MISCELLANEOUS INSPECTIONS	FEES
3.71	Miscellaneous Inspections During Office Hours	\$100.00 / hour + travel <sup>5</sup>

<sup>5</sup> Travel means mileage compensated at a rate of \$0.50 per kilometre driven to and from the site.

#### **4.0 DEVELOPMENT APPLICATION & PERMIT FEE REFUNDS**

- 4.1 Tables in this section of the By-Law outline all development application and permit refunds to be paid to the applicant by the South Interlake Planning District (SIPD).
- 4.2 Refunds associated with construction security deposits shall be processed in accordance with Section 5.0 of this By-Law.

Sec. #	DEVELOPMENT APPLICATION FEE REFUND	REFUND AMOUNT
4.3	Cancellation of an SIPD Development Plan Amendment, Secondary Plan Amendment, or Zoning By-Law Amendment prior to First Reading	50% of the application fee
4.4	Cancellation of an SIPD Development Plan Amendment, Secondary Plan Amendment, or Zoning By-Law Amendment after First Reading	None
4.5	Cancellation of a Subdivision prior to the circulation of the application to government departments and agencies	50% of the application and lot fees
4.6	Cancellation of a Subdivision after the circulation of the application to government departments and agencies	None
4.7	Cancellation of a Variation or Conditional Use prior to the preparation of a report, map(s), or list(s)	50% of the application fee
4.8	Cancellation of a Variation or Conditional Use after the preparation of a report, map(s), or list(s)	None

Sec. #	PERMIT FEE REFUND	REFUND AMOUNT
4.9	Cancellation of a Building Permit before it has been issued	The Development Permit and Application Review fees shall be retained by the SIPD.
4.10	Cancellation of a Building Permit after it has been issued, and before construction pursuant to the permit has begun	75% of the Building Permit fee, less the Development Permit and Application Review fees.
4.11	Cancellation of a Building Permit after construction has begun	50% of the Building Permit fee, less the Development Permit and Application Review fees and \$100.00 for each inspection that was made. The refund shall be issued upon fulfillment of all SIPD conditions (i.e., make safe or remove) to address the incomplete construction on the property.
4.12	Revocation of a Building Permit by the SIPD	None
4.13	Cancellation of a Development Permit, Plumbing Permit, Occupancy Permit, Sign Permit, or Demolition Permit	None

#### **5.0 CONSTRUCTION SECURITY DEPOSITS**

- 5.1 The following table in this section of the By-Law outlines the security deposit amounts for all construction and/or renovations, which shall be paid to the South Interlake Planning District (SIPD) by the applicant or property owner prior to the SIPD's issuance of a Building Permit.
- 5.2 Security deposits shall be refunded in accordance with the following requirements:
- a) The Building Inspector has conducted a final inspection of the subject property and has confirmed that all construction and/or renovations have been completed pursuant to the permit, and that all associated documentation has been submitted to his/her satisfaction; and

- b) All construction and/or renovations pursuant to the permit have been completed to the satisfaction of the Building Inspector within three (3) years of the issuance date of the said permit. Failure to complete the construction and/or renovations to the satisfaction of the Building Inspector within three (3) years of the permit issuance date shall result in a punitive deduction of 50% of the security deposit amount, which will not be refunded. The SIPD may extend the three (3) year deadline for an additional period not longer than 24 months if a written request is received before the initial deadline; and
- c) The SIPD shall refund the security deposit paid pursuant to this By-Law to the applicant or property owner who has paid the same. The SIPD shall refund the security deposit to a different party if in the opinion of the SIPD such deposit has been assigned in writing to a different party by the applicant or property owner who paid the security deposit.

Sec. #	SECURITY DEPOSITS FOR ALL CONSTRUCTION	DEPOSIT AMOUNT
5.3	Basement Developments and Decks with Construction Value of \$10,000.00 - \$50,000.00	\$500.00
5.4	Construction Value: \$0 to \$10,000.00	none
5.5	Construction Value: \$10,001.00 to \$25,000.00	\$1,000.00
5.6	Construction Value: \$25,001.00 to \$100,000.00	\$2,000.00
5.7	Construction Value: \$100,001.00 to \$250,000.00	\$4,000.00
5.8	Construction Value: \$250,001.00 to \$400,000.00	\$5,000.00
5.9	Construction Value: \$400,001.00 to \$2,000,000.00	\$8,000.00
5.10	Construction Value: \$2,000,001.00 to \$10,000,000.00	\$15,000.00
5.11	Construction Value: \$10,000,001.00+	\$25,000.00

## **6.0 PENALTY FEES**

- 6.1 The following table in this section of the By-Law outlines penalty fees, which shall be paid to the South Interlake Planning District (SIPD) within 30 days of written notice of the penalty from the SIPD. Failure to pay the penalty within the prescribed time limit may result in the revocation of the Building Permit.
- 6.2 All penalty fees may be appealed to the SIPD Board, if an appeal is provided in writing to the SIPD within 30 days of the written notice of the penalty. After considering the appeal, the SIPD Board shall pass a resolution upholding, overturning, or modifying the penalty fee as the Board sees fit.
- 6.3 The SIPD reserves the right to cease all plan review and inspection services regarding a given application file until all outstanding penalty fees associated with said file have been resolved.

Sec. #	PENALTIES	FEES
6.4	Where a permit has not been obtained before the activity requiring the permit has started.	Double All Permit Fees
6.5	Where the work is not ready for inspection at the time for which the inspection was called.	\$200.00 + travel (payable prior to subsequent inspection) <sup>6</sup>
6.6	Where project deficiencies result in repeated inspections by the inspector.	\$200.00 + travel for each additional inspection (payable prior to subsequent inspection) <sup>6</sup>
6.7	Where the work has been covered and the inspector is unable to perform or complete the required inspection, in accordance with the issued permit (note: notwithstanding payment of the penalty fees, the inspector may still require the work to be uncovered and inspected).	\$1,000.00 (payable prior to subsequent inspection)

<sup>6</sup> Travel means mileage compensated at a rate of \$0.50 per kilometre driven to and from the site.

## **7.0 MISCELLANEOUS ADMINISTRATIVE FEES**

- 7.1 The following tables in this section of the By-Law outlines miscellaneous administrative fees that shall be paid to the South Interlake Planning District.

Sec. #	ZONING MEMORANDUMS & CERTIFICATIONS	FEEES
7.2	Zoning Memorandums: Confirms Conformance with Site Regulations (with Building Location Certificate provided)	\$100.00
7.3	Zoning Memorandums: All Others, Including the Status of Previously Issued Permits	\$200.00
7.4	Zoning Compliance Certificate: Confirms that a Use, Building, or Structure Conformed to Previous Zoning Regulations and is Therefore Legal Non-Conforming	\$200.00

Sec. #	DOCUMENTS, COPYING & PRINTING, AND REPORTS	FEEES
7.5	SIPD Development Plan: Digital Copy (flash drive)	\$60.00
7.6	SIPD Development Plan: Paper Format	\$120.00
7.7	Zoning By-Law: Digital Copy (flash drive)	\$60.00
7.8	Zoning By-Law: Paper Format	\$120.00
7.9	Copy of a Building Permit (no plans)	\$25.00
7.10	Miscellaneous Copies Up to Ledger Size: Black & White	\$1.00 / page
7.11	Miscellaneous Copies Up to Ledger Size: Colour	\$3.00 / page
7.12	Maps Up to Ledger Size: Black & White	\$4.00 / page
7.13	Maps Up to Ledger Size: Colour	\$8.00 / page
7.14	SIPD Annual Report: Digital Copy (flash drive)	\$25.00
7.15	SIPD Annual Report: Paper Format	\$50.00
7.16	Building Permit Reports: Paper Format	\$10.00 / monthly report
7.17	Copies or Scans of Building Plans	\$200.00 deposit <sup>7</sup> \$75.00 / hour + all third party costs
7.18	User Defined Reports	\$100.00 / hour
7.19	Fee for a Non-Sufficient Funds (NSF) Cheque	\$50.00

<sup>7</sup> The deposit amount shall be deducted from the total amount owing by the requestor when the copies and/or scans are available for release by the SIPD.

Sec. #	SERVICE CHARGES	FEEES
7.20	Fee for a Non-Sufficient Funds (NSF) Cheque	\$50.00

## **8.0 REPEAL AND EFFECTIVE DATE**

- 8.1 **REPEAL:** Fee Structure By-Law No. 1/15, and all amendments thereto, are hereby repealed.
- 8.2 **EFFECTIVE DATE:** Fee Structure By-Law No. 2/17 is hereby adopted and shall come into full force and effect on the day following that on which it received Third Reading by the South Interlake Planning District Board.

DONE AND PASSED by the South Interlake Planning District Board in open session, assembled in the Town of Stonewall, in the Province of Manitoba, this 15th day of December, A.D. 2017.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
General Manager

Read a First time this 17<sup>th</sup> day of November, A.D. 2017.  
Read a Second time this 15<sup>th</sup> day of December, A.D. 2017.  
Read a Third time this 15<sup>th</sup> day of December, A.D. 2017.