

## THE MUNICIPALITY OF LAMBTON SHORES

**Report CL 16-2022**

**Council Meeting Date: May 17, 2022**

**TO:** Mayor Weber and Members of Council

**FROM:** Stephanie Troyer-Boyd, Director of Corporate Services

**RE:** Amend Fees and Charges By-Law

**RECOMMENDATION:**

**THAT** Report CL 16-2022 titled “Amend Fees and Charges By-Law” be received; and

**THAT** By-Law 35 of 2022 be approved.

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### **SUMMARY**

The purpose of this report is to provide Council information on proposed amendments to the Fees and Charges By-Law.

### **BACKGROUND**

The 2022 Fees and Charges By-Law was approved in December 2021. Schedule B of the by-law outlines charges for Building and By-Law.

Recent changes to the Building Code Act have removed the requirement for a building permit for accessory structures less than 15 sq. metres. Staff are recommending this fee be removed and the minimum area for accessory building fees be changed to 15 sq. metres.

Staff have been working through old building permit files and the applicants in order to close out the permits. The extent of open building permit files range back to 2016. Lambton Shores currently charges two (2) different refundable fees, dependent on the size of the project. The primary reason for the refundable fees is to encourage applicants to close out their building permits.

According to the Ontario Building Code Act, Section (10) Subject to section 25, the Chief Building Official may revoke a permit issued under this Act,(c) if the construction or demolition of the building is, in the opinion of the chief building official, substantially suspended or discontinued for a period of more than one year. When a building permit is closed, it triggers MPAC (Municipal Property Assessment Corporation) to conduct a property value assessment on the project that be returned to the Finance Department to determine property taxes. If a building permit is not closed, the municipality loses out on

valuable tax dollars collected through property taxation. It is recommended that the refundable fees be increased, to encourage applicants to close out their building permits. When the building permit is closed the full refundable fee is refunded to the applicant. If a building permit is not closed, it is a violation to the Building Code Act, 1992, as amended, and can cause issues if the property is sold.

Staff reviewed building deposit fees from area municipalities and found that Lambton Shores' \$ 750 deposit is the lowest amongst the group. Staff are recommending an increase from \$ 250 to \$ 1,000 for small projects and \$ 2,000 for large projects.

### **ALTERNATIVES TO CONSIDER**

No alternatives have been considered.

### **RECOMMENDED ACTIONS**

It is recommended that the fee by-law amended be approved.

### **FINANCIAL IMPACT**

There is no financial impact to the municipality.

### **CONSULTATION**

Steve McAuley, CAO  
Building Department staff