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The Regional Municipality of Durham Report

To: Community Growth and Economic Development Committee
From: Commissioner of Community Growth and Economic Development
Report: #2025-CG-12
Date: November 4, 2025

Subject:

Planning Fees and Charges Review

Recommendation:

That the Community Growth and Economic Development Committee recommends to Regional Council:

- A) That a by-law be approved, generally in the form included as Attachment 1 to this report, to repeal and replace the existing Region Planning Fees and Charges By-law 20-2021 and update the fees in accordance with this report;
 - B) That the new Planning Fees and Charges By-law come into effect on January 1, 2026; and
 - C) That a copy of Commissioner's Report #2025-CG-12 be forwarded to the local area municipalities, the Conservation Authorities, the Building Industry and Land Development Association (BILD), and The Durham Region Homebuilders' Association (DRHBA), for their information.
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Report:

1. Purpose

- 1.1 Section 69 of the Planning Act enables the Council of a municipality to establish a tariff of fees by-law for the processing of applications made in respect of planning matters. The tariff is designed to meet the anticipated costs to process each type of application.

- 1.2 The Region's current Planning Fees and Charges By-law 20-2021 contains many different types of planning fees (refer to Attachment 2) and is reviewed every other year to ensure that the fees remain appropriate and reasonable. Although a fee review was scheduled for 2023, it was deferred pending the outcome of Bill 23, the More Homes Built Faster Act, 2022.
- 1.3 The purpose of this report is to provide an overview of the 2025 fee review and to recommend certain changes to the Planning Fees and Charges By-law to ensure that the by-law reflects the changes resulting from Bill 23, and to ensure adequate fees are being charged to review planning applications.

2. Background

- 2.1 The Community Growth Division typically conducts a fee review every two years. The last fee review was conducted in 2021. In 2023, the fee review was deferred, pending the implementation of Bill 23.
- 2.2 Prior to proclamation under Bill 23, the Region was the approval authority for several different types of Planning Act applications, including applications to amend the Regional Official Plan, new official plans of the area municipalities and amendments to official plans of the area municipalities. Through agreement to retain approval authority for the Townships of Brock, Scugog and Uxbridge, the Region remained the approval authority for Plans of Subdivision and Condominium, and applications for removal of Part-Lot Control for parcels of land. These three municipalities were collectively known as the "non-delegated municipalities" since the authority to approve applications rested with the Region. This is in contrast to the southern five municipalities which were collectively known as the "delegated municipalities" and were delegated approval authority of subdivisions, condominiums and Part-Lot Control. This delegation was provided in 2000.
- 2.3 Bill 23 proposed many key changes to the Planning Act. One notable change was the removal of planning responsibilities from several upper-tier municipalities within the Greater Golden Horseshoe (GGH). Durham Region was designated as an "upper-tier municipality without planning responsibility" as of January 1, 2025.
- 2.4 One of the main effects of the designation as an "upper-tier municipality without planning responsibility" is that the Region is no longer the approval authority of Planning Act applications. Despite the change in role, the Region is still required to process Planning Act applications as a commenting agency since it is the provider of infrastructure and services needed for the applications (e.g. water, sewer, transportation, waste management, transit). It is through this lens that the Region

continues to comment on planning applications to protect Regional interests and responsibilities, and ensure development is adequately serviced.

- 2.5 The Community Growth Division continues to act as a “One Window” commenting agency for most types of development applications. The Division, on behalf of all the Region’s departments, receives and coordinates a regional response on all development applications/proposals from Durham’s area municipalities. Departmental comments from Works, Durham Region Transit and Environmental Health, as well as internal divisions to the Community Growth and Economic Development Department including Transit-Oriented Development, are coordinated and issued by the Community Growth Division.

3. Summary of Changes

- 3.1 The full analysis, rationale and recommendations for the fee review are provided in Section 4 of this report. This section provides a summary of the monetary changes, for convenience. The 2025 fee analysis resulted in a series of recommendations that can be grouped into four areas, including:
- Elimination of Fees
 - Fees Remaining the Same
 - Fee Increases
 - New Fee
- 3.2 Housekeeping changes to the text of the By-law are detailed at the end of Section 4 of the report.

Elimination of Fees

- 3.3 Eight (8) fees are proposed to be eliminated, including:
- Processing and approval of a Major Regional Official Plan Amendment (ROPA) application - \$20,000.
 - Processing and approval of a Minor ROPA application - \$7,000.
 - Reactivation of a ROPA after 3 or more years of inactivity - \$2,500.
 - Regional approval of an adopted non-exempt area municipal official plan amendment initiated by an applicant - \$1,500.
 - Processing and approval of Plan of Subdivision and Condominium applications in the Townships of Brock, Scugog & Uxbridge - \$6,000.
 - Final approval of the above noted applications - \$1,500.

- Recirculation and review of new or amended plans and/or studies prior to draft plan approval by the Region in the above noted municipalities - \$500.
- Administrative costs associated with printing hard copies of various maps and publishing costs associated with Planning Act notice requirements.

Fees Remaining the Same

3.4 Ten (10) existing fees are recommended to remain the same given the Region's One-Window role has not diminished the Regional resources required to respond to the application, they include:

- Plan of Subdivision application – additional phases fee - \$3,000.
- Plan of Subdivision application – amended plan – fee - \$1,500.
- Plan of Condominium application – revised plan fee - \$1,500.
- Part-Lot Control By-law Exemption application review fee - \$500.
- Zoning By-law Amendment application – standard - \$1,500.
- Environmental Compliance Approval (ECA) Type 1 application - \$300.
- ECA Type 2 application - \$1,000.
- Minister's Zoning Order (MZO) Amendment application (minor) - \$1,500.
- MZO Amendment application (major) - \$5,000.
- Administrative fees including peer reviews, printed copies of a Roads Map and Historic Aerial Photographs, and Outputs of the Transportation Planning Model.

Fee Increases

3.5 Nine (9) fee increases are proposed for the review of:

- Area Municipal Official Plan Amendment applications - \$3,500 to \$4,500.
- Plan of Subdivision applications - \$5,000 to \$6,000.
- Standard Plan of Condominium applications - \$2,000 to \$2,500.
- Vacant Land Plan of Condominium applications - \$2,000 to \$2,500.
- Common Element Plan of Condominium applications - \$1,000 to \$1,500.
- Condominium Conversion applications - \$2,000 to \$2,500.
- Requests to clear Regional conditions of approval related to a Plan of Subdivision or a Plan of Condominiums – \$1,000 to \$1,500.
- Requests to utilize non-potable groundwater standards - \$500 to \$750.
- Consent Applications - \$500 to \$1,000.

New Fee

3.6 The review identified the recommendation of one new fee:

- Introduction of a \$1,000 fee for comments related to an applicant-initiated request to extend draft approval of Plan of Subdivision and Plan of Condominium applications.

4. Proposed Fee By-law Amendments

Analysis

- 4.1 The review mainly examined the changes and housekeeping amendments required for the implementation of Bill 23. The review also examined the costs and time to process each type of planning application. Staff also compared the Region's fees with other Regional municipalities in the Greater Golden Horseshoe (GGH) area and the planning application fees levied by the Region's eight area municipalities.
- 4.2 The analysis revealed that modest changes to the existing Fee By-law are warranted to better recover some of the costs associated with application processing. The majority of the Region's fees are proposed to remain unchanged while many of the fees have been removed. The analysis also confirmed that the Region's fees compare favorably with similar fees levied by most GGH and area upper-tier municipalities and with the fees levied by the Region's area municipalities. A description of the recommended changes is provided below.

Regional Official Plan Amendment (ROPA) Fees

- 4.3 Fees related to the Regional administration of applications to amend the Regional Official Plan are no longer applicable given the Region no longer administers its Official Plan. It is recommended that the fees for a minor ROPA (\$7,000), a major ROPA (\$20,000), and the re-activation of a ROPA after three or more years of inactivity (\$2,500) be removed.

Area Municipal Official Plan Amendment (AMOPA) Fees

- 4.4 The Region continues to review AMOPA applications and is recommending this fee be increased to address the increased complexity of files, and also adjust for recent inflationary increases since 2021 and future increases to 2028. The proposed fee is also more in-line with other municipalities in the GGH. It is recommended that the fee to review an exempt AMOPA application be increased from \$3,500 to \$4,500.

4.5 The current fees related to the Regional approval of non-exempt applications to amend an Area Municipal Official Plan are no longer applicable due to the removal of these planning responsibilities stated above. It is recommended that the fee be removed.

Plan of Subdivision/Condominium Application/Review Fees

4.6 The current fees related to the Regional administration, processing and review of Plan of Subdivision and Condominium applications in the previously non-delegated municipalities of Brock, Scugog and Uxbridge are being updated to reflect the removal of the department's planning approval responsibilities stated above. Existing fees include the following:

- a. \$6,000 to process the above noted applications;
- b. \$1,500 for final approval of these applications;
- c. \$500 to recirculate and review new or amended plans and/or studies prior to draft plan approval by the Region in the above noted municipalities;
- d. \$1,500 to process a major applicant-initiated amendment/red-line revision/change of conditions to a Plan of Subdivision/Condominium application in the above noted municipalities;
- e. \$3,000 for the review of subsequent phases of a multi-phased Plan of Subdivision application in the above noted municipalities;
- f. \$1,500 for the review of request to extend Regional draft approval of a plan of subdivision or condominium in the above noted municipalities; and
- g. \$2,000 for the review of a phased Plan of Condominium application.

4.7 It is recommended that the fees related to previously non-delegated municipalities be removed and replaced with the same fees as those levied in the lakeshore municipalities as the Region's role in the subdivision and condominium application process no longer differs.

4.8 It is recommended that the fee to review a Plan of Subdivision application be increased from \$5,000 to \$6,000 to account to reflect time spent and inflation. Also, it is recommended that the review of a Standard and a Vacant Land Plan of Condominium application, and a Condominium Conversion application be increased from \$2,000 to \$2,500, and the review of a Common Element Plan of Condominium application be increased from \$1,000 to \$1,500.

4.9 It is further recommended that the fee to review plans/documents in support of a request to clear Regional conditions related to a Plan of Subdivision or a Plan of Condominium application be increased from \$1,000 to \$1,500.

Plan of Subdivision/Condominium Extension of Draft Approval Fee

- 4.10 The Region of Durham Community Growth Division currently does not charge a fee for the review of applicant-initiated requests to extend the draft approval of Plans of Subdivision or Plans of Condominium applications. In the pre-Bill 23 environment, development application fees where the Region was the approval authority contributed towards the costs involved with the circulation and review of these requests. These application fees no longer exist. It is recommended that a new fee of \$1,000 be introduced to provide comments for each applicant-initiated request to extend draft approval.
- 4.11 The proposed new fee would reflect the time and costs of reviewing the increasing number of requests circulated to the Region, and to reflect the time and costs of circulating the request and any associated studies to applicable Regional departments and the consolidation of departmental responses into a Regional comment letter.

Consent Applications

- 4.12 The Region currently charges a fee of \$1,350 to process a consent application. This fee is no longer applicable due to the removal of planning responsibilities stated above. It is recommended that the fee to process a consent application be removed.
- 4.13 The Region currently charges a fee of \$1,000 to stamp a deed, and finalize documents for applications that create new lots, and for stamping leases, mortgages, and deeds for realigning lot lines. This fee is no longer applicable due to the removal of planning responsibilities stated above. It is recommended that this fee be removed.
- 4.14 The Region currently charges a fee of \$500 to review a consent application. It is recommended that the fee to review a consent application be increased to \$1,000.
- 4.15 Historically, the current \$500 consent application review fee was subsidized by the former administration of the Region's Land Division Committee, the \$1,350 consent application fee and the \$1,000 Deed Stamping fee. The historical role and process allowed the Region to undercharge on the comment fee.

Non-potable Groundwater Requests

- 4.16 The Region currently charges a fee of \$500 to review documents in support of a request to use a non-potable groundwater standard related to a development application pursuant to Section 35(3) of O. Reg. 153/04 under the Environmental

Protection Act. The Ministry of the Environment, Conservation and Parks requires less stringent non-potable groundwater thresholds for acceptable levels of contaminant concentrations on sites upon review by the municipality. This role was not affected by the Bill 23 changes. It is recommended that the fee be increased from \$500 to \$750 as this fee has remained static for many years.

4.17 The proposed increase in this review fee would account for reflect the time and costs of reviewing this type of request and inflation.

Housekeeping Matters

4.18 Due to these legislative and procedural updates, several changes to terminology in the current Region of Durham Planning Fees and Charges By-law are required. Key changes include:

- a. There is no longer a distinction between “delegated” and “non-delegated” municipalities. There is also no longer a distinction between “exempt” and “non-exempt” municipal official plan applications.
- b. Since the Region of Durham no longer administers the Regional Official Plan, references to applications to amend this are no longer required.
- c. The definition of “major” be reworded to remove the reference to a “delegated municipality” and remove reference as the Region as the approval authority regarding a revision to a Plan of Subdivision or Plan of Condominium application.
- d. The references to “Standard Review” and “Minor Review” of ZBA applications are no longer required.
- e. The Durham Region Land Division Committee no longer exists. That legislative responsibility was delegated to the area municipalities on January 1, 2024. The only applicable fee that would remain would be the commenting fee for Consent applications circulated by each of the area municipalities to the Department.

5. Consultation

5.1 Community Growth Division staff consulted with some representatives from the Building Industry and Land Development Association (BILD) to discuss the proposed changes to the Fee By-law. The proposed fees and charges were also circulated to the Durham Region Homebuilders’ Association (DRHBA) for formal comment. BILD and DRHBA members were also notified of the proposed fee changes and were asked to forward any comments to the Region. The Region did not receive any response to the BILD and DRHBA circulation to their membership.

BILD did however indicate that the fee update was not proceeding at the most opportune time due to the slowing of the housing market.

6. Previous Reports and Decisions

- 6.1 Report [#2021-P-17](#) provides details regarding the Region's last review of the Planning Fees and Charges By-law. Regional Council adopted By-law 20-2021 on June 23, 2021, and the by-law came into effect on July 1, 2021.

7. Relationship to Strategic Plan

- 7.1 This report aligns with/addresses the following Foundation(s) in Durham Region's 2025-2035 Strategic Plan:

- a. Processes: Continuously improving processes to ensure we are responsive to community needs.

8. Conclusion

- 8.1 The 2025 review of the Region of Durham's Planning Fees and Charges By-law has concluded that some changes are required to implement the changes resulting from the implementation of Bill 23. The proposed fees are intended to capture the effort required to review applications for Regional Interests and responsibilities and to ensure that the appropriate fees are charged to better reflect the anticipated costs to review the applications. Although some fees are recommended to increase, most are proposed to remain the same. Nineteen (19) fees are recommended to be eliminated. The proposed changes compare favourably with fees charged by other GGH upper-tier municipalities. Staff consulted with BILD and the DRHBA on the proposed changes and will continue to liaise with BILD and DRHBA on future application fee reviews.
- 8.2 It is recommended that the Regional Council approve the by-law in the form included as Attachment 1 to repeal and replace the existing by-law and incorporate the recommended changes and that the new Fee By-law come into effect on January 1, 2026.
- 8.3 For additional information, please contact Lino Trombino at lino.trombino@durham.ca.

9. Attachments

Attachment #1: Proposed new Planning Fees and Charges By-law

Attachment #2: Summary of Proposed Fees – 2025

Respectfully submitted,

Original signed by

Sandra Austin
Commissioner of Community Growth and
Economic Development

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer

By-law Number 2025-**

of The Regional Municipality of Durham

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

Whereas section 69 of the *Planning Act*, R.S.O. 1990, c. P.13 provides that the council of a municipality may by by-law establish a tariff of fees for the processing of applications made in respect of planning matters.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. Interpretation

1.1 In this by-law,

- (a) “*Environmental Protection Act*” means the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended;
- (b) “major” means, with respect to a revision of subdivision and condominium applications, an application where any of the following events occur:
 - (i) the local municipality circulates the revision to the Region and collects a fee therefor; or
 - (ii) the Region revises the conditions of draft approval; or
 - (iii) the Region recirculates the application.
- (c) “Major Ministry of Municipal Affairs and Housing Minister’s Zoning Order Amendment” means a site-specific application circulated by the Ministry of Municipal Affairs and Housing to amend or revoke a Minister’s Zoning Order where the application does not, in the opinion of the Community Growth Division, comply with the Regional Official Plan.
- (d) “Minister’s Zoning Order” means an order made by the Minister of Municipal Affairs and Housing authorized by section 47 of the *Planning Act*;
- (e) “Minor Ministry of Municipal Affairs and Housing Minister’s Zoning Order Amendment” means a site-specific application circulated by the Ministry to amend or revoke a Minister’s Zoning Order;
- (f) “*Planning Act*” means the *Planning Act*, R.S.O. 1990, c. P.13, as amended;
- (g) “non-potable request” means notice in writing by an owner or applicant to the Region and the local municipality of intent to apply the non-potable groundwater site condition standards in an environmental site assessment or a record of site condition for a property according to the *Environmental Protection Act*;
- (h) “standard clearance” means clearance of Regional conditions;
- (i) “standard review” means review and comments of rezoning applications which propose new physical development or where any report or study is required as part of the application;

- (j) “Type 1 Certificate of Approval/Environmental Compliance Approval Application” means an application circulated by the Ministry of the Environment, Conservation and Parks where
 - (i) no Regional interests have been identified and
 - (ii) a Regional Council resolution is not required;
- (k) “Type 2 Certificate of Approval/Environmental Compliance Approval Application” means an application circulated by the Ministry of the Environment, Conservation and Parks where
 - (i) there are Regional issues identified or a hearing is requested under the *Environmental Protection Act* and
 - (ii) a recommendation is presented to Regional Council.

2. Fees

Area Municipal Official Plan Amendment applications

2.1 The following fees are payable in respect of the following applications:

\$4,500 for the review and comments on an area municipal official plan amendment application initiated by an applicant.

Plan of Subdivision and condominium applications

2.2 The following fees are payable in respect of the following applications:

- (a) \$6,000 for the review of each application for approval of a plan of subdivision;
- (b) \$2,500 for the review of each application for approval of a standard condominium;
- (c) \$2,500 for the review of each application for approval of a vacant lot condominium;
- (d) \$1,500 for the review of each application for approval of a common elements condominium;
- (e) \$2,500 for the review of each application for approval of a condominium conversion;
- (f) \$3,000 for the review of each additional phase of a multiple phased plan of subdivision application;
- (g) \$1,500 for a major applicant-initiated amendment/redline revision of conditions to a plan of subdivision or condominium application;
- (h) \$1,000 for the review of any request to extend draft approval of a plan of subdivision or a condominium application; and
- (i) \$1,500 for the standard clearance of Regional conditions from subdivision and condominium draft approvals for each phase of final approval and registration.

Consent applications

2.3 The following fees are payable in respect of the following applications:

\$1,000 for the review of each application for a consent to convey, mortgage or charge land, or grant, assign or exercise a power of appointment in respect of land.

Part-lot control by-law exemption applications

- 2.4 The following fees are payable in respect of the following applications:
\$500 for the review of each part-lot control exemption application.

Zoning by-law amendment applications

- 2.5 The following fees are payable in respect of the following applications:
\$1,500 for a standard review and comments on rezoning applications or zoning by-law applications.

Other fees

- 2.6 The following fees are payable in respect of the following applications:
- (a) \$300 for the review of each Type 1 Ministry of the Environment, Conservation and Parks Certificate of Approval/Environmental Compliance Approval application;
 - (b) \$1,000 for the review of each Type 2 Ministry of the Environment, Conservation and Parks Certificate of Approval/Environmental Compliance Approval application;
 - (c) \$750 for a request to use non-potable groundwater standards;
 - (d) \$1,500 for the review and comments on a Minor Ministry of Municipal Affairs and Housing Minister's Zoning Order Amendment application;
 - (e) \$5,000 for the review and comments on a Major Ministry of Municipal Affairs and Housing Minister's Zoning Order Amendment application; and
 - (f) \$500 per round to administer any peer review associated with the review of technical studies submitted in support of a planning application.
- 2.7 Any fee established by this by-law shall be paid by certified cheque, money order or electronic transfer payable to The Regional Municipality of Durham.
- 2.8 Where notice of any application is required by the *Planning Act*, the applicant shall pay all expenses associated therewith.

3. Short title

- 3.1 The short title of this by-law is the "Planning Fees and Charges By-law".

4. Repeal

- 4.1 By-law 020-2021 is repealed

5. Commencement

- 5.1 This by-law comes into force on January 1, 2026.

This By-law Read and Passed on the 29th day of October, 2025.

J. Henry, Regional Chair and CEO

A. Harras, Regional Clerk

Summary of Proposed Fees - 2025

Attachment 2

Type of Fee	Recommendation	Current Fee	Recommended Fee
Regional Official Plan Amendment (ROPA)			
Application Fee (Standard)	Remove	\$20,000	\$-
Application Fee (Minor)	Remove	\$7,000	\$-
Reactivation Fee	Remove	\$2,500	\$-
Area Municipal Official Plan Amendment (AMOPA)			
Review Fee	Increase	\$3,500	\$4,500
Approval Fee	Remove	\$1,500	\$-
Plan of Subdivision and Condominium			
Proposed fee for all of Durham's Area Municipalities			
Subdivision Review Fee	Increase	\$5,000	\$6,000
Standard Condominium Review Fee	Increase	\$2,000	\$2,500
Vacant Lot Condominium Review Fee	Increase	\$2,000	\$2,500
Common Element Condominium Review Fee	Increase	\$1,000	\$1,500
Phased Condominium Review Fee	Remove	\$2,000	\$-
Condominium Conversion Review Fee	Increase	\$2,000	\$2,500
Subdivision Review Fee – additional phases	No change	\$3,000	\$3,000
Subdivision Review Fee – amended plan	No change	\$1,500	\$1,500
Condominium Review Fee – revised condo plan	No change	\$1,500	\$1,500
Clearance Fee (Standard, per phase)	Increase	\$1,000	\$1,500
Extension of Draft Approval Review Fee	New	\$-	\$1,000
Former Non-delegated Municipalities (Brock, Scugog, Uxbridge)			
Review Fee	Remove	\$6,000	\$-
Final Approval / Registration Fee	Remove	\$1,500	\$-
Major Revision	Remove	\$1,500	\$-

Summary of Proposed Fees - 2025

Attachment 2

Type of Fee	Recommendation	Current Fee	Recommended Fee
Review Fee (per unit in excess of 5 units)	Remove	\$100	\$-
Review Fee – subdivision – additional phases	Remove	\$3,000	\$-
Recirculation & review fee of amended plan/studies prior to draft approval	Remove	\$500	\$-
Consent Applications (severance, lot line adjustment, etc.)			
Application Fee	Remove	\$1,350	\$-
Tabling / Revision Fee	Remove	\$300	\$-
Clearance / Stamping / Certification Fee	Remove	\$1,000	\$-
Re-stamping Fee	Remove	\$250	\$-
Special Meeting Fee	Remove	\$500	\$-
Review Fee	Increase	\$500	\$1,000
Part-Lot Control By-law Exemption			
Approval Fee	Remove	\$250	\$-
Approval Fee (per unit in excess of 5)	Remove	\$100	\$-
Review Fee	No change	\$500	\$500
Zoning By-law Amendment			
Standard Review Fee	No change	\$1,500	\$1,500
Minor Review Fee	Remove	\$500	\$-
Other Fees			
Environmental Compliance Approval Type 1 Review Fee	No change	\$300	\$300
Environmental Compliance Approval Type 2 Review Fee	No change	\$1,000	\$1,000
Minister’s Zoning Order Amendment Application (minor)	No change	\$1,500	\$1,500
Minister’s Zoning Order Amendment Application (major)	No change	\$5,000	\$5,000
Administration of Peer Reviews (per round)	No change	\$500	\$500
Requests to utilize non-potable groundwater standards	Increase	\$500	\$750