

**DATE:** February 8, 2021  
**REPORT NO:** PD-18-2021  
**SUBJECT:** **Recommendation Report - Planning Fees By-law Revision**  
**CONTACT:** Brian Treble, Director of Planning & Building  
Gerrit Boerema, Planner II

**OVERVIEW:**

- The Township of West Lincoln is authorized by Section 69 of the Planning Act to establish a tariff of fees for planning applications.
- The Township currently has a tariff of fees that applies at the time of a planning application.
- Staff are finding that files are more complicated and time consuming to process where the owner/developer has proceed with the proposed activity prior to application for a Planning Act approval which is required in order to authorize such works.
- Therefore as Section 69 of the Planning Act authorizes a Council to establish a tariff of fees for the processing of applications made in respect of planning matters, which tariff of fees need to be developed to meet only the anticipated cost to the municipality in respect of the processing of each type of application, staff propose an additional fee.
- In the event that works have already commenced prior to application for planning approval has been made, an additional fee of \$1200.00 shall be charged to assist with the extra costs to the municipality of processing what has become a more complicated application.

**RECOMMENDATION:**

1. That, Report PD-18-2021 regarding “Recommendation Report, Planning Fees By-law Revision” dated February 8<sup>th</sup>, 2021, be RECEIVED, and;
2. That, a by-law be passed by Council to amend the planning fees by-law to impose an across the board fee in the amount of \$1200.00, where development (that first required a rezoning, official plan amendment, plan of subdivision, site plan or site plan amendment) has commenced before a planning application is submitted, and;
3. That, a by-law be passed to amend the existing fee schedule and impose such an additional fee of \$1200.00 where a minor variance is required for such work that has commenced prior to the required planning application being submitted.

**ALIGNMENT TO STRATEGIC PLAN:****Theme # 3 and 6**

- Strategic, Responsible Growth
- Efficient, Fiscally Responsible Operations.

**BACKGROUND:**

Section 69 of the Planning Act provides opportunity to impose a tariff of fees to cover the anticipated costs of processing a planning application.

It is always more complicated to process and ensure a proper and fair hearing when an application is being considered after development (development that requires such planning approval first) has commenced.

**CURRENT SITUATION:**

It seems that planning applications are being made more and more by private sector owners/developers after development has already commenced, which would otherwise normally have required such planning act approval first. Additionally, land owners and developers sometimes do not construct according to the approved plan or building permit which can lead to a requirement for a planning application to vary the zoning provision.

In order to properly address these anticipated extra costs of processing such applications, staff propose that the planning fee schedule be amended to add on an additional charge of \$1200.00 to cover the extra anticipated costs of processing these more complex planning applications. These applications now require more staff time and effort to ensure that a fair and appropriate planning review and public hearing occurs, regardless of the more complex planning evaluation that has been created by commencing development prior to proper planning approval.

**FINANCIAL IMPLICATIONS:**

This added fee will assist in covering Township staff costs and/or the administrative costs resulting from applications where development has commenced prior to proper planning applications having been submitted first.

**INTER-DEPARTMENTAL COMMENTS:**

This recommendation has been discussed with Township Legal Counsel and is following the model of a similar fee that is currently being imposed by the City of Hamilton.

**CONCLUSION:**

Staff recommend that amending by-laws be passed to change the planning fee by-law (rezonings, official plan amendments, plan of subdivision, site plans, and/or site plan amendments and minor variances) to impose an additional fee of \$1200.00 for those applications where development has commenced prior to a planning application being made.

**ATTACHMENTS:**

1. Draft Amending By-law to Change Planning Fees By-law
2. Draft Amending By-law to Change Committee of Adjustment fees By-law

**Prepared & Submitted by:**



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**Brian Treble**  
**Director of Planning & Building**

**Approved by:**



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**Bev Hendry**  
**CAO**



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**Gerrit Boerema**  
**Planner II**