

**DATE:** June 29<sup>th</sup>, 2020

**REPORT NO:** PD-71-20

**SUBJECT:** Recommendation Report  
Changes to Planning Fees Effective July 1<sup>st</sup> 2020

**CONTACT:** Gerrit Boerema, Planner II  
Brian Treble, Director of Planning and Building

**OVERVIEW:**

- In 2019, Township Council approved changes to the Planning Fees Bylaw (2011-28) to increase the fees based on inflation.
- The Planning Fee Bylaw includes fees associated with various planning applications and processes with the exception of the committee adjustment fees.
- In January of 2020 an additional fee was added to the bylaw for scheduling a pre-consultation meeting.
- Planning Staff have subsequently noticed that one of the fees does not adequately reflect the level of staff time to process a portion of a planning application.
- Fee number 20: Subdivision, Condominium or Development Agreement currently has a \$7,356.00 fee. While subdivision, site plan and Development agreements can be quite extensive, Condominium Agreements are simple and do not require as much staff time. Further, the amount of work for a subdivision can vary depending on size and complexity. As such planning staff are proposing to separate this fee into two fees, one for Subdivisions and Condominium Agreements over 10 units, which will remain at \$7,356, and one for Subdivisions and Condominium Agreements with 10 units or less which is proposed to be reduced to \$2,000. The development agreement fee is proposed to be included with the Site Plan Fee which is \$4,903.
- There are a number of active condominium applications that this will impact.

**RECOMMENDATION**

1. That, Report No. PD-71-20, dated June 29, 2020, relating to Change to Planning Fees Effective July 1<sup>st</sup>, 2020, BE RECEIVED; and,
2. That, By-law 2011-28 (Tariff of Fees for Planning Matters) as amended, be amended by

replacing Appendix “A” (Schedule of Fees) with a new Appendix “A” as attached to this report; and,

3. That the new planning fees take effect on July 1, 2020.

## **ALIGNMENT TO STRATEGIC PLAN**

- **Theme**
  - **Strategic Responsible Growth**
  - **Efficient, Fiscally Responsible Operations**

## **BACKGROUND**

In September of 2019 Township Council approved an amendment to the Planning Fee bylaw to account for inflation as well as to add some additional fees. In January of 2020 the bylaw was again amended to add an additional fee for scheduling pre-consultation meetings. There are currently 32 planning fees listed in the bylaw for various planning applications and processes.

The Planning Fee bylaw includes a fee for Subdivision, Condominium and Development Agreements at a rate of \$7,356 per application. Although this fee is appropriate for larger subdivision applications as it takes a considerable amount of time to prepare the agreements, it is high for smaller subdivisions, condominiums and development agreements.

Staff are proposing that the fee be changed to reflect the number of units within a proposed subdivision or condominium, and that the development agreement be combined with the site plan agreement fee, as they are very similar in staff time requirements.

## **CURRENT SITUATION**

The current fee bylaw has the Subdivision, Condominium and Development agreement fee set at \$7,356 per application. This fee is appropriate for larger subdivisions as these agreements require a lot of staff time to prepare, review and process. Condominium agreements on the other hand are fairly straight forward as the agreement simply transfers the obligations of the site plan agreement onto the condominium. As such planning staff are proposing to split the fee based on the number of proposed units per development and based on development type. Subdivision developments with 10 lots/units or less will have a Subdivision Agreement fee of \$3,500 while Subdivisions with greater than 10 lots or units would pay the full \$7,356.

Condominiums with 10 lots/units or less will have a \$1,750 fee, while Condominiums with more than 10 lots/units will have a \$3,500 fee.

Currently a condominium development of less than 10 units would pay the same fees for a subdivision of any size. This results in infill and redevelopment projects having higher fees on a per unit basis than large subdivisions. The proposed change will help address that issue while recognizing that smaller developments don't usually take as

much staff time and resources as larger developments.

Development agreements are similar to site plan agreements and as such staff are proposing that they be combined at the fee of \$4,903 for a new agreement and \$1,402 for revisions to existing agreements and/or development agreement as a condition of consents.

There are a number of ongoing condominium applications that this will impact including Rosemont's Block 47 development which has 63 units under construction, the Fred and Joyce Bosscher Condominium which has four new residential units, and the DeHaan Homes Crossings on the Twenty Condominium, which has 24 residential units.

### **FINANCIAL IMPLICATIONS**

The proposed changes to the Planning Fees bylaw are to better align the fees to the time it takes staff to process the applications. The proposed changes to the fee bylaw will result in some smaller fees to upcoming applications but will not have a large impact on the overall Planning Department operating budget.

### **INTER-DEPARTMENTAL COMMENTS**

This report was reviewed by the Township Finance Department.

### **CONCLUSION**

Township Planning Staff have discovered that one of the fees within the Planning Fees bylaw, Appendix 'A' does not reflect the level of staff time and effort required to process the application. As such, Planning Staff are proposing to split up the Subdivision, Condominium and Development Agreement fee to better align the fee amount to staff time and resources. If approved, this will result in a reduced fee for some developments, mainly on smaller condominiums which currently pay the same fees as larger subdivision developments.

### **ATTACHMENTS**

1. Draft Changes to Planning Fees Bylaw
2. Draft Appendix 'A' to Planning Fee Bylaw

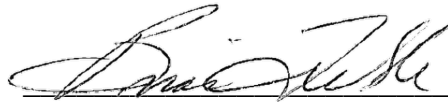
**Prepared by:**



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**Beverly Hendry  
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Director of Planning and Building**

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**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN****BY-LAW NO. 2020-XX**

**BEING A BY-LAW TO AMEND BY-LAW 2011-28 WHICH PRESCRIBES A TARIFF OF FEES FOR THE PROCESSING OF APPLICATIONS MADE WITH RESPECT TO PLANNING MATTERS, AS AMENDED.**

**WHEREAS** In accordance with the provisions of Section 69 of the Planning Act, R.S.O. 1990, Chapter P.13, the Council of the municipality may by By-Law prescribe a tariff of fees for the processing of applications made in respect of planning matters.

**AND WHEREAS** The Council of the Township of West Lincoln passed by By-Law No. 2011-28 on April 26, 2011, to prescribe a tariff of fees for the processing of applications made with respect to planning matters;

**AND WHEREAS** The Council of the Township of West Lincoln has amended Appendix "A" through By-law 2017-101, 2019-89 and 2020-09;

**AND WHEREAS** The Council of the Corporation of the Township of West Lincoln deems it necessary and expedient to further amend Appendix A "Schedule of Fees"; in order to incorporate a new pre-consultation meeting application fee;

**NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN ENACTS AS FOLLOWS:**

1. That, By-law 2011-28, as amended, be further amended by deleting Schedule "A" and inserting the attached new Schedule "A" in lieu thereof.
2. That this new By-law takes effect on July 1st, 2020.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS 29th  
DAY OF JUNE, 2020.**

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**MAYOR DAVE BYLSMA**

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**JOANNE SCIME, CLERK**

**APPENDIX “A”  
SCHEDULE OF FEES  
TOWNSHIP OF WEST LINCOLN**

(Schedule A to By-law 2011-28 – as amended by By-law 2017-101; 2019-89; 2020-09 and 2020-XX)

The fees for processing planning applications are outlined below for the fees effective  
July 1, 2020

Note: Application fees do not apply to applications initiated by the Region of Niagara within the limits of the Township of West Lincoln.

<b>Section</b>	<b>Fees Effective February 1, 2020</b>	<b>Fees Effective July 1, 2020</b>
1. Official Plan Amendment	\$ 8,724	\$8,724
2. Combined Official Plan Amendment/Zoning By-law Amendment	\$ 11,667	\$11,667
3. Zoning By-law Amendment	\$ 6,795	\$6,795
4. Zoning By-law Amendment (Condition of Consent)	\$ 3,400	\$3,400
5. Removal of (H) Holding Symbol	\$ 1,419	\$1,419
6. Temporary Use By-law	\$ 2,402	\$2,402
7. Extension to Temporary Use By-law	\$ 1,612	\$1,612
8. Temporary Use Agreement	\$ 1,612	\$1,612
9. Site Plan Approval and Development Agreement (Initial or Amendment where a new Agreement is Required)	\$ 4,903	\$4,903
10. Site Plan Approval or Development Agreement Amendment where no Agreement is required	\$ 2,402	\$2,402
11. Discharge of a Site Plan Agreement	\$ 1,420	\$1,420
12. Consultation Process for Telecommunication Facilities	\$ 1,835	\$1,835
13. Plan of Subdivision Approval	\$ 7,980	\$7,980
14. Red Line Revisions to a Draft Approved Plan of Subdivision/Condo or Site Plan	\$ 2,402	\$2,402
15. Plan of Condominium	\$ 7,980	\$7,980
16. Condominium Conversion	\$ 7,627	\$7,637
17. Condominium Amalgamation	\$ 1,420	\$1,420
18. Exemption of Draft Plan of Condominium Approval	\$ 1,612	\$1,612
19. Extension to Draft Plan Approval of a Draft Plan of Subdivision or Condominium	\$ 1,612	\$1,612
20. Subdivision Agreement (more than 10 lots/units)	\$ 7,356	\$7,356
21. Subdivision Agreement/Declaration (10 units/lots or less)	\$ 7,356	\$3,500
22. Condominium Agreement/Declaration (more than 10 units/lots)	\$ 7,356	\$3,500
23. Condominium Agreement/Declaration (10 units/lots or less)	\$ 7,356	\$1,750
24. Development Agreement as a Condition of Consent	\$ 3,676	\$1,600
25. Final Approval of a Plan of Subdivision or Condominium	\$ 1,612	\$1,612
26. Street Naming for New Subdivisions	\$ 1,420	\$1,420
27. Amendment to Subdivision, Development or Condominium Agreement	\$ 6,795	\$6,795
28. Request for Removal of Part Lot Control (per lot/block)	\$ 1,420	\$1,420
29. Approval of Road Opening/Upgrade (to allow access to build)	\$ 1,612	\$1,612
30. Adjournment or Rescheduling Fee for any Planning Application requested for any Planning Application	\$ 275	\$ 275
31. Deeming By-law	\$ 925	\$ 925
32. Zoning Compliance/Green Energy Zoning Compliance	\$ 182	\$ 182
33. Pre-consultation Meeting*	-	\$ 250
34. Written Property Reports	\$ 182	\$ 182
35. Site Plan/Subdivision/Condominium Development Servicing (Engineering Review and Administration Fee)		

In addition to the application fees as outlined in Appendix A, Engineering Review and Administration fees are payable on an invoice basis prior to final approval. The Engineering Review and Administration fee shall cover the costs incurred following the signing of the agreement and are calculated as a percentage based upon one hundred percent (100%) of the Township's estimated total costs of construction of all services (internal and external) as shown in the development agreement's Financial Schedule and charged as follows:

- (a) Total cost of services less than \$ 1,000.00: no charge;
- (b) Total cost of services less than \$ 5,000.00: \$ 250.00 total charge;
- (c) Total cost of services less than \$ 20,000.00: \$1,500.00 total charge;
- (d) Total cost of services less than \$ 30,000.00: \$2,000.00 total charge;
- (e) Total cost of services less than \$ 60,000.00: \$3,000.00 total charge;
- (f) Total cost of services less than \$ 75,000.00: \$4,000.00 total charge;
- (g) Total cost of services less than \$100,000.00: \$5,000.00 total charge;
- (h) For total costs of services over \$100,000.00, the total fee cost shall be:
  - i. \$5,000.00 for the cost of services up to \$100,000, plus
  - ii. Four percent (4%) of the total costs of any services in excess of \$100,000.00 up to \$500,000.00; plus
  - iii. Three-percent (3%) of the total cost of any services in excess of \$500,000.00

All fees shall be payable in cash to the Township prior to and as a condition of the Township signing and registering the executed development agreement.”

\*(to be used towards other planning fees outlined in this appendix if complete application is received within 1 year of the actual pre-consultation meeting