

DATE: September 11, 2017

REPORT NO: PD-110-17

SUBJECT: **Recommendation Report**
Change to Planning Fees Effective October 1, 2017

CONTACT: Brian Treble, Director of Planning and Building

OVERVIEW:

- This report is presented to the Planning/Building/Environmental Committee (the Committee) and Council to implement a recommendation of previous Staff Report PD-054-11 and previous budget deliberations about the need to update planning fees annually (or at least regularly) given the increased costs that are experienced in previous Planning applications.
- This report has been discussed with the Treasurer/Director of Finance and is required in order to keep planning revenues in line with increased administrative costs.
- In 2014, these changes were made to the Planning Fee Schedule:
 - a) Cash in lieu of parkland dedication fee for rural lots was increased from \$500.00 to \$750.00
 - b) A fee was established for a development agreement that is required as a condition of consent and recommended that the fee be half of the normal development agreement fee (similar to the rezoning as a condition of consent).
- In 2015, one additional change was proposed to clarify that the implementation of the Administration and Inspection fee is applied immediately following the signing of the related agreement.
- In 2017, Staff propose an “across the board increase” in planning fees of 3.9% consistent with the increase associated with development charges, based on provincial indices.

RECOMMENDATION:

1. That, Report No. PD-110-17, dated September 11, 2017, relating to Change to Planning Fees Effective October 1, 2017, BE RECEIVED; and,
2. That By-law 2002-112, (Committee of Adjustment Tariff of Fees), be amended by

replacing Schedule “D”, Tariff of Fees, with a new Schedule “D” as attached to this report; and,

3. That, By-law 2011-28 (Tariff of Fees for Planning Matters) be amended by replacing Appendix “A” (Schedule of Fees) with a new Appendix “A” as attached to this report; and,
4. That the new planning fees take effect on October 1, 2017.

ALIGNMENT TO STRATEGIC PLAN

- **Value**
To sustain a high quality of life for the residents of West Lincoln.

- **Objective**
Evaluating our services and ensuring that we remain competitive and ensuring that those who benefit, pay.

BACKGROUND

In 2010, BMA Consultants provided a recommendation report to the Township which included a new fee schedule for all planning and building applications. These fees were calculated based on the tracking of Staff time that occurred in 2010. The new fees took effect on July 1, 2011. One of the recommendations of that report was that planning fees should be reviewed on an annual basis. Another recommendation was that fees be increased annually based on the Consumer Price Index and other indexes as may be deemed appropriate from time to time. The first CPI increase occurred on January 1, 2013. A second increase occurred on June 1, 2014. A third, and the most recent increase occurred on July 1, 2015.

CURRENT SITUATION:

Staff advises that a planning fee increase should occur annually in order to reflect the increased costs of processing planning applications. Staff proposes to increase fees effective October 1, 2017 and to do so annually as deemed appropriate by Township Council. The last increase took effect on July 1, 2015.

In 2014, Staff proposed the addition of a new fee. As a condition of consent applications that relate to infill development, development agreements are required. These development agreements are fairly straight forward and can be completed with considerably less staff time and resources than a standard subdivision and site plan process. Therefore, staff recommended a reduced fee for the development agreement as a condition of consent that is equal to approximately one half of a regular development agreement. This approach is consistent with rezoning application fees that are a condition of a consent approval. Staff has monitored this approach over the past few years and can advise that this new fee is

“The Township of West Lincoln will be a community that values our heritage, preserves our environmental and natural resources, fosters entrepreneurial spirit and provides excellent quality of life”

working and appropriate.

One additional clarification was proposed in 2015 to the fee schedule to ensure that the Administration and Inspection fee applied immediately following the signing of an implementing agreement.

FINANCIAL IMPLICATIONS

The increase to the fees is recommended to ensure that our fees stay in line with the increased costs that the Township has incurred to process applications; and to ensure that the fees reflect staff time taken to process the files. This is done to ensure that each department covers their costs as much as possible. Staff has calculated that the increase in Planning revenue may not generate any more than an extra \$1,000.00 for the remainder of 2017.

DEPARTMENTAL COMMENTS

Each Department is required to cover as much of its own costs from within its department and should therefore establish revenues to offset expenses. A process referred to as DAAP (Development Applications Approval Process) encourages fees to be in line with actual costs incurred by the Township and that the process operates on a cost recovery basis.

According to Statistics Canada reports, the Consumer Price Index for 2016 was 3.9% while Staff costs increased in April of both 2016 and 2017. Therefore Staff recommends that planning fees should increase by 3.9% and the new fees take effect on October 1, 2017.

Staff has discussed this report with the CAO and Director of Finance who both concur with a planning fee increase which is proposed to take effect on July 1, 2015.

CONCLUSION

Staff recommends that Committee and Council support the proposed fee changes to the Committee of Adjustment and Planning Department fee schedules as outlined in the Tariff of Fee tables attached to this report.

If approved, staff will ensure that the new fees are provided to the public, applicants and developers as soon as possible to advise of the October 1, 2017 effective date.

ATTACHMENTS

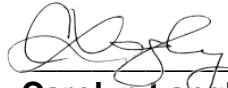
1. By-law and new Appendix A for Planning Fees
2. By-law and new Schedule D for Committee of Adjustment Fees

“The Township of West Lincoln will be a community that values our heritage, preserves our environmental and natural resources, fosters entrepreneurial spirit and provides excellent quality of life”

Prepared by:



**Brian Treble, RPP, MCIP
Director of Planning and Building**



**Carolyn Langley
Clerk/Acting CAO**

X:\pb-Planning Reports\Working Copy\2017\9. September\PD-110-17 Planning Fees\PD-110-15 Changes to Planning Fees.docx

“The Township of West Lincoln will be a community that values our heritage, preserves our environmental and natural resources, fosters entrepreneurial spirit and provides excellent quality of life”

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**BY-LAW NO. 2017-**

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 2015-35;

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 the consumer price index;

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, By-law 2015-35 be and is hereby repealed effective October 1, 2017.
3. That this new By-law takes effect on October 1, 2017.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 25th DAY OF SEPTEMBER, 2017.

MAYOR DOUGLAS JOYNER

CAROLYN LANGLEY, CLERK

APPENDIX "A"
SCHEDULE OF FEES
TOWNSHIP OF WEST LINCOLN
(Schedule A to By-law 2011-28 – as amended by By-law 2017-##)

The fees for processing planning applications are outlined below for the fees effective
October 1, 2017

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

Section	Fees Effective July 1, 2015	Fees Effective October 1, 2017
1. Official Plan Amendment	\$ 8,075	\$8,390
2. Combined Official Plan Amendment/Zoning By-law Amendment	\$ 10,800	\$11,220
3. Zoning By-law Amendment	\$ 6,290	\$6,535
4. Zoning By-law Amendment (Condition of Consent)	\$ 3,145	\$3,270
5. Removal of (H) Holding Symbol	\$ 1,315	\$1,365
6. Temporary Use By-law	\$ 2,225	\$2,310
7. Extension to Temporary Use By-law	\$ 1,495	\$1,550
8. Temporary Use Agreement	\$ 1,495	\$1,550
9. Site Plan Approval (Initial or Amendment where a new Agreement is Required)	\$ 4,540	\$4,715
10. Site Plan Approval Amendment where no Agreement is required	\$ 2,225	\$2,310
11. Discharge of a Site Plan Agreement	\$ 1,315	\$1,365
12. Consultation Process for Telecommunication Facilities	\$ 1,700	\$1,765
13. Plan of Subdivision Approval	\$ 7,390	\$7,675
14. Red Line Revisions to a Draft Approved Plan of Subdivision/ Condo or Site Plan	\$ 2,225	\$2,310
15. Plan of Condominium	\$ 7,390	\$7,675
16. Condominium Conversion	\$ 7,070	\$7,345
17. Condominium Amalgamation	\$ 1,315	\$1,365
18. Exemption of Draft Plan of Condominium Approval	\$ 1,495	\$1,550
19. Extension to Draft Plan Approval of a Draft Plan of Subdivision or Condominium	\$ 1,495	\$1,550
20. Subdivision, Development or Condominium Agreement	\$ 6,810	\$7,075
21. Development Agreement as a Condition of Consent	\$ 3,405	\$3,535
22. Final Approval of a Plan of Subdivision or Condominium	\$ 1,495	\$1,550
23. Street Naming for New Subdivisions	\$ 1,315	\$1,365
24. Amendment to Subdivision, Development or Condominium Agreement	\$ 6,290	\$6,535
25. Request for Removal of Part Lot Control (per lot/block)	\$ 1,315	\$1,365
26. Approval of Road Opening/Upgrade (to allow access to build)	\$ 1,495	\$1,550
27. Adjournment or Rescheduling Fee for any Planning Application requested for any Planning Application	\$ 255	\$ 265
28. Deeming By-law	\$ 860	\$ 890
29. Zoning Compliance/Green Energy Zoning Compliance	\$ 170	\$ 175
30. Written Property Reports	\$ 170	\$ 175
31. 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."

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2017-

BEING A BY-LAW TO AMEND BY-LAW 2002-112 WHICH APPOINTS A COMMITTEE OF ADJUSTMENT, DELEGATES THE AUTHORITY FOR CONSIDERING APPLICATIONS FOR MINOR VARIANCES AND CONSENTS, PROVIDES FOR COMPENSATION FOR THE MEMBERS OF THE COMMITTEE OF ADJUSTMENT, ADOPTS POLICIES, PROCEDURES AND CONDITIONS FOR THE OPERATION OF THE COMMITTEE OF ADJUSTMENT, AND ESTABLISHES A TARIFF OF FEES UNDER THE PLANNING ACT.

WHEREAS the Council of the Corporation of the Township of West Lincoln enacted By-law 2002-112 to appoint a Committee of Adjustment, to delegate the authority for considering applications for minor variances and consents, to provide for compensation for the members of the Committee of Adjustment, to adopt Policies, Procedures and Conditions for the Operation of the Committee of Adjustment, and to establish a Tariff of Fees under the Planning Act;

AND WHEREAS the Township of West Lincoln now deems it expedient to amend Schedule "D" of By-law 2002-112, as amended which provides for a tariff of fees for the processing of applications for consent or minor variance.

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

1. That, By-law 2002-112, as amended, be further amended by deleting Schedule "D" and inserting the attached new Schedule "D" in lieu thereof.
2. That, amending By-law 2015-34 be and is hereby repealed effective October 1, 2017
3. That this By-law takes effect on October 1, 2017.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 25th DAY OF SEPTEMBER, 2017.

MAYOR DOUGLAS JOYNER

CAROLYN LANGLEY, CLERK

SCHEDULE "D"
TARIFF OF FEES FOR THE COMMITTEE OF ADJUSTMENT
(Schedule D to By-law 2002-112 – as amended by 2017-## - effective October 1, 2017)

The fees for processing an application for consent or minor variance to the Committee of Adjustment are outlined below, **effective October 1, 2017**.

Description	Fee July 1, 2015	Fee September 1, 2017
Basic Processing Fee - Applications for Consent <i>Includes administration and mailing fees required to process consent applications and Validation of Title requests.</i>	\$2145.00 (where new lot created/validation of title) \$1075.00 (for minor boundary adjustments and other)	\$2230.00 (where new lot created/validation of title) \$1120.00 (for minor boundary adjustments and other)
Health Inspection Fee - West Lincoln Properties <i>Required if municipal sewage system is unavailable (i.e. private septic system proposed).</i>	\$210.00 Per new lot + remnant	\$220.00 Per new lot + remnant
Adjournment/Rescheduling Fee <i>Applicable as determined by Committee when an adjournment of an application is necessary.</i>	\$255.00 Per application	\$265.00 Per application
Final Certification Fee <i>Fees are per application, payable upon submission of the documents (deeds) for issuance of final certification.</i>	\$335.00	\$350.00
Basic Processing Fee - Minor Variance Applications <i>Includes administration and mailing fees required to process minor variance applications.</i>	\$1,565.00	\$1625.00
Request for Change in Conditions - Consents <i>Includes administration and mailing fees required to process requests for change in conditions, under Section 53(23) of the Planning Act.</i>	\$715.00	\$745.00

NOTE: These fees do not apply to applications made by the Region of Niagara within the limits of the Township of West Lincoln.