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Corporate Report

Clerk's Files FA.11

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DATE: November 5, 2010

TO: Chair and Members of the Budget Committee
Meeting Date: December 13, 2010

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Amendments to the *Planning Act* Processing Fees and Charges By-law**

RECOMMENDATION: That a by-law to establish and require payment of various fees and charges under the authority of the *Planning Act* be enacted effective January 1, 2011, incorporating recommended revisions as outlined in Appendix 1 attached to the Corporate Report dated November 5th, 2010 from the Commissioner of Planning and Building entitled Amendments to the "*Planning Act* Processing Fees and Charges By-law".

BACKGROUND: Each year the City undertakes a review of the fees and charges enacted under the *Planning Act*, R.S.O. 1990, c.P.13, as amended. The *Planning Act* Processing Fees and Charges By-law includes fees for services and activities provided by all City departments in connection with the processing of planning related applications.

COMMENTS: The proposed changes to the fees and charges under the *Planning Act*, are the result of the annual review of fees and charges, (Appendix 1). Generally the changes represent increased administration costs and housekeeping matters.

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The Urban Forestry Section, Recreation and Parks Division of the Community Services Department recommends that the Tree Removal Permission fees collected under the *Planning Act*, be increased by 5%, which is in line with the fee adjustment proposed for the Tree Permit fees collected under the General Fees and Charges By-law.

The Committee of Adjustment is recommending that the current residential minor variance application fee of \$500.00 be increased by \$100.00 per application to \$600.00. The proposed increase is required to better maintain cost recovery of the Committee of Adjustment operation and to bring the residential fee closer in line to the current non-residential minor variance application fee of \$800.00.

The Development and Design Division of the Planning and Building Department is recommending several administrative changes to clarify the planning application fee refund process. A major revision fee currently applies to all Site Plan Control applications except for Infill Residential (New Dwellings, Replacement Housing and Additions). It is recommended that this fee also apply to Infill Residential applications. A new site plan inspection fee is being proposed for infill residential developments which includes new dwellings, replacement housing and additions. The recommended fee is \$250.00 for the initial inspection and \$95.00 for each subsequent inspection. An administrative amendment is also being made to clarify that the existing Site Plan Inspection fee of \$650.00 for the initial inspection and \$250.00 for additional inspections does not apply to infill residential development.

Work order and agreement compliance letter fees are to be deleted from the *Planning Act* Fees and Charges By-law and moved to the General Fees and Charges By-law. A recent review of the fees has deemed that these fees should be collected under the General Fees and Charges By-law.

The Development Services Section, Business Services Division of the Planning and Building Department is recommending a new

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Condominium Application Revision fee of \$650.00 per revision in cases where a condominium application is required to be re-circulated to commenting agencies as a result of the applicant making a change to the application.

FINANCIAL IMPACT: The revenues generated from the proposed changes to the fees and charges collected under the *Planning Act* will be included in the 2011 Budget.

CONCLUSION: The annual review of the fees and charges under the *Planning Act* Processing Fees and Charges By-law has resulted in a number of fee adjustments reflecting processing and administrative costs, and the introduction of two new fees – a site plan inspection fee for infill residential housing and a condominium application revision fee. Several housekeeping amendments have been made to clarify the planning application fee refund process.

ATTACHMENTS: Appendix 1: Amendments to Schedule 'A' of the *Planning Act* Processing Fees and Charges By-law



Edward R. Sajecki
Commissioner of Planning and Building

Prepared By: Carmen Gucciardi, Manager, Development Services

**AMENDMENTS TO SCHEDULE "A" OF
THE PLANNING ACT FEES AND CHARGES BY-LAW**

Community Services Department

Division	Fee	Existing or New Fee	Description of Change	Current Fee	Proposed Fee	Fee Increase		Estimated \$ Impact (+/-)
						\$	%	
Recreation and Parks – Urban Forestry	Tree Removal Permission	Existing	Annual increase to align with the Tree Permit fees collected under the General Fees and Charges By-law	\$305.00 for the removal of up to 5 trees	\$320.00 for the removal of up to 5 trees	\$15.00	5	Total of \$1,250.00
				\$68.00 for each additional tree	\$71.00 for each additional tree	\$3.00	5	
				Maximum fee of \$1,365.00	Maximum fee of \$1,433.00	\$68.00	5	

Corporate Services Department

Division	Fee	Existing or New Fee	Description of Change	Current Fee	Proposed Fee	Fee Increase		Estimated \$ Impact (+/-)
						\$	%	
Committee of Adjustment Legislative Services	Minor Variance Application – Residential	Existing	Fee increase to assist in covering the costs of processing applications and to bring the residential fee more in line with the commercial/industrial fee of \$800.	\$500.00	\$600.00	\$100.00	20	\$26,000.00
Committee of Adjustment, Legislative Services	Minor Variance Application – Multiple Residential Applications (10 or more) within a Plan of Subdivision	Existing	Fee increase to assist in covering the costs of processing the applications and to bring the residential fee closer in line with the commercial/industrial fee of \$800.	\$500.00 per application for the first 10 applications \$50 per application in excess of the first 10 applications	\$600.00 per application for the first 10 applications \$50 per application in excess of the first 10 applications	\$100.00	20	Combined with above

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**AMENDMENTS TO SCHEDULE "A" OF
THE PLANNING ACT FEES AND CHARGES BY-LAW**

Planning and Building Department

Division	Fee	Existing or New Fee	Description of Change	Current Fee	Proposed Fee	Fee Increase		Estimated \$ Impact (+/-)
						\$	%	
Development and Design	Site Plan -- Infill Residential (New Dwellings, Replacement Housing and Additions)	New	Major revision to applications requiring recirculation of the application to commenting agencies	N/A	\$50% of the application fee	New	N/A	\$4,500-\$7,000.00
Development and Design	Site Plan Inspection - Except for Infill Residential (New Dwellings, Replacement Housing and Additions)	Existing	Housekeeping matter to clarify that the fee applies to non-infill residential development.	Initial Inspection \$650.00 Each Additional Inspection \$250.00	No change	N/A	N/A	N/A
Development and Design	Site Plan Inspection - Infill Residential (New Dwellings, Replacement Housing and Additions)	New	Site inspection fee for Infill residential developments subject to site plan approval. The fee recognizes the staff time required to conduct a site inspection.	\$0	Initial Inspection \$250.00 Each Additional Inspection \$95.00	New	N/A	\$20,000 in 2012 as inspections for 2011 applications will not take place until 2012
Development and Design	Application Fee Refunds	Existing	Housekeeping matter to clarify that if the Planning and Building Department closes an application due to inactivity application fee refunds will be processed in accordance with the By-law schedule.	N/A	N/A	N/A	N/A	N/A

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APPENDIX I

**AMENDMENTS TO SCHEDULE "A" OF
THE PLANNING ACT FEES AND CHARGES BY-LAW**

Planning and Building Department - continued

Division	Fee	Existing or New Fee	Description of Change	Current Fee	Proposed Fee	Fee Increase \$	Fee Increase %	Estimated \$ Impact (+/-)
Development and Design	Application Fee Refunds	Existing	Housekeeping matter to clarify the various milestones in connection with refunds of 90%, 70% and 50% of the application fee for Official Plan Amendment only, Official Plan Amendment/Zoning By-law Amendment, Zoning By-law Amendment, Plan of Subdivision, Removal of Holding Symbol, Payment In Lieu of Off-Street Parking and Site Plan Control applications.	N/A	N/A	N/A	N/A	N/A
Development Services, Business Services	Compliance Letters: - work orders/zoning/agreements -additional information fee - agreement release	Existing	Housekeeping matter to delete the fees from the <i>Planning Act</i> Fees and Charges By-law and transfer them to the General Fees and Charges By-law.	N/A	N/A	N/A	N/A	N/A
Development Services, Business Services	Condominium Revision Fee	New	Revision to a condominium application requiring recirculation of the application to commenting agencies.	N/A	\$650.00 per revision	New	N/A	\$1,300-\$2,000