

TOWN OF SALTCOATS

PLANNING AND DEVELOPMENT FEE BYLAW RATIONALE BYLAW NO 08-2023

Introduction:

Planning and development fees are intended to allow municipalities to recoup at least a portion of the costs involved in the review, advertising, approval, enforcement, regulation and issuance of development permits, discretionary uses, minor variances, and planning bylaw amendments. A rationale for the schedule fees prescribed in Schedule A is hereby provided in accordance with subsection 51(2.1) of the Act.

The time required for processing and hourly rate reflect a low estimate of in-house private planning services. The Town employs its own land use planner for the purpose of development review and development officer duties, but it is recognized that it may contract certain matters out to a private planning consultant for their expertise. This approach will be reviewed on a periodic basis.

The fees presented in Bylaw 08-2023 may be lesser than the general estimated costs listed in this rational document. Council may elect to adopt a fee schedule lesser than estimated costs at its discretion and in the best interest of the Town and its ratepayers. The fees prescribed are an estimate and reflect the average amount of municipal time and resources involved in a review and are not intended to exceed cost-recovery in aggregate.

Process:

The sections below outline the duties and responsibilities of the Town upon receipt of an application, and its process for review and the resources required, or having those responsibilities handled by an outside planning consultant.

Application for permitted uses (Principal, Accessory, Ancillary and signs): Two (2) Hour @ 25.00/hour

The review process may include some or all of the following:

- Review of the physical allocation for completion;
- Determination of land use designation and zoning;
- Review of the site plan, real property report, or engineering compliance where applicable;
- Review of application for bylaw compliance and requirements for specific development;
- Finding the roll number, and reviewing the file for previous development.
- Retrieval of a copy of the title to determine if there are any interests or restrictions on the land;
- Preparation of any materials or information for Council (where required);
- Identification of municipal access, servicing requirements, and impacts to municipal infrastructure;

- General confirmation of development suitability; and
- Consultation with governmental ministries or agencies (where required)

Discretionary Use Applications for Development Permits:

**Four (4) Hours @ 25.00
Plus, the cost of advertising**

In addition to the process involved for a review of a permitted use, the review of a discretionary use application also involves the following:

- Discretionary use applications require additional resources and time for review. The nature of the discretionary use warrants special consideration by Council on its use and operation, effect(s) on surrounding land uses, and overall intent for the zoning district in which they are located.
- Each discretionary use application must be presented to Council. A detailed summary of the proposed use must be prepared to outline all of the relevant regulations, and development standards related to said use, and any evaluative criteria that Council must apply in its decision-making process. Further information gathering specific to the site and the proposal is often required for inclusion in the summary.
- Applications for discretionary use are also subject to the public notification in sections 55 of the PDA.
 - In addition to the costs incurred by the municipality to provide adjacent landowners with notice, there may be additional time required by administration or outside planning services to process and present to Council any feedback that was received as a result of adjacent landowner notification.
 - Depending on the nature of the proposed development, significant time of the administrator or outside planning services may be required to receive and respond to inquiries to the proposed discretionary use.
- The review of a discretionary use application may also require consultation with outside professionals, government ministries or agencies to ensure proper development.
- All of the above results in additional time and resources to review.

Additional Administrative Cost Related to Permitting

Other administrative costs attributable to the development permit review process, are included in the fees listed in Bylaw 08-2023 are as follows:

- Initial intake and review of the permit application;
- File, preparation, organization, filing, documentation;
- Printing and copying material related to the permit review and for circulation to Council (where required);
- Title interest registrations or amendments, execution of agreements;
- Site visitation (where required);
- Responding to public inquiries; and
- Consultation with outside professionals, government ministries or agencies (where required)

Homebased Business

**Two (2) Hours @ \$25.00
Plus, the cost of advertising**

The review process may include some or all of the following:

- Review of the physical allocation for completion;
- Determination of land use designation and zoning;
- Review of application for bylaw compliance and requirements for specific development;
- Finding the roll number, and reviewing the file for previous development.
- Preparation of any materials or information for Council (where required);
- Identification of municipal access, servicing requirements, and impacts to municipal infrastructure;
- General confirmation of development suitability; and
- Consultation with governmental ministries or agencies (where required)

Minor Variance Applications

Four (4) Hours @ \$25.00/hour

The review process includes:

- Review of the physical application for completion;
- Determination of land use designation and zoning;
- Determine of whether the proposed variant meets legislated provisions for variance;
- Access for potential impact on adjacent landowners;
- Retrieval of a copy of title to determine if there are any interests or restrictions placed on the land;
- Preparation of any materials or information for council;
- General confirmation of development suitability;
- Notification to adjacent landowners and the handling of any potential response; and
- Consultation with governmental ministries or agencies (where required).

Planning Bylaw Amendment Costs

The fees for amendments represent an average approximation of the time required to receive, process, prepare and gain provincial approval for bylaw amendments at the estimated for planning services of \$125.00/hour.

Official Community Plan Map and Textual Amendments Two. Four (2.4) Hours @ \$125.00

Zoning Bylaw Map and Textual Amendments

Two. Four (2.4) Hours @ \$125.00

Plus, cost of advertising

The classes of Zoning Districts are distinguished by:

- Current zoning designations and the amount of land are currently zoned as such;
- The intensity of development possible within the districts;
- Types of land use(s) generally accommodated within them;
- Potential to significantly affect existing land use patterns;
- Location and whether potential hazard land need be considered;
- General confirmation of development suitability enables by an amendment; and development possibilities that may impact aboriginal treaty rights which may warrant engagement with First Nations and Metis peoples; and
- Potential to introduce land use conflict with adjacent properties.

Demolition or Removal

Four (4) Hours @ 25.00

Plus, Deposit (\$0.50 per Sq Ft of foundation on grade and \$1.00 per sq ft of foundation below grade. Refundable upon completion of site to the satisfaction of the authorized representative.

The review process may include some or all of the following:

- Review of the physical allocation for completion;
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- Review of the site plan, real property report, or engineering compliance where applicable;
- Review of application for bylaw compliance and requirements for specific development;
- Finding the roll number, and reviewing the file for previous development.
- Retrieval of a copy of the title to determine if there are any interests or restrictions on the land;
- Preparation of any materials or information for Council (where required);
- Identification of municipal access, servicing requirements, and impacts to municipal infrastructure;
- General confirmation of development suitability; and
- Consultation with governmental ministries or agencies (where required)

Engagement with Outside Professionals

Fees collected through a retainer for the purpose of engaging outside professional expertise, and any additional fees for said expertise, are intended to allow the Town the ability to recover its costs related to the review of a permit or bylaw amendment application. At times, engagement with outside professionals is required for the Town to confirm the suitability of a particular proposal in the best interests of the Town and general public. Up front collections of fees are intended to communicate and recover the costs related to a review, and that said costs are borne to the applicant.

Public Notification Costs-varies

- It is the opinion of Council that the costs related to legislated public notification and participation triggered by applications be borne by applicants and not the general public. Applicants will be required to cover all costs related to the production, publication and delivery of any public or landowner notice, responding to the public inquiries, and any public hearing, in accordance with the legislated public participation requirements relating to development permits, discretionary uses, minor variances, or planning bylaw amendments
 - Notification costs include direct costs incurred by the municipality related to the newspaper and letter publication, postage, and administrative time. These are generally set by newspaper publication, postage rates, per unit costs of materials and administrative time.
 - Engagement costs are variable and depend on the specifics related to each proposal. Factors include: the services of an outside professional; and the number of public representations or submissions to be heard or read in a hearing.

- Where allowed by the Act, and where digital notification mechanisms are available, the Town will seek to utilize digital notification or posting of materials: for archiving broad communication; to be accessible remotely and on demand; and, to minimize costs related to print publication.
- Upon request and to the best ability of the Town at the time requested, cost estimates may be provided based on the type of application received. Where costs can predetermine, applicants shall pay those costs prior to proceeding with the public notification.

Enforcement

When reviewing applications and in its issuance of Notice of Decisions, the municipality is ensuring the development conforms to municipal planning policy and regulation. In some instances where Council refuses an application, or conditions are attached to a permit, follow up and bylaw enforcement is required which are additional costs for the Town. The covering of these costs should be accumulated through each individual development permit application fee to design the costs to developers and not the entire community. No specific portion of the planning and development fees have been attached to enforcement, but it is recognized that this is a factor in fees charged by the Town.