



Corporate Report

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PDC APR 18 2011

DATE: March 29, 2011

TO: Chair and Members of Planning and Development Committee
Meeting Date: April 18, 2011

FROM: Edward R. Sajecki
Commissioner of Planning and Building

SUBJECT: **Site Plan Inspection Fees**

RECOMMENDATION: That the Report dated March 29, 2011, from the Commissioner of Planning and Building entitled "Site Plan Inspection Fees", recommending changes to the City's *Planning Act* Processing Fees By-law, be adopted in accordance with the following:

1. That the City's *Planning Act* Processing Fees By-law be amended in order that the "grandfather clauses" do not apply to Site Plan Inspections.
2. That the necessary amending by-law to the City's *Planning Act* Processing Fees By-law be brought forward to the next Council meeting for enactment.

BACKGROUND: The Planning and Building Department requested Internal Audit to carry out an audit regarding cash handling and revenue processes for the procedures associated with development applications. On March 7, 2011, the Audit Committee considered and received for information the Planning and Building Department Development Applications Audit Report, dated February 11, 2011. One of the recommendations included in the Audit Report was:

"That Management review the appropriateness of continuing to include the grandfathering provisions in the Planning Act Processing Fees and Charges By-laws in relation to site plan inspections."

COMMENTS: Grandfather Clause

Since 2005, the *Planning Act* Processing Fees By-laws have included a "grandfather clause". The "grandfather clause" stated that all applications in respect of planning matters submitted on or before the date Council passed the Processing Fees By-law shall continue to be governed by the By-law in effect at the time of the application submission. Therefore, the fees charged, including fees for inspections, are those in effect at the time of the submission of the original application. It does not make sense that the "grandfather clause" apply to Site Plan Inspection fees because the cost of delivering the inspections is incurred typically one (1) to three (3) years after the submission of the original application.

It should be noted that a site plan inspection does not require the submission of a separate application, but is an activity that is carried out after the site plan is approved and the landscape and site works are completed. Site inspections are conducted to ensure that the built site works, including tree preservation, is carried out in compliance with the approved plans prior to the release of the site securities.

It is recommended that the *Planning Act* Processing Fees By-law be amended so that the "grandfather clauses" in the current by-law and in all previous by-laws not apply to Site Plan Inspection Fees and that the payment of inspection fees apply to all types of site plan applications for which a site inspection has not yet been requested. The applicable fee would be the fee in effect at the time the site plan inspection request is made.

FINANCIAL IMPACT: The additional revenue in 2011 that is anticipated to be collected based on current rates for site plan inspections, is approximately \$30,000.

CONCLUSION:

The proposed changes to the 2011 *Planning Act* Processing Fees By-law are considered appropriate and should be approved for the following reasons:

1. The revenue from the inspection fees would appropriately match the expenses incurred to conduct the inspection one (1) to three (3) years after the site plan application is submitted.
2. The payment of inspection fees would apply to all types of site plan applications for which a site inspection has not yet been requested.

original signed by

Edward R. Sajecki
Commissioner of Planning and Building

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