

Report to Council

Report Title:	Planning and Development Administration Fees		
Prepared By:	Fiona Hamilton, Clerk		
Department:	Administration		
Date:	October 15, 2019		
Report Number:	CAO2019-24	File Number:	C11AD
Attachments:	Draft Parkland Dedication By-Law Draft Payment-in-Lieu of Parking Policy Draft Schedule of Planning and Development Fees and Charges		

Recommendation:

That the Council of the Municipality of Brockton hereby receives Report Number CAO2019-24 - Planning and Development Administration Fees, prepared by Fiona Hamilton, Clerk for information purposes and approves incorporating the attached Schedule of Planning and Development Administration Fees into the 2020 Fees and Charges By-Law and further approves bringing forward an amendment to the 2019 Fees and Charges By-law to include the attached Schedule.

Report:

Background:

The Municipality of Brockton is growing rapidly and experiencing significant development to an extent that has not been experienced in the past. Lots in the East Ridge Business Park have been selling and with increased interest, new subdivisions are being proposed and there have been many applications related to surplus farm dwelling lots over the past year. Staff at the County of Bruce indicated that the number of planning applications over the past year in Brockton may even have outpaced those along the shoreline. Given the low rates of unemployment and the expansion at Bruce Power, this pace of development is not expected to decrease for many years.

The following are some examples of the kinds of developments have been approved or proposed in the past few years:

- New subdivisions in various stages (final phases, early construction, pre-construction, pre-approval);
- Other types of inquiries (Zoning for multi-unit residential construction, Site Plan Agreement for commercial and residential multi-unit buildings, Deeming By-laws, surplus farm dwelling lots);
- Residential condominium units were constructed in the centre of Walkerton;
- Lots sold in the East Ridge Business Park with new buildings being constructed.

These development inquiries are coming from both the urban and rural areas of Brockton.

While this growth and development is exciting, it also presents some challenges. Two of the largest challenges for the Municipality of Brockton are the amount of staff time and expertise needed to review, approve and consult with developers and residents, and also the financial pressure to oversee and maintain infrastructure that will be used for decades into the future.

As the population grows, the Municipality of Brockton also needs to consider development opportunities providing a range of housing options for residents of all income levels, as well as expanded parks and greenspaces. Parks and greenspaces are fundamental to safe and healthy communities; and also improve the quality of life for our residents.

Analysis:

Parkland Dedication Lands/Fees

In order to ensure there are sufficient parks and greenspaces throughout the Municipality of Brockton, staff recommend that Council adopt a Parkland Dedication By-law. The purpose of the Parkland Dedication By-law is to provide some parameters around the types of applications that would require a developer to convey lands to be used for parks, trails and greenspaces (or make a payment in lieu of those conveyances). Section 51.1(1) of the *Planning Act*, R.S.O. 1990, C P.13 sets out that the approval authority (the municipality) may require land in an amount (or payment) of up to two percent (2%) of the value of the land for commercial or industrial purposes and five percent (5%) for all other cases be provided to the municipality by the developer. These values would be calculated using the value of the land prior to any new construction. These funds would then be used to develop, upgrade or renovate parks, trails and greenspaces to benefit all residents throughout Brockton.

We note that other surrounding municipalities have Parkland Dedication By-laws. Many accept a flat fee as a parkland dedication fee for all development proposals. The problem with the flat fee approach is that, depending on the value of the property, contravene the provision of the Planning Act. The Municipality of Brockton will rely on assessment or appraisal values as to the value of the land and remit the full percent permitted under the Planning Act, as doing so preserves Brockton's ability to provide quality trails and parks for residents of all ages.

Parking

The Planning Act also contains similar provision about payments in lieu of parking spaces. The Municipality of Brockton's current Zoning By-law contains a number of provisions stipulating the number of parking spaces required for the various property uses. However, there are times when a property owner may not have sufficient parking as set out in the by-law. Section 40(1) allows the municipality to require the owner to provide payment to the municipality. Municipalities would then be able to use these payments to improve or expand municipally owned parking facilities to compensate for the owner's deficiency. Payment-in-lieu assists developers in satisfying parking requirements where it is not physically feasible or desirable to provide parking on-site and where there are no opportunities for the applicant to secure off-site parking.

This policy would not replace or conflict with the minor variance or zoning amendment process. The Committee of Adjustment could still decide whether the parking requirements applying to a particular site could be varied. The payment-in-lieu option would be used in a situation where the Municipality of Brockton is prepared to reduce or eliminate the parking requirement on a given site in order to apply the funds obtained towards developing and maintaining municipal parking facilities such as in a downtown area where space is limited but a parking lot may be suitable. Many other neighbouring municipalities have adopted Payment-In-Lieu of Parking policies and are collecting fees that range from \$1,000 to \$1,700.00 per space.

Staff have brought forward a draft Policy for Council’s consideration and suggest that a fee of \$1,000.00 per space be added to the Municipality of Brockton’s Fees and Charges By-law.

General Planning and Development Administration Fees

As noted above, there are far more development and planning applications being proposed by developers currently than there has been for many years. In order to be fair for all residents, staff are proposing that the Municipality of Brockton introduce a number of Planning and Development Administration Fees to be charged to developers to recoup some of the staff time that is being drawn away from other projects that benefit the municipality as a whole (recognizing that there is some benefit to all residents associated with growing the assessment base).

These fees, while relatively minor in comparison to the overall costs of development to the developer, would greatly assist in off-setting expenses and costs related to planning and development matters. These proposed fees are also significantly less than the implementation of development charges, such that the Municipality of Brockton still remains competitive for development relative to other municipalities.

Currently the Municipality of Brockton is the only municipality in Bruce County that does not charge any additional fees on top of the planning fees charged by the County of Bruce. Staff recommend that we implement these fees to off-set some expenses at this time prior to the next stage of a few larger developments. A proposed schedule of Planning and Administration Fees has been attached for Council’s consideration, noting that staff have attempted to make the schedule as comprehensive as possible.

Sustainability Checklist:

What aspect of the Brockton Sustainable Strategic Plan does the content/recommendations in this report help advance?

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| • Do the recommendations help move the Municipality closer to its Vision? | Yes |
| • Do the recommendations contribute to achieving Cultural Vibrancy? | N/A |
| • Do the recommendations contribute to achieving Economic Prosperity? | Yes |
| • Do the recommendations contribute to Environmental Integrity? | Yes |
| • Do the recommendations contribute to the Social Equity? | N/A |

Financial Impacts/Source of Funding:

- Do the recommendations represent a sound financial investment from a sustainability perspective? Yes

As Council is well aware, operating expenses for the Municipality of Brockton increase each year. Implementing these Planning and Development Administration Fees may assist in off-setting some costs. This fee structure also affects those who are making applications and require dedicated staff time, thus fairer as the fees would be paid by those most able to pay, the developers, and not the taxpayers as a whole.

Staff recommend including the proposed fees in the 2020 Fees and Charges By-law, and also bringing forward an amendment to the 2019 Fees and Charges as there are a number of large developments that may proceed to the next stage by the end of the year.

Reviewed By:



Trish Serratore, Chief Financial Officer

Respectfully Submitted by:



Fiona Hamilton, Clerk

Reviewed By:



Sonya Watson, Chief Administrative Officer