

8

SITE PLAN AMENDING AGREEMENT FEE

The Finance and Administration Committee recommends the adoption of the recommendations contained in the following report dated January 11, 2010, from the Regional Solicitor.

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council approve a fee of \$700 for the administrative and legal costs associated with Site Plan Amending Agreements as set out in this report.
2. Staff take the steps necessary to implement this new fee.

2. PURPOSE

The purpose of this report is to obtain authorization to impose a fee for the administrative and legal costs associated with the preparation of Site Plan Amending Agreements.

3. BACKGROUND

Finance and Administration Committee directed staff to undertake a review of the Region's processes to ensure that all appropriate costs are being recovered

At its meeting of November 5, 2009, Finance and Administration Committee directed staff to undertake a review of the Region's process to ensure that all appropriate costs are being recovered. Staff confirmed that current fees sufficiently cover the costs of planning related agreements, with the exception of Site Plan Amending Agreements for which the Region does not currently charge a fee.

4. ANALYSIS AND OPTIONS

Staff recommend a new fee for Site Plan Amending Agreements

In order to fully recover all costs associated with Site Plan applications, including amendments, the Region should impose a fee for Site Plan Amending Agreements.

Fees are charged for the review of conditions of site plan approval, the preparation of Site Plan Agreements, and the registration of agreements on title to the lands subject to development. Any application for a Site Plan Amending Agreement requires a thorough review of that application and a further review of the original file to determine the appropriateness of the request.

Site Plan Amending Agreements have increased in frequency and complexity over the past several years resulting in an increased use of staff resources in order to respond to the demand for amendments

Applications for site plan amendments are often at least as complicated as the original site plan application and require the same or greater level of staff time and effort, none of the costs of which are currently recovered. Further, in recent years, the number of Site Plan Amending Agreements has been steadily increasing. The ratio of Site Plan Amending Agreements to Site Plan Agreements has been increasing over this period as well as illustrated by Table 1.

Table 1
Number of Site Plan Agreements and Amending Agreements
up to November 2009

Year	Site Plan Agreements	Site Plan Amending Agreements	Ratio
2006	54	1	2%
2007	91	4	4%
2008	67	9	13%
2009	43	7	16%

Regional staff has researched other comparable municipality's fees for Site Plan Amending Agreements

In an effort to ascertain the practices and policies of comparable municipalities, staff has researched the fees charged by the Regions of Peel, Halton, Durham, and Waterloo, Cities of Toronto and Vaughan, and the Towns of Markham and Richmond Hill with regards to the preparation of Site Plan Amending Agreements. Table 2 summarizes the fees charged by the municipalities.

Table 2
Site Plan Amending Agreement Fee Comparison Summary

Municipality	Site Plan Agreement Fee	Site Plan Amending Agreement Fee
York Region	\$700	No Charge
Town of Markham	Ranges from \$1250 to \$3700, depending on size and complexity of application	Ranges from \$600 to \$1850 depending on size and complexity of application
City of Vaughan	% of Application Fee	% of Application Fee
Town of Richmond Hill	% of Application Fee	% of Application Fee
Peel Region	\$300 (Caledon Only)	No Charge
Halton Region	\$820.00	\$513.00
Town of Milton	\$501.84	\$501.84
Town of Oakville	\$1,870.00	\$935.00
Durham Region	Delegated to Area Municipalities	Delegated to Area Municipalities
Region of Waterloo	\$515 (plus disbursements)	\$515 (plus disbursements)
City of Toronto	7.5% surcharge on top of Application Fee of \$2,284 plus \$2.31/sq-m	7.5% surcharge on top of Application Fee of \$2,284 plus \$2.31/sq-m

Note: Applicants are responsible for both Local and Regional fees where applicable.

A staff review of docketed work for completed Site Plan Amending Agreements, over the period of September to November, 2009, concluded that the average staff cost per Site Plan Amending Agreements is \$710.00.

5. FINANCIAL IMPLICATIONS

The imposition of the site plan amending agreement fee will generate revenues for staff time spent processing development applications for which no cost recoveries are currently received.

6. LOCAL MUNICIPAL IMPACT

There are no local municipal implications associated with this report.

7. CONCLUSION

Currently, the Region does not charge for the work involved in the review and preparation of Site Plan Amending Agreements. In light of the Average Cost per agreement, outlined in Table 3, and increasing incidence of Site Plan Amending, outlined

in Table 2, Staff recommends the imposition of a \$700 fee to recover the costs of the services provided.

For more information on this report, please contact Colin Kong, Law Clerk at Ext.1423 or Robert Miller, Senior Counsel at Ext. 1404.

The Senior Management Group has reviewed this report.