



Agenda
Planning & Development Committee
The Corporation of the City of Brampton

Date: Monday, October 21, 2024
Time: 1:00 p.m.
Location: Hybrid Meeting - Virtual Option & In-Person in Council Chambers – 4th Floor – City Hall
Members: Regional Councillor M. Palleschi - Wards 2 and 6
Deputy Mayor Singh - Wards 9 and 10
Regional Councillor R. Santos - Wards 1 and 5
Regional Councillor P. Vicente - Wards 1 and 5
Regional Councillor N. Kaur Brar - Wards 2 and 6
Regional Councillor D. Keenan - Wards 3 and 4
Regional Councillor M. Medeiros - Wards 3 and 4
Regional Councillor P. Fortini - Wards 7 and 8
Regional Councillor G. Toor - Wards 9 and 10
City Councillor R. Power - Wards 7 and 8
Mayor Patrick Brown (ex officio)

For inquiries about this agenda, or to make arrangements for accessibility accommodations for persons attending (some advance notice may be required), please contact:
Gagandeep Jaswal, Legislative Coordinator, Telephone 905.874.2116, TTY 905.874.2130
cityclerksoffice@brampton.ca

Note: Meeting information is also available in alternate formats upon request.

1. Call to Order

2. Approval of Agenda

3. Declarations of Interest under the Municipal Conflict of Interest Act

4. Consent Motion

The Meeting Chair will review the relevant agenda items during this section of the meeting to allow Members to identify agenda items for debate and consideration, with the balance to be approved as part of the Consent Motion given the items are generally deemed to be routine and non-controversial.

5. Statutory Public Meeting Reports

6. Public Delegations (5 minutes maximum)

6.1 Delegation from Daniel Segal, Segal Construction

To be received.

6.2 Delegation re: 2024 Fee Changes for Development Applications (Tariff of Fees By-law with Respect to Planning and other Municipal Applications – By-law 85-96, as amended)

1. Peter Simcisko, Watson and Associates Economists Ltd.

To be received.

(See Item 7.4)

7. Staff Presentations and Planning Reports

7.1 Staff Report re: Residential Driveway Size Standards Review

Staff: David VanderBerg, Manager, Development Services

Recommendation

- 7.2 Staff Report re: Potential Zoning Permissions for the Use of Outdoor In-Ground Waste Bins (i.e. Molok brand bins) for Restaurant (Organic) Waste, In Lieu of Indoor Climate-Controlled Rooms

Staff: Charles Ng, Planner, Development Services

Recommendation

- 7.3 Staff Report re: Building Improvement Grant Application, 3 Chapel Street, Ward 3, File: BFIP-2023-0006

Location: 3 Chapel Street

Staff: Vrinda Bhardwaj, Assistant Planner, Downtown Revitalization

Recommendation

- 7.4 Staff Report re: 2024 Fee Changes for Development Applications (Tariff of Fees By-law with Respect to Planning and other Municipal Applications – By-law 85-96, as amended)

Staff: Carolyn Crozier, Strategic Leader, Project Management

Recommendation

(See Item 6.2)

8. Committee Minutes

- 8.1 Summary of Recommendations - Brampton Heritage Board - Special Meeting - October 2, 2024

To be approved.

9. Other Business/New Business

10. Referred/Deferred Matters

Note: In accordance with the Procedure By-law and Council Resolution, the Referred Matters List will be published quarterly on a meeting agenda for reference and consideration. A copy of the current Referred Matters List for Council and its committees, including original and updated reporting dates, is publicly available on the City's website.

11. Correspondence

12. Councillor Question Period

13. Public Question Period

15 Minute Limit (regarding any decision made at this meeting)

During the meeting, the public may submit questions regarding recommendations made at the meeting via email to the City Clerk at cityclerksoffice@brampton.ca, to be introduced during the Public Question Period section of the meeting.

14. Closed Session

Note: A separate package regarding this agenda item is provided to Members of Council and senior staff only.

15. Adjournment

Next Regular Meeting: Monday, November 4, 2024 at 7:00 p.m.

Delegation Request

For Office Use Only:

Meeting Name:

Meeting Date:

Please complete this form for your request to delegate to Council or Committee on a matter where a decision of the Council may be required. Delegations at Council meetings are generally limited to agenda business published with the meeting agenda. Delegations at Committee meetings can relate to new business within the jurisdiction and authority of the City and/or Committee or agenda business published with the meeting agenda. **All delegations are limited to five (5) minutes.**

Attention: City Clerk's Office, City of Brampton, 2 Wellington Street West, Brampton ON L6Y 4R2

Email: cityclerksoffice@brampton.ca Telephone: (905) 874-2100 Fax: (905) 874-2119Meeting: ☒ City Council ☒ Planning and Development Committee
☐ Committee of Council ☐ Other Committee:

Meeting Date Requested: 10/16/2024

Agenda Item (if applicable):

Name of Individual(s): Daniel Segal

Position/Title:

Builder

Organization/Person
being represented:Full Address for Contact: 46 West Lynn Ave, Toronto, Canada M4C
3W1

Telephone: 647-773-7946

Email: torontolaneway@gmail.comSubject Matter
to be Discussed:

Segal Construction has drafted a resolution for your consideration, proposing municipal residential development of attainable housing funded through a mix of municipal bonds and federal/provincial funding.

Request to
Council/Committee:Attendance: ☐ In-person ☒ Remote

A formal presentation will accompany my delegation:

☐ Yes ☐ NoPresentation format: ☐ PowerPoint File (.ppt)☐ Adobe File or equivalent (.pdf)☐ Picture File (.jpg)☐ Video File (.mp4)☒ Other: DocumentAdditional information/materials will be distributed with my delegation: ☐ Yes ☐ No ☒ Attached**Note:** Delegates are requested to provide to the City Clerk's Office **well in advance of the meeting date:**

- (i) all background material and/or presentations for publication with the meeting agenda and /or distribution at the meeting, and
- (ii) the electronic file of the presentation to ensure compatibility with corporate equipment.

Submit by Email

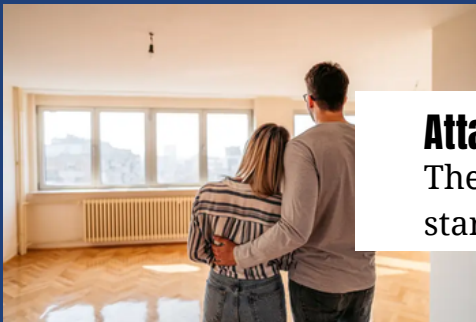
Once this completed form is received by the City Clerk's Office, you will be contacted to confirm your placement on the appropriate meeting agenda.

Personal information on this form is collected under authority of the Municipal Act, SO 2001, c.25 and/or the Planning Act, R.S.O. 1990, c.P.13 and will be used in the preparation of the applicable council/committee agenda and will be attached to the agenda and publicly available at the meeting and on the City's website. Questions about the collection of personal information should be directed to the City Clerk's Office, 2 Wellington Street West, Brampton, Ontario, L6Y 4R2, tel. 905-874-2100, email: cityclerksoffice@brampton.ca.

Segal Construction works with municipalities to deploy market-based attainable housing developments, addressing the housing crisis without using your operating or capital budgets. Partnering with us ensures efficient, cost-effective, risk mitigated housing solutions that benefit your community.

Why Choose Our Compact Community?

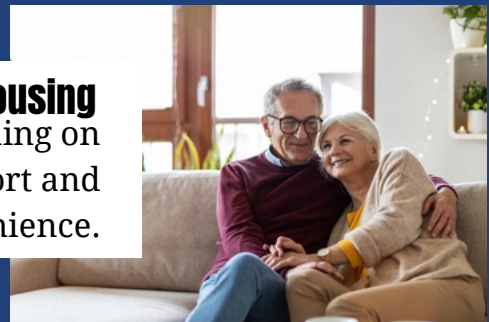
FLEXIBLE LIVING FOR EVERY STAGE OF LIFE



Attainable housing for first-time buyers

The ideal home for individuals or couples looking to start independent living.

Seniors housing
Downsizing has never been easier with everything on one level, perfect for seniors seeking comfort and convenience.



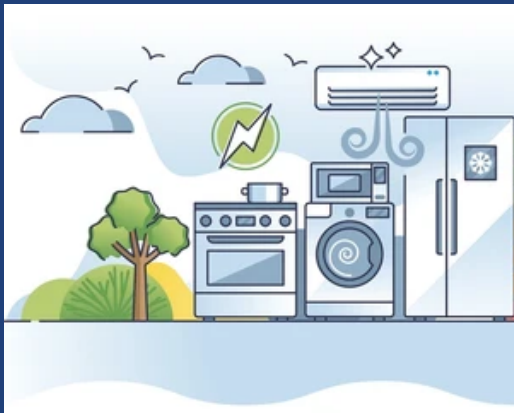
Worker housing

Flexible temporary housing solutions for local workers or contractors seeking modern, comfortable accommodations.

AFFORDABLE AND ACCESSIBLE HOUSING SOLUTIONS

Innovative, Stackable Design

Our homes can be stacked up to 3 units high, providing flexibility for growing communities or for buyers need. Stackable units make it possible to maximize space while keeping the community feel.



Energy-Efficient Features

LED lighting, spray foam insulation, and energy-efficient heating systems ensure your home is designed to conserve energy and reduce utility costs. It also include modern, energy-efficient appliances for everyday use, combining sustainability with functionality.

Accessible and Flexible Living Spaces

Fully accessible designs, step-free living on one level makes these homes perfect for seniors or anyone seeking mobility-friendly spaces. Each unit's Priced between \$250,000 and \$300,000, making homeownership attainable for a wide range of buyers.



Supportive Community Features

A multi-purpose central building with shared amenities and gathering spaces for the whole community. Private patios, community gardens, and walkable pathways designed for relaxation and easy access.

Build only what's needed

An aerial perspective of a modern residential complex. The development features several multi-story apartment buildings with flat roofs and large windows. A central green space with a curved path and a small structure is visible. The architecture is contemporary, with clean lines and a mix of materials.

Each unit offers an attractive internal rate of return (IRR) of 10% over 30 years, making these homes a smart investment for homeowners or investors looking to secure long-term value while enjoying a sustainable, flexible living space.

KEY FEATURES



Eco-friendly construction:
Modern materials and
designs reduce
environmental impact.



Prefabricated in Kingston,
Ontario: All units are built in a
CSA-approved factory and are
constructed to meet the Ontario
Building Code standards.



Includes a Tarion warranty,
ensuring peace of mind for
buyers with the highest
quality standards.



Stackable units for greater
density: Perfect for those
looking to expand or
optimize their living space.

Find Your Ideal Home

Whether you're looking to enter the housing market, downsize as a senior, or provide temporary housing for workers, our stackable, affordable homes offer a flexible, sustainable solution for your living needs. With an IRR of 10% over 30 years and a risk mitigation strategy that builds only as demand grows, your investment is in safe hands.



Delegation Request

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Meeting Name:
Meeting Date:

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Meeting: ☐ City Council ☒ Planning and Development Committee
☐ Committee of Council ☐ Other Committee:

Meeting Date Requested: October 21, 2024

Agenda Item (if applicable):

Name of Individual(s): Peter Simcisko

Position/Title: Managing Partner

Organization/Person being represented: Watson & associates Economists Ltd.

Full Address for Contact: 2233 Argentia Rd., Suite 301
Mississauga, Ontario
L5N 2X7

Telephone: 905-301-7249

Email: simcisko@watsoncon.ca

Subject Matter to be Discussed: Planning Application Fees Review

Request to Council/Committee:

Attendance: ☒ In-person ☐ Remote

A formal presentation will accompany my delegation: ☒ Yes ☐ No

Presentation format: ☒ PowerPoint File (.ppt) ☐ Adobe File or equivalent (.pdf)
☐ Picture File (.jpg) ☐ Video File (.mp4)

☐ Other:

Additional information/materials will be distributed with my delegation: ☐ Yes ☒ No ☐ Attached

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City of Brampton Planning Application Fees Review

Planning and Development Committee
October 21, 2024

Introduction



Project Purpose: Review a selection of the City's development application fees and make recommendations to provide for reasonable full cost recovery

Key Components:

- Develop process maps & effort estimates, and validate annual capacity results
- Compile benchmarking data from municipal comparators within the GTHA
- Construct A.B.C. model to quantify direct, indirect, and capital costs of processing applications incurred by various divisions
- Analyze cost recovery levels supported by current fees and assess impact of under-recovery on tax base
- Recommend fee adjustments and fee structure changes with regard for municipal best practices

Development Applications Reviewed:

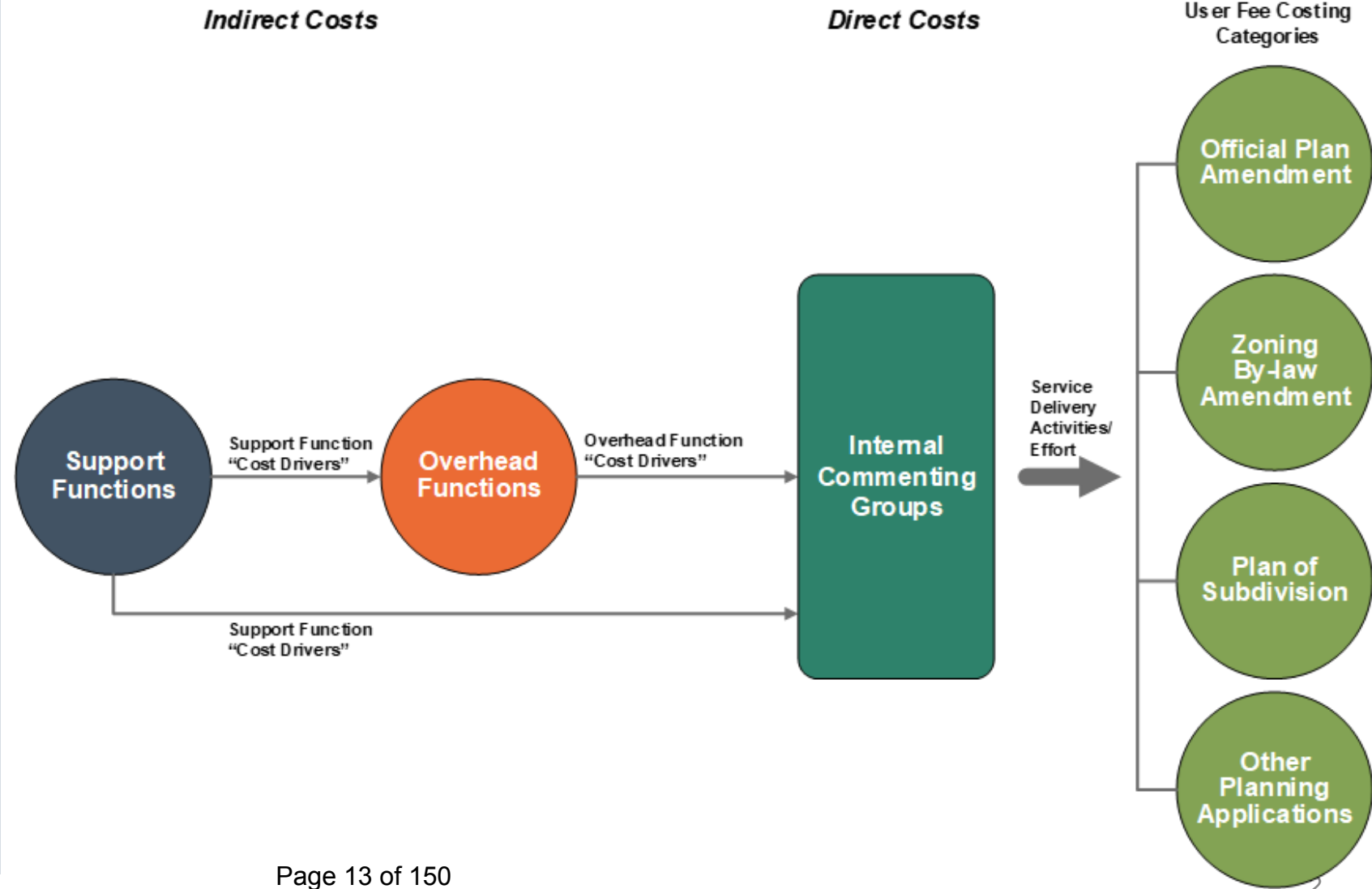
- Official Plan Amendment
- Zoning By-law Amendment, including Temporary use By-laws and the Lifting of a Holding provision
- Draft Plan of Subdivision
- Draft Plan of Condominium
- Site Plan
- Pre-Consultations
- Minor Variance
- Consent

Legislative Context & Activity Based Costing Methodology



Legislative Context

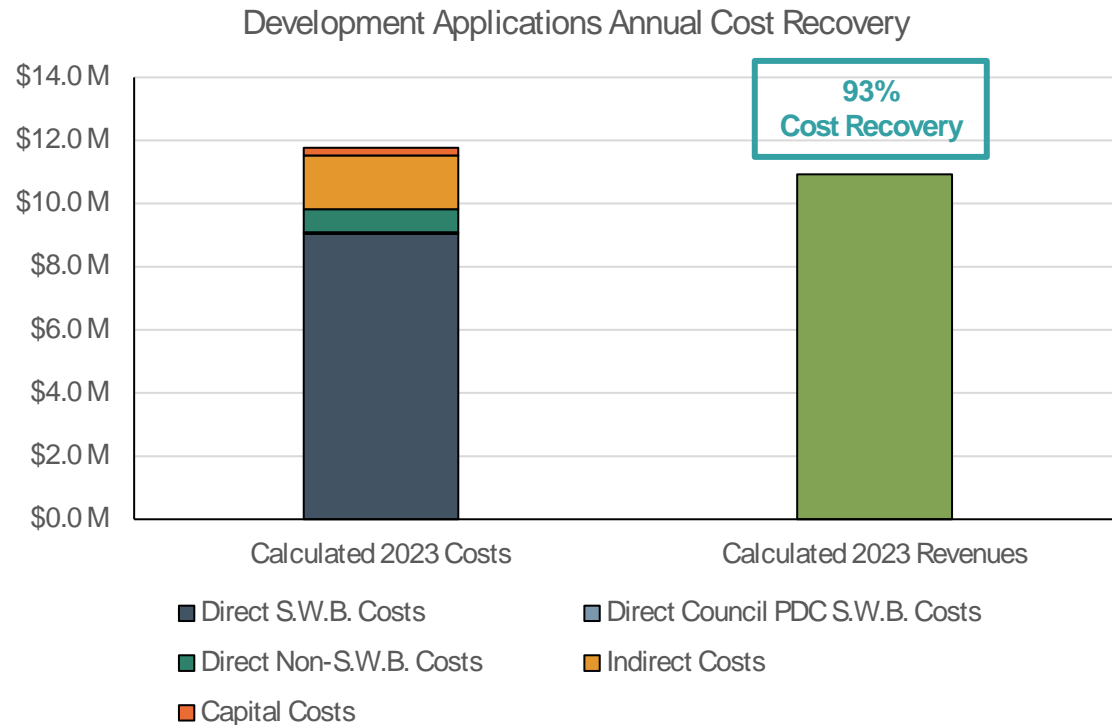
- Planning application fees are governed by s.69 of the Planning Act
- Municipalities can recover the anticipated costs of processing, by type of application
- Fees may be paid under protest and appealed to the Ontario Land Tribunal (OLT)
- No public process required in setting fees



Full Costs and Cost Recovery Levels



- 2023 application volumes and characteristics were used to illustrate annual costs of processing relative to application fee revenues generated



Application Type	Calculated 2023 Costs	Calculated 2023 Revenues	Cost Recovery %
Pre-consultation	\$ 2,581,415	\$ 645,000	25%
Official Plan Amendment	\$ 2,297,888	\$ 7,644,863	333%
Zoning By-law Amendment (Simple)			
Zoning By-law Amendment (Complex)			
Draft Plan of Subdivision (Simple)			
Draft Plan of Subdivision (Complex)			
Temporary Use ZBA	\$ 152,473	\$ 8,220	5%
Lifting of a Holding Provision	\$ 16,633	\$ 6,400	38%
Site Plan (Simple)	\$ 625,819	\$ 278,065	44%
Site Plan (Complex)	\$ 628,784	\$ 998,731	159%
Draft Plan of Condominium	\$ 163,291	\$ 472,608	289%
Minor Variance	\$ 4,994,854	\$ 737,770	15%
Consent	\$ 304,701	\$ 131,490	43%
Total	\$11,765,858	\$10,923,148	93%

Fee Structure Options



- Full cost fees identified for application types currently charged a flat fee
- Three fee structure options developed for application types currently charged a combination of base fee and variable per-unit fees:

Option 1

Current fee structure
with reduced
Maximum Fee

Option 2

Flat fees by
application complexity

Option 3

Simplified rate
structure and reduced
Maximum Fee

Calculated Annual Revenues by Option



- Annual revenues for each fee structure option were estimated using 2023 application volumes and characteristics
 - Fee structure options 2 and 3 would provide full cost recovery
 - Some under-recovery of costs would persist under Option 1, particularly for smaller Site Plan applications

Application Type	Calculated 2023 Costs	Calculated Annual Revenues ^A		
		Option 1	Option 2	Option 3
Pre-consultation	\$ 2,581,415	\$ 2,581,415	\$ 2,581,415	\$ 2,581,415
Official Plan Amendment	\$ 2,297,888	\$ 2,324,843	\$ 2,297,888	\$ 2,297,888
Zoning By-law Amendment (Simple)				
Zoning By-law Amendment (Complex)				
Draft Plan of Subdivision (Simple)				
Draft Plan of Subdivision (Complex)				
Temporary Use ZBA	\$ 152,473	\$ 152,473	\$ 152,473	\$ 152,473
Lifting of a Holding Provision	\$ 16,633	\$ 16,633	\$ 16,633	\$ 16,633
Site Plan (Simple)	\$ 625,819	\$ 255,823	\$ 625,819	\$ 278,065
Site Plan (Complex)	\$ 628,784	\$ 544,608	\$ 628,784	\$ 976,537
Draft Plan of Condominium	\$ 163,291	\$ 148,302	\$ 163,291	\$ 163,291
Minor Variance	\$ 4,994,854	\$ 4,994,854	\$ 4,994,854	\$ 4,994,854
Consent	\$ 304,701	\$ 304,701	\$ 304,701	\$ 304,701
Total	\$11,765,858	\$11,323,652	\$11,765,858	\$11,765,857

^A Calculated revenues include reductions to fees resulting from the submission of concurrent applications.

Other Matters



- Reduction in processing effort, and resultant cost savings, have been evaluated for select combinations applications that may be submitted concurrently
 - Reduction in costs (relative to processing each application independently) ranges from 16% to 28%, depending on the specific combination and application complexity
- Several rounds of re-submissions and associated processing effort have been included in the full cost assessment and associated fee recommendations
 - Number of re-submissions included in base application fees varies from 1 to 3 depending on application type
 - Full costs of reviewing re-submissions have been quantified to inform setting fees for additional re-submissions beyond what is included in the base application fees



Report
Staff Report
 The Corporation of the City of Brampton
 10/21/2024

Date: 2024-10-02

Subject: **Recommendation Report - Residential Driveway Size Standards Review**

Contact: David VanderBerg, Manager, Development Services, Development Services and Design

Report number: Planning, Bld & Growth Mgt-2024-805

RECOMMENDATIONS:

1. That the report from David VanderBerg, Manager, Development Services to the Planning and Development Committee Meeting of October 21, 2024 re: **Recommendation Report - Residential Driveway Size Standards Review** be received.
2. That staff be directed to proceed to a public meeting with a Zoning By-law Amendment that provides updated regulations that:
 - I. Reduce the permitted maximum widths and establishes a maximum permitted area for residential driveways in mature neighbourhoods.
 - II. Adds a schedule to the Zoning By-law identifying the boundaries of the area of the City subject to the new standards as depicted in Attachment 2 to this report.
3. That staff be directed to report back to Planning and Development Committee with:
 - a) A work plan, including details on financial and staffing implications, to be used in considering whether to implement a potential new City-wide permitting program for residential driveways such that a permit is required anytime a property owner increases the size of their driveway.
 - b) Recommendations on enhancing education efforts on driveway size requirements and permitting processes.
 - c) A review of linkages with other City programs that can be used to help improve compliance with driveway zoning standards.
 - d) Exploration of opportunities to encourage the use of permeable paving for driveways.

OVERVIEW:

- At its April 24, 2024 meeting, Committee of Council discussed concerns related to residential driveway widenings in mature neighbourhoods and the need to review the Zoning By-law standards for them. In response to that discussion, staff prepared a draft Zoning By-law Amendment proposing to reduce maximum permitted driveway widths in mature neighbourhoods and presented it at a public meeting on June 17, 2024.
- At its June 26, 2024 meeting, Council directed staff to expand the review to be City-wide.
- For continued review, staff identified several goals and principles underlying the work that drove the intended outcome:
 - The zoning standards should help ensure that driveway sizes and design are appropriate for the neighbourhood's context.
 - Regulations must allow for enough flexibility to allow driveways to meet the functional needs of residents in permitted dwelling types.
 - Environmental effects related to driveways should be minimized.
 - Improve compliance with the zoning standards.
- To help achieve the noted outcome, staff recommends a number of additional potential changes to the standards for further consideration, and that a public meeting be scheduled on a Zoning By-law Amendment that:
 - Continues to provide for separate standards for driveways in mature neighbourhoods given the different character of those areas compared to other parts of the City,
 - Reduces the permitted maximum widths, and also establishes a new maximum permitted area for residential driveways in mature neighbourhoods, and
 - Applies the new proposed standards to an expanded mature neighbourhood area that would now also include:
 - Ward 2, and
 - the residential portions of Wards 3 and 4 that are located south of Steeles Ave.
- How the Zoning By-law driveway standards are administered and enforced is critical to the success of achieving their intent. Staff recommend that the following steps be explored further to improve compliance with the zoning standards, and that staff report back on them:
 - Developing a work plan, including details on financial and staffing implications, to be used in consideration of implementing a

potential new City-wide permitting program for residential driveways such that a permit is required anytime a property owner increases the size of their driveway.

- **Preparing recommendations for enhancing education efforts on driveway size requirements and permitting processes.**
- **Reviewing potential linkages with other City programs that can be used to help improve compliance with driveway zoning standards.**
- **Exploring opportunities to encourage the use of permeable paving for driveways.**

BACKGROUND:

At its April 24, 2024 meeting, Committee of Council discussed concerns related to residential driveway widenings in mature neighbourhoods and the need to review the applicable by-law standards.

Discussions on this matter included the following:

- Options to address concerns related to residential driveway widenings.
- Review of the applicable by-law to ensure driveway widths are suitable for all neighbourhoods.
- Request that permits for curb cuts be monitored and/or placed on hold until this matter is considered by Council.
- Enhancing public communications regarding the implications of driveway widening.
- Enforcement of driveway contractors that contravene the by-law.

June 17, 2024 Planning and Development Committee Meeting

In response to the discussion at the April 24 Committee of Council meeting, staff developed draft updated zoning standards for reduced maximum driveway widths in mature neighbourhoods. The Planning and Development Committee held a public meeting on June 17, 2024 for a Zoning By-law Amendment for the new standards.

That previous draft Zoning By-law Amendment proposed:

- Limiting the maximum driveway width for properties in mature neighbourhoods to the width of the garage door plus 2.0 m or 50% of the lot width, whichever is less.

If a house did not have a garage, the Amendment proposed a maximum of 50% of the lot width with a further cap based on allowing two vehicles to be able to be parked side by side on the driveway.

That proposed amendment was recommended to be used in conjunction with the current mature neighbourhood boundary, which generally includes the residential portions of the central part of the City, bounded by Chinguacousy Road to the west, Bovaird Drive to the north, Torbram Road to the east and Steeles Avenue to the south.

At the public meeting, three members of the public spoke and six pieces of written correspondence were received. All comments supported the reductions to the permitted driveway widths. A public meeting report is attached as Attachment 1.

June 26, 2024 Council Meeting

In its consideration of the minutes from the June 17, 2024 public meeting, Council amended the resolution for the public meeting to add the following:

- *That the program be expanded to include properties City-wide, and incorporate design to respect the existing nature, such as estate and multi-generational homes, with staff to report thereon to a future meeting.*

There was also discussion on holding meetings with the ward pairings of Councillors on residential driveways. Those meetings took place in July and August of 2024.

This report has been prepared to respond to the above Council directions on driveways and recommends next steps to update the zoning standards for driveways and improve administration.

CURRENT SITUATION:

In its continued review of driveway standards, staff identified several goals and principles underlying the work and that drove the intended outcome:

- Driveways, and how parking of vehicles is managed on a property, impact the character of a neighbourhood and zoning standards should help ensure that driveway sizes and design are appropriate for the neighbourhood's context.
- Zoning standards must allow for enough flexibility for driveways to meet the functional needs of residents for all the types of housing that may be permitted in the zone. Work is needed to balance this goal with impact on community character.
- Environmental effects related to driveways should be minimized.

On the administrative side, the City currently is experiencing significant numbers of driveways being widened in excess of the zoning standards. This results in the need for enforcement actions to be taken when complaints are received and frequent minor variance applications to the Committee of Adjustment by residents seeking to maintain a driveway. The desired outcome on the administrative side is to improve compliance with applicable zoning standards and reduce the need for enforcement actions.

Staff considered several matters and questions related to achieving the noted outcomes:

- Should different standards be developed for different parts of the City?
- In addition to width, are there other factors that should be considered in regulating the size of driveways?
- What improvements could be made to better administer and enforce the standards?

It is also noted that the City's Transportation Planning group has in its planned work program a feasibility study to examine the potential for expanding on-street parking permissions. As there is already a separate project planned for it, on-street parking permissions were not considered to be within the scope of this driveway size standard review project. However, it is recognized that on-street parking is closely related to driveway size issues as on-street parking could absorb some demand for parking in residential neighbourhoods without the need for residents to expand their driveways.

Geography for Updated Driveway Standards

Staff Recommendation:

Staff recommends that the geography for the updated driveway standards, which will need to be presented at a new public meeting, include an expanded Mature Neighbourhoods area, that would now include the following:

- Ward 2, and
- The residential portions of Wards 3 and 4 that are located south of Steeles Avenue.

Commentary:

The Zoning By-law currently contains two sets of regulations for maximum driveway sizes, as described below:

- *First set:* Applies to the general residential zones, which include most residential areas of the City. The following table lists the maximum widths in those zones.

Lot Width	Maximum Driveway Width
Less than 8.23 m	4.9 m
8.23 m to 9.13 m	5.5 m
9.14 m to 15.23 m	7.0 m
15.24 m to 18.2 m	7.32 m *
Over than 18.2 m	9.14 m *

* Or width of garage, whichever is greater.

- *Second set:* Applies to Residential Estate, Residential Hamlet and Agricultural zones, which are typified by larger minimum lot area requirements. In those

areas the current standard is that driveways cannot exceed 50% of the lot width and must meet a minimum landscaped open space yard requirement. The minimum landscaped open space yard requirement is typically 70% of the front yard.

The Zoning By-law Amendment presented at the June 17, 2024 public meeting proposed adding a third group of residential driveway regulations for mature neighborhoods. While the Official Plan and Zoning By-law currently include policies and regulations to guide development in mature neighbourhoods, it does not include any items specific to driveways.

The existing mature neighbourhoods policies and regulations were the outcome of a study completed in 2014 examining how to best protect older mature neighbourhoods from incompatible new dwellings and building additions. Underlying the mature neighbourhood policies and regulations is a recognition that general development patterns, such as lot sizes, size of houses, and the siting of houses on lots, and the older age of buildings create a character and context distinct in older neighbourhoods of the City from newer ones.

Driveways are another element that contribute to the character of a neighbourhood. Adding driveway regulations specific to mature neighborhoods builds on the logic used for the other mature neighborhood specific development regulations and is considered to be an appropriate extension of those regulations.

Potential Expansion of Mature Neighbourhood Area:

The key criteria used to establish the geography of the mature neighborhood area in the 2014 study was the timing of when neighborhoods were built, with the mature neighbourhood area consisting of the parts of the City where the majority of buildings were constructed before 1980.

Other areas of the City share characteristics relevant to regulating driveways with the current mature neighborhood area, and staff believes that they it may be appropriate to expand the area that would be subject to the proposed new driveway standards. Staff reviewed historical development patterns to determine potential expansion areas. Generally, the next parts of the City to be developed through large scale subdivision development after the current mature neighbourhood area were Ward 2 and the parts of Wards 3 and 4 that are located south of Steeles Avenue.

A review of the timing of planning approvals and air photos show that these parts of the City were predominantly built in the 1980's, soon after the threshold used for establishing the current mature neighborhood area. Given the proximity of timing of the building of these areas, they share physical characteristics, such as lot areas, forms of housing and siting of houses on lots, with the current mature neighborhood area that are relevant in developing driveway regulations.

As noted in the following section, staff's recommended changes to the proposed driveway standards results in another public meeting being required. Staff recommends that the geography for the updated driveway standards to be presented at that public meeting include an expanded mature neighbourhood area that would add:

- Ward 2, and
- the residential portions of Wards 3 and 4 located south of Steeles Ave.

A map of the proposed mature neighbourhood area is included in Attachment 2.

The expanded mature neighborhood area is largely built out and new housing in it is typically in the form of higher-density infill development. The proposed new standards would predominantly affect existing homes and changes to their driveways rather than new subdivision development. Areas of the City where new subdivision development is occurring would remain subject to the existing standards.

A full evaluation of the boundaries will continue after the public meeting with the Recommendation Report prepared for the updated standards to include a full assessment of the appropriate geography along with potential refinements to it.

Factors to be Used in Regulating Permitted Driveway Size

Recommendation:

Staff recommends that a public meeting be held on a Zoning By-law Amendment that adds a regulation limiting the overall driveway area in mature neighbourhoods in addition to updating the driveway width regulations.

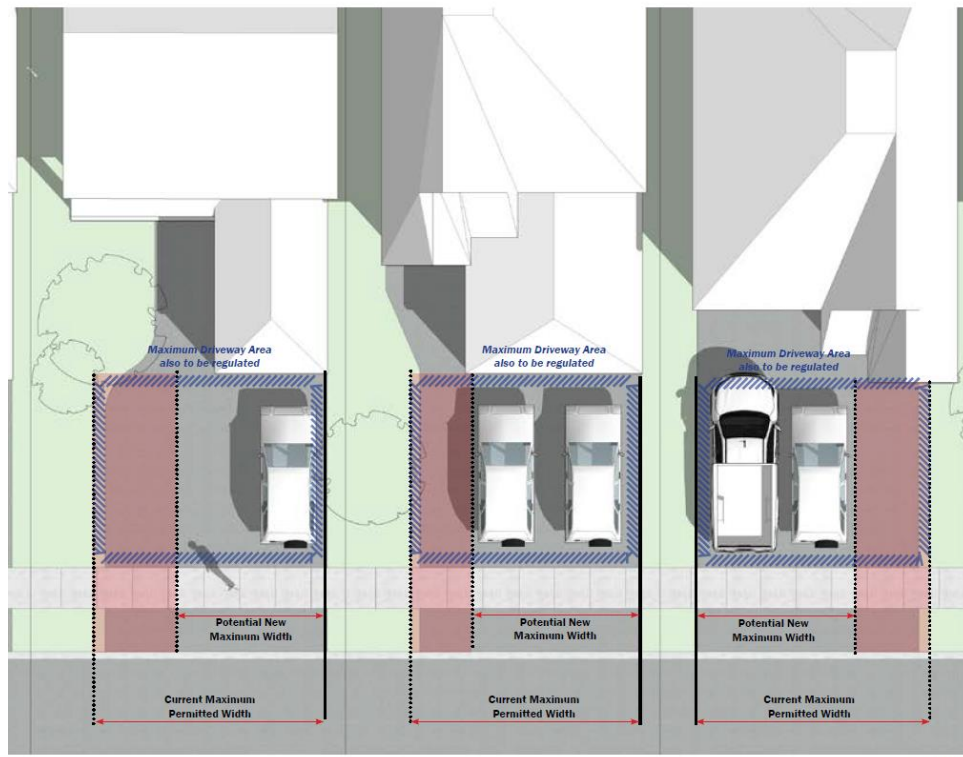
Commentary:

The Zoning By-law currently regulates the size of driveways by imposing a maximum permitted width. One of the rationales for regulating driveways is to limit an excessive number of vehicles being parked in front of the house to manage the impact of vehicles on the streetscape.

Driveway length plays an equally important role as width in determining how many vehicles can park in the driveway. To address this, staff proposes that the updated driveway standards include a maximum permitted size, which effectively means that both length and width are regulated, to better achieve the intended outcome of ensuring driveway sizes fit with the community character.

Figure 1 depicts how the potential new rules for driveway width and area could impact permitted driveway size. The lots are 30-foot wide lots, and the difference between the three houses shown is the type of garage (i.e. one car garage (left house), two car garage (middle house), and no garage (right house)).

Figure 1: Effect of Potential Changes on Typical Lot



There are complexities in crafting an appropriate area standard that meets the noted character related objective but also balances the need to provide enough flexibility to allow for functional driveways, particularly noting the need for driveways to be long enough to provide access to the garage. This is made more challenging by the fact that factors relevant to developing a driveway area standard vary significantly within the mature neighborhood area, these being:

- lot size,
- garage size,
- setback to the garage and
- whether there are sidewalks,.

Staff is currently testing proposed standards. The intent is to hold a public meeting at the earliest opportunity if Council provides direction to proceed. The testing of the standard will be completed for the public meeting with further refinement to occur based on the feedback received at the public meeting.

It is noted that some areas and types of lots within the mature neighbourhood will require exceptions, or an increased permission, from the maximum permitted driveway size regulation because of the specific characteristics of those areas / lot types.

Examples of areas / lots requiring exceptions include:

- *Lots with rear yard detached garages:* The length of driveway required for functionality (i.e. that it reach the garage) on lots with rear yard detached garages means that their area will be larger than other lots. However, due to the length of driveways in these situations, they do not need to be very wide to accommodate sufficient parking. Therefore, it is recommended that houses with rear yard detached garages be exempt from the driveway size limit but have a narrow maximum driveway width applied to them as compared to other lots.
- *Main Street South Residential Area:* The residential area along Main Street south of Wellington Street is a special character area in the City with a high concentration of heritage resources. Two of the characteristics that make it unique – the large lots and houses being set far back from the street – present challenges in developing an area limit for driveways. An area limit that works for typical lots elsewhere would result in a driveway that is far too small for the large lots on Main Street South. It is recommended that this area be exempted from the standard driveway area limits.

The proposed Zoning By-law Amendment is significantly different from what had been presented at the public meeting on June 17, 2024, because of the change in mature neighbourhood boundaries, and the addition of the regulations on maximum driveway size. Therefore, a new public meeting is recommended to present those changes to the public and to accommodate feedback.

Staff also reviewed several other options to incorporate into updated driveway standards, which are described in the following table and with commentary provided on them.

Other Options Considered		
Option	Description	Commentary
Add house form as factor	Use house size (e.g. floor area or height of house) as a factor in formula for setting permitted driveway size	<ul style="list-style-type: none"> • Significantly adds to the complexity of the rules, creating issues for crafting the regulations and administering them. • House form can change with additions and replacement houses and such a regulation does not necessarily ensure that driveway sizes will remain consistent with character of area. • Creates some level of incentive to build larger houses through rebuilds or addition, which could be considered to be out of the character of the area.
Limit number of vehicles	Limit the number of vehicles that can be parked at a property outside of a garage	<ul style="list-style-type: none"> • Restricts property rights in an atypical manner for a Zoning By-law and could be perceived as overly infringing on private rights.

	regardless of driveway size	<ul style="list-style-type: none"> • Creates significant enforcement challenges, noting that the number of vehicles parked at a property changes frequently based on schedules and visitors. • Presents complexities for how to craft regulations that address visitors, such as a family gathering. • Presents challenges as how to handle households currently having more cars than the new rules may permit to be parked outside the garage. Typically with zoning, legally non-complying buildings and uses are “grand-fathered in” as legally non-conforming. Identifying and tracking legally nonconforming situations is difficult for this type of regulation.
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For the reasons outlined in the table above, staff does not recommend proceeding with the two other options that were considered.

Impermeable Surfaces and Water Runoff

One of the objectives for regulating driveway size is related to limiting impermeable surfaces and managing storm water runoff. Using hard surfaces on parts of yards other than the driveway has the potential to also increase storm water runoff. Staff recognizes that this is an important matter and will be reviewing the current standards as part of the Comprehensive Zoning By-law Review.

Next Steps and Coordination with Comprehensive Zoning By-law Review

If Council supports staff's recommendations herein, the next step will be for the Planning and Development Committee to hold a public meeting on the updated proposed zoning standards. Staff intends to have that public meeting held on at the December 9, 2024 Planning and Development Committee meeting.

The City is also currently preparing a new comprehensive Zoning By-law to implement Brampton Plan, the City's new Official Plan. The project will result in a modernized Zoning By-law that will help:

- Facilitate more housing options and investment opportunities in Brampton;
- Inform residents and property owners as to what and where things can be built on a property and how the property may be used – including on common matters such as driveways, additional residential units, building expansions, paved patios and opening new businesses; and,
- Reduce unnecessary planning and building enquiries and avoid confusions or complications with development applications that bog down internal administration and operations.

The work on updating the driveway size standards is really a component of this larger project to review and update all zoning standards, including the rules guiding how development can occur in existing neighbourhoods. If Council adopts new driveway standards, they will also be incorporated into the new Comprehensive Zoning By-law.

Figure 2 shows next steps and planned timing for the Comprehensive Zoning By-law Review project.

Figure 2: Comprehensive Zoning By-law Review Timeline



Staff is proposing to advance revised driveway standards as a separate amendment from the Comprehensive Zoning By-law Review to allow for this matter to be resolved more quickly than if it was included with the comprehensive review, as is noted in Figure 2. Staff will work to bring forward a recommendation report on the driveway amendment as soon as possible after the planned public meeting in December.

The driveway amendment will be subject to the potential for appeal to the Ontario Land Tribunal (OLT); however, advancing the amendment separately from the Comprehensive Zoning By-law Review reduces the risk of the driveway amendment being delayed because of appeals on matters unrelated to driveways.

Administration, Education and Enforcement

Recommendation:

Staff recommend that the following steps be explored further to improve administration:

- Developing a work plan, including details on financial and staffing implications, to be used in consideration of implementing a potential new City-wide permitting program for residential driveways such that a permit is required anytime a property owner increases the size of their driveway.
- Preparing recommendations for enhancing education efforts on driveway size requirements and permitting processes.
- Reviewing potential linkages with other City programs that can be used to help improve compliance with driveway zoning standards.
- Exploring opportunities to encourage the use of permeable paving for driveways.

Current Administrative Process:

Compliance with the driveway zoning standards is currently administered through a program of enforcement, licensing of contractors, permitting for curb cuts and education efforts, as detailed below:

- *Curb cut permits:* A property owner is required to obtain a permit related to widening their driveway only when a new or expanded curb cut is being requested and the permit is for specifically for the curb cuts. The Zoning Division reviews applications for curb cut permits and verifies whether the related driveway widening proposals comply with the Zoning By-law. Once verified, the Public Works & Engineering Department will review the application and issue a Road Occupancy & Access Permit for a fee of \$50.00 (for residential properties).
- *Enforcement:* Enforcement of the zoning standards for driveways is on a complaint driven basis. Upon receipt of a complaint about a driveway, Enforcement staff will complete an inspection and determine whether the driveway complies with the Zoning By-law. If not, an Order to Comply is issued giving the property owner a set period of time to bring the driveway into compliance. Property owners also have the option to apply for a minor variance to allow them to keep the driveway if the variance is approved. Failure to comply with the order may result in further Enforcement staff action, which ultimately proceeds through the court system.
- *Licensing of Contractors:* The City licenses contractors involved in paving driveways. It also requires that each contractor provide a \$5000 security deposit, and the City may draw from that deposit when for driveways that contravene zoning standards. The Contravention Administration Cost is \$700. There is also a training program for contractors.
- *Education:* Various efforts are made to educate the public on the requirements related to driveways, including information on the City website and slips in property tax bills.

Commentary:

How the Zoning By-law standards are administered and enforced is critical to the success of achieving their intent.

The City currently has significant numbers of driveways being widened in excess of the zoning standards. This results in the need for enforcement actions to be taken when complaints are received and frequent minor variance applications to the Committee of Adjustment by residents seeking to maintain an already installed driveway.

The desired outcome for administration is to reduce the number of driveways installed in excess of the zoning standards. Staff considers the next logical step to be requiring a permit for any driveway widening, rather than only if it affects the curb cut.

The benefit of a broader permit program is all widened driveways would have to be reviewed to ensure that they comply with the Zoning By-law standards. It would also offer more and better options for potential penalties. The Planning Act limits the types of penalties that can be imposed when someone builds a driveway that does not comply with the By-law's standards, with these penalties administered through the court system. The need to obtain a permit could be established in a by-law other than the Zoning By-law, which opens the possibility to administer penalties through a ticketing system rather than the court system offering potential for improvements.

Moving to requiring permits for all driveways will create new costs for the City to process and review the applications and generally administer the program, and imposes an additional approval process on property owners looking to widen their driveway. However, it provides an opportunity to improve compliance with the driveway zoning standard helping achieve goal related to neighbourhood character and potentially less need for enforcement action.

Reducing the permitted size of driveways has the risk of increasing the already high levels of driveway related minor variance applications. However, an effective driveway permit program provides opportunities to mitigate that risk. Currently, most minor variance applications for wider driveways are for driveways that have already been widened/constructed by the landowners, which makes review and decisions more complicated as there are significant impacts to a resident if their application is refused. If a driveway permit program works well, generally residents would be applying for variances and gaining approvals before any driveway widening construction occurs. Also, information about past Committee decisions on variances will help to provide landowners with an awareness of the likelihood for either staff support or objection.

In staff's opinion, requiring permits for all driveway widenings is an option that should be explored further. Staff recommends that Council provide direction for staff to develop and report back with a work plan on moving to a driveway permit system to provide Council with the information it can use in deciding whether to move to such a system. The report back will include information on the potential basic structure of a driveway permit program as well as details on staffing and financial implications.

Reducing the size of permitted driveways has the potential to increase the number of driveways being built in contravention of the standards. Education efforts will be critical

in reducing this risk and for the successful implementation of a new driveway permit program. The report back will include recommendations for enhanced education efforts.

Finally, there are potential links with other existing City programs, such as the Residential Rental Licensing Program. It is also noted that use of permeable paving for driveways offers opportunities for reducing storm water runoff. The recommendation report will include further evaluation of these linkages and opportunities to encourage permeable paving.

CORPORATE IMPLICATIONS:

Financial Implications:

There are no financial implications associated with the recommendations of this report.

Other Implications:

There are no other corporate implications.

STRATEGIC FOCUS AREA:

This report aligns, supports and furthers the following strategic focus area:

- **Growing Urban Centres & Neighbourhoods:** Updated driveway standards will contribute to achieving strong neighbourhoods.

CONCLUSION:

Responding to Council directions provided in April and June of 2024, this report provides recommendations on next steps for improving regulations for residential driveways and the administration of those standards. These recommendations are intended to help ensure that the design of residential driveways are in keeping with the character of the surrounding neighbourhood and improve administration for widening driveways.

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Commissioner
Planning, Building and Growth
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Marlon Kallideen
Chief Administrative Officer

Attachments:

- Attachment 1 – Public Meeting Report
- Attachment 2 – Proposed Geography Subject to New Standards

RESULTS OF PUBLIC MEETING

City-initiated Zoning By-law Amendment: Changes in Residential Driveway Standards
June 17, 2024

Members Present via Virtual Option

Regional Councillor M. Palleschi - Wards 2 and 6
Deputy Mayor H. Singh - Wards 9 and 10
Regional Councillor R. Santos - Wards 1 and 5
Regional Councillor P. Vicente - Wards 1 and 5
Regional Councillor N. Kaur Brar - Wards 2 and 6
Regional Councillor D. Keenan - Wards 3 and 4
Regional Councillor M. Medeiros - Wards 3 and 4
Regional Councillor P. Fortini - Wards 7 and 8
Regional Councillor G. Toor - Wards 9 and 10
City Councillor R. Power - Wards 7 and 8

Members Absent

N/A

Staff Present

A. Ambrico, Acting Commissioner, Planning Building and Growth Management
A. Parsons, Director, Development Services
H. Zbogor, Director, Integrated City Planning
D. Vanderberg, Manager, Planning Building and Economic Development
M. Yogendran, Planner, Integrated City Planning
E. Li, Planner, Development Services
H. Padhya, Planner, Development Services
Y. Xiao, Planner, Development Services
C. Sunny, Planner, Development Services
S. Shahid-Hussain, Planner, Development Services
A. Singh, Planner, Development Services
S. Hothi, Planner, Development Services
N. Cubacub, Planner, Integrated City Planning
T. Costa, Planner, Integrated City Planning
S. DeLaPena, Planner, Development Services
G. Scharback, City Clerk
C. Gravlev, Deputy City Clerk
G. Jaswal, Acting Legislative Coordinator

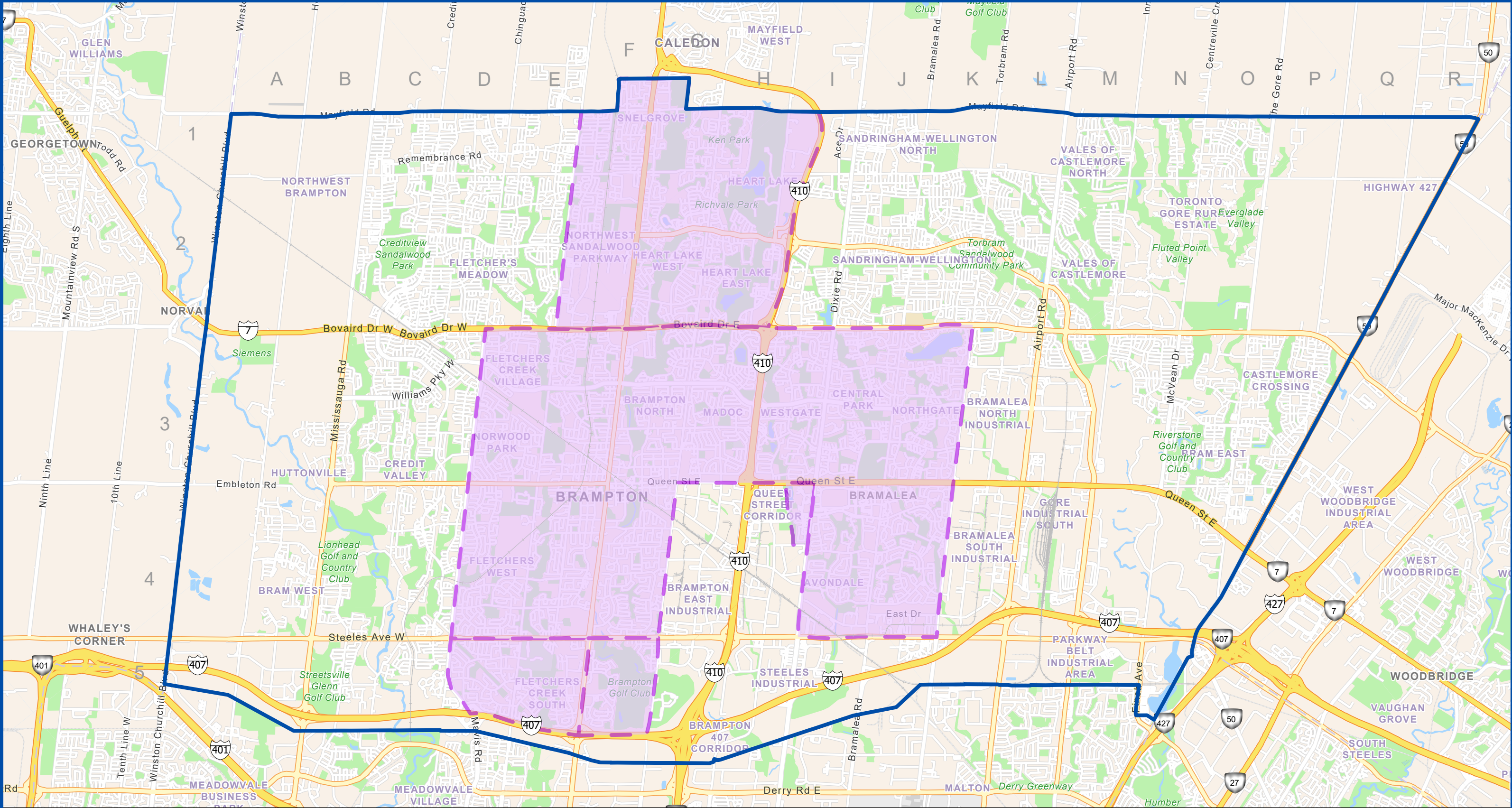
Results of the Public Meeting:

A Planning and Development Services Committee meeting was held virtually and in person commencing at 7:00 p.m. with respect to the subject Staff initiated Zoning By-law Amendment. Notice of this meeting was posted in the Brampton Guardian in accordance with the *Planning Act* and City Council procedures. As indicated in the minutes of the meeting, there were three (3) members of the public in attendance to speak to this item. Written correspondence from six (6) members of the public were received following the public meeting expressing support for the changes in residential driveway standards. The comments received indicated support for the proposed reductions to the maximum driveway width standards.

Questions raised are presented and addressed in Table 1 below.

Table 1 – Response to matters Raised by the Public

Matters raised by the public	Staff Response
Environmental Impact of Driveways	Opportunities to encourage permeable solutions will continue to be investigated.



Attachment 2

PLANNING, BUILDING AND GROWTH MANAGEMENT

Kilometers

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Date: 2024/10/03

Mature Neighbourhood



Report
Staff Report
 The Corporation of the City of Brampton
 10/21/2024

Date: 2024-09-11

Subject: **Information Report – Potential Zoning Permissions for the Use of Outdoor In-Ground Waste Bins (i.e. Molok brand bins) for Restaurant (Organic) Waste, In Lieu of Indoor Climate-Controlled Rooms**

Contact: Charles Ng, Planner I, Development Services & Design
 Alex Sepe, Manager, Development Services & Design

Report number: Planning, Bld & Growth Mgt-2024-692

RECOMMENDATIONS:

1. That the report from Charles Ng, Planner, Development Services & Design to the Planning and Development Committee Meeting of October 21, 2024, re: **Information Report – Potential Zoning Permissions for the Use of Outdoor In-Ground Waste Bins (i.e. Molok brand bins) for Restaurant (Organic) Waste, In lieu of Indoor Climate-Controlled Rooms**, be received; and
2. That Staff be directed to develop Zoning By-law performance standards for in-ground waste storage units and incorporate those performance standards through the City's Comprehensive Zoning By-law Review.

OVERVIEW:

- Land developers have requested that Development Services and Design staff consider changes to the Zoning By-law to allow restaurant (organic) refuse to be stored in outdoor in-ground bins (i.e. Molok brand bins), rather than continuing to require it to be contained in indoor climate-controlled garbage rooms. To date, restaurant waste has been required to be stored in indoor climate-controlled garbage rooms in order to help manage odours, pests and unsightly views.
- Outdoor in-ground waste storage units are a type of waste receptacle that is located partially below grade, sheltering waste from environmental conditions, keeping internal waste at lower temperatures than the ambient air temperature, thereby helping to reduce odours.

- Land developers and manufacturers of these in-ground waste bins have informed staff that restaurant (organic) waste can be managed appropriately in outdoor in-ground waste bins, and that this has worked well in other municipalities, including Burlington, Vaughan, and Mississauga. They have noted that allowing in-ground bins for restaurant waste will reduce the amount of land, and costs, that are currently needed to provide the Zoning By-law required indoor climate-controlled rooms for restaurant waste.
- Staff's review of cases where outdoor in-ground waste bins have been used for restaurant waste show that they may be effective and have similar performance to an indoor climate-controlled waste room with respect to managing odour, pests, and appearance.
- Staff will consider allowing these outdoor in-ground waste bins for restaurant waste through the Comprehensive Zoning By-law Review, and prior to that, via the minor variance process – conducting further research as deemed appropriate.
- Morguard has an active request with staff (minor variance application) to permit an outdoor in-ground waste bin, in lieu of an indoor climate-controlled room (n/e corner of Kennedy Rd and Steeles Ave) to accommodate the development of a new restaurant (Chic-fil-A).
- The recommended actions are:
 - Staff to develop Zoning By-law performance standards for in-ground waste storage units and incorporate those performance standards through the City's Comprehensive Zoning By-law Review.
- There are no financial implications associated with the recommendation of this report.

BACKGROUND:

Outdoor in-ground waste storage units are a type of waste receptacle that features an underground component where waste is stored, and an above-ground component that functions as the interface for users to operate the receptacle. One popular manufacturer of these types of bins is Molok, but there are other manufacturers as well.

Figure 1 – Rendering of In-ground Waste Bins (i.e. Molok bins)



In-ground waste bins are currently being used to accommodate ‘standard’ types of waste within the City – some location of which are noted below:

- Southwest corner of Queen Street and Chinguacousy Road;
- Southeast corner of Mayfield Road and McVean Drive;
- Northwest corner of Airport Road and North Park Drive;
- Northwest corner of Mississauga Road and Financial Drive; and
- Various parks across the City of Brampton including Emancipation Park, Sesquicentennial Park, Teramoto Park and others.

However, the Zoning By-law does not currently allow restaurants to use these bins as the sole means of managing organic waste. As restaurant (organic) waste can more easily cause nuisances relating to odours, pests and unsightly views, the Zoning By-law currently requires that restaurants have their waste be stored within an internal climate-controlled room.

CURRENT SITUATION:

Staff are currently speaking with developers about the possibility of allowing zoning permissions for in-ground waste bins to be used to manage restaurant (organic) waste. Developers of commercial plazas and restaurants, and manufacturers of the in-ground waste bins are sharing information with City staff to demonstrate that outdoor in-ground bins can be just as effective at limiting nuisances (odour, pests, unsightly views) from restaurant organic waste as the currently required indoor climate-controlled rooms. They have noted that allowing in-ground bins for restaurant waste will reduce the amount of land needed for this purpose, and will be less costly.

Performance of In-Ground Waste Storage Units

Odour and Temperature

An independent study conducted by The Earth Rangers Centre for Sustainable Technology (Molok – Independent Temperature & Odour Test Report, 2019) evaluated the effectiveness of Molok brand bins (one of several brands that manufacture in-

ground waste bins) with respect to odour containment. The study found that the temperature of Molok bins at a depth of 50 inches was sufficient in effectively reducing odour emissions from waste, including organic waste, since there is a positive correlation between the rate of decomposition and temperature; cooler temperatures result in slower decomposition, which produces less odours. Utilizing an odour meter, the study also found that odour emissions from Molok bins did not exceed odour emissions from a climate-controlled waste room. The study was conducted over a period of two years.

Molok bins are installed at a depth of 1.5-1.6 metres below the ground, depending on the model (other brands may vary). At a depth of 1.5 metres, the underground soil temperature is generally lower than the ambient air temperature. The underground component of Molok bins combined with the enclosed design is considered to be adequate at maintaining odours. Developers and manufacturers note that the underground and closed design of these units contain the majority of odours.

Additionally, the manufacturers of in-ground waste storage units offer various models of receptacles for different types of waste including organics and grease. These units may have additional features that can mitigate the adverse effects associated with organic waste.

Energy

In-ground waste storage units do not require an external energy source. Its cooling properties come from the nature of its underground design whereby sub-surface temperatures are generally cooler than the ambient air temperature.

It is anticipated that the exclusive use of in-ground waste storage units for restaurants may result in a net decrease in overall energy consumption as a climate-controlled waste storage room would not be required.

Pests - Animals, Insects, and Vermin

The key factors that attract and foster animals, insects, and vermin is the presence of odour and waste. The Earth Rangers study found that Molok bins produced less odour than a climate-controlled waste room when using an odour measuring tool. The storage of waste underground eliminates the presence of waste on the surface, and the enclosed design of in-ground waste storage units prevents animals, insects and vermin from accessing the stored waste.

Appearance

In-ground waste storage units can store a significant amount of waste, which is comparable to typical front-end load bins (dumpsters). The large capacity may also reduce the frequency of waste pickup, which reduces the presence of waste trucks on

municipal roads, and may also prevent waste overflow, which helps maintain a clean and sanitary waste storage area.

Figure 2 – Photo of Molok Bins at Hyatt Restaurant, Brampton



Figure 3 – Photo of Molok Bins at North Park Drive & Airport Road, Brampton



Since the main storage component of in-ground waste storage units is underground, its overall appearance is less intrusive than a typical dumpster. The above-ground portion is relatively smaller, provides for a pedestrian scale, and may not require additional screening to mask its appearance. Customizable exterior shells are also available to help meet local contexts to reduce its overall impact to the urban environment. This may

include material selection, colours, or graphical designs. It should be noted that through the Site Plan Approval process, City staff are able to implement measures such as screening and location.

Examples of the use of In-Ground Waste Storage Units in Ontario

In-ground waste storage units have been deployed within the Province of Ontario for several decades. The following provides a benchmarking of underground waste storage initiatives throughout Ontario.

City of Vaughan

The City of Vaughan permitted a site plan application on January 18, 2023 (file: DA.21.013, address: 3255 Rutherford Road) for the construction of a restaurant with an associated outdoor in-ground waste bin. This includes bins for garbage, recycling, and grease. City of Vaughan staff confirmed that the underground waste storage on the subject property has continued to operate since its approval.

City of Mississauga

The City of Mississauga permits the use of outdoor waste storage areas if they are appropriately screened and not visible from the public realm or residential areas. In-ground waste storage units are considered an acceptable alternative to the City of Mississauga's standard outdoor waste storage area but screening may be required depending on location, number of units, and the use of the units themselves such as for restaurants and food service establishments.

Region of Peel

The Region of Peel has some experience with in-ground waste storage units, particularly Molok bins, as they have been used during the Region's operation of the Britannia Landfill Site for organic waste collection. Through conversation with the Region, Regional Staff notes that there are several benefits to Molok bins that addressed concerns related to odour, animals, insects, and vermin. They provided the following anecdotal insight regarding the use of Molok Bins at the Britannia Landfill site:

- The underground design of the Molok Bins maintained a temperature that diminished odours, which also helped manage animals, insects, and vermin.
- The design and construction of the bins contained odours and prevented animals, insects, and vermin from accessing waste. It was noted that odours were present during hot days when the lid was left open and when emptying the bins.
- Collection frequency was reduced due to the bin's large capacity, which reduces the operation's carbon footprint by having less trucks on the road. Warmer weather required a more frequent collection schedule. During cooler months, collection was approximately once a week whereas during warmer months, collection was approximately three times a week.

City of Burlington

The City of Burlington permits the use of in-ground waste storage units in lieu of a climate-controlled waste room for permitted uses in their commercial zones, which are Regional Commercial (CR), Employment Commercial (CE), Community Commercial (CC), and Neighbourhood Commercial (CN). A restaurant use is permitted in all of these commercial zones including convenience restaurant and fast-food restaurants. As per the City of Burlington Zoning By-law 2020, Part 4 (Commercial Zone):

“Perishable waste must be kept in refrigerated storage within a building.

Alternatively, perishable waste may be stored outside if a deep collection waste disposal system, comprised of a sealed container with a lockable lid located primarily below grade, is used.”

City of Ottawa

The City of Ottawa is currently using in-ground waste storage units in approximately 79 of its municipal parks and a small number of multi-residential properties. As per the City of Ottawa’s Solid Waste Master Plan, 2019, they are considering expanding its use throughout its jurisdiction.

As noted in the City of Ottawa’s Solid Waste Master Plan, 2019, The City of Ottawa recognizes that in-ground waste storage units:

- are a proven waste collection technology;
- can reduce collection frequency which also reduces noise pollution generated from collection trucks;
- contributes to sustainable waste management design and the embracement of innovation;
- limits and controls odour and vermin;
- limits waste overflow;
- saves space leaving more opportunities for parks and green space;
- increases accessibility; and
- are aesthetically pleasing.

Town of Newmarket

In 2019, the Town of Newmarket’s Council approved a pilot project for the installation and use of in-ground waste storage units in their downtown area for its commercial businesses. Local restaurants were permitted to dispose of organic waste in the bins. The in-ground waste storage units were considered to have improved the overall aesthetic of the area, and reduced odour when compared to the previous waste storage and collection method. This pilot project is part of the Town’s overall downtown revitalization efforts and beautification plan.

City of Toronto

The City of Toronto has tested the use of in-ground waste storage units in 2002. This pilot project involved the installation of in-ground waste storage units at a 20-unit condominium for garbage, recycling, and organic waste. It was noted that the pilot project reduced the frequency of waste collection, and reduced animal and vermin presence.

Some odour was reported during a hot day, which suggests that fine-tuning collection schedules was in order.

County of Peterborough

The County of Peterborough has integrated in-ground waste storage units as part of its waste management system. These units are located at the County's waste transfer stations whereby residents can drop off waste including organic waste. The County recognizes that these units are designed to keep vermin and animals out since waste is stored underground.

CORPORATE IMPLICATIONS:

Financial Implications:

There are no financial implications associated with the recommendations of this report.

Other Implications:

There are no other Corporate implications.

STRATEGIC FOCUS AREA:

- **Health & Well-being:** evidence suggests that the use of outdoor in-ground waste storage bins for restaurant (organic) waste may not lead to higher odour emissions than a climate-controlled waste room, attract pests, or lead to unsightly views..
- **Environmental Resilience & Sustainability:** outdoor in-ground waste storage units being used for restaurant (organic) waste will not require the use of an external energy source. It is anticipated that the exclusive use of in-ground waste storage units in lieu of a climate-controlled waste room will result in a decrease in overall building energy expenditure.
- **Government & Leadership:** the use of outdoor in-ground bins for restaurant waste may be an effective and innovative waste management method. These units have been effective in other municipalities; require less land area and costs for the development community, requiring less frequent collection due to their large capacity, reducing noise and air pollution from collection trucks;

CONCLUSION:

Outdoor in-ground waste bins have been used for organic waste in various Ontario municipalities since approximately the year 2000. It appears that they have been successful in limiting nuisances, and may be comparable to the current requirement for indoor climate-controlled rooms for managing restaurant waste at managing odour, pests and appearance. Further, it seems that permissions for these types of units could be very beneficial in reducing the land requirements and costs associated with climate-controlled rooms.

City staff will continue to review the potential for allowing outdoor in-ground waste bins to be used in lieu of indoor climate-controlled rooms for restaurant (organic) waste, and will review more details regarding the offerings from these manufacturers for the units that are specifically meant to accommodate organic waste; and how we can use conditions of approval through our development processes to ensure that these issues are adequately managed.

Staff will consider including permissions for this within the Zoning By-law, via the ongoing Comprehensive Zoning By-law review.

Prior to the completion of the Comprehensive Zoning By-law review, staff will consider any requests from developers for these waste units via the minor variance process. Staff have one active minor variance application from Morguard, for their site at the north-east corner of Kennedy Road and Steeles Avenue, to allow the exclusive use of in-ground waste storage units for a new restaurant (Chic-fil-A) that is proposed to be developed at that site.

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Reviewed by:

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Management, Development Services
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Approved by:

Approved by:

Steve Ganesh, Commissioner
Planning, Building & Growth
Management

Marlon Kallideen
Chief Administrative Officer

Attachments:

- Attachment 1 – Earth Rangers Independent Study



EXECUTIVE SUMMARY

The Earth Rangers Centre for Sustainable Technology (ERC) was retained to complete an independent study of the Molok in-ground waste and organics storage system for its ability to buffer changes in outdoor temperature and thus reduce odours. This study also encompassed a comparison of temperatures and odours from our temperature controlled waste room.

ERC completed this study over a period of two (2) years. With the only differences being:

- in the second year of the study the measurement frequency for odours was greater than in the first year; and
- in the second year of the study we measured the energy consumption of our temperature controlled waste room in order to estimate the energy cost of operating our waste room

The following two (3) findings are discussed in more detail in the report below and represent a testing over two (2) year of measurements.

FINDING 1: Temperatures measured from 50" from the top to the bottom of both the waste and organics Moloks at all times were lower than the average temperature of our temperature controlled waste room. From the top to 25" below the top, temperatures were on average lower than that of our conditioned waste room 78.7% of the time.

FINDING 2: At no time did odours, measured by our calibrated odour meter, directly outside the Molok exceed that of our temperature controlled waste room

Overall, our findings indicate that the Molok outperformed our temperature controlled waste room in slowing decomposition by keeping waste and organics at lower temperatures and reducing odours emanating from Moloks.

FINDING 3: Based on data collected from building submeters. The total energy consumption to condition our waste room was 2,940 kWh which equates to a cost to condition our waste room of approximately \$323.42. The Moloks did not cost any energy to condition or maintain in 2018. Therefore, the net savings if we were to only use the Moloks for waste, recycling and organics would be \$323.42 per year.

METHODOLOGY

Temperature probes were installed in the interior bag of the Molok waste organics container and on the interior tube of the Molok organics container. In total, four (4) temperature probes were installed on each Molok container at the following levels:

- Top of Bin
- 25" from Top of Bin
- 50" from Top of Bin
- Bottom of Bin

The temperature data logger on both Molok containers was set to measure temperatures every hour. This log was downloaded every 2 weeks and the data collected for one (1) years.



Apr 2019

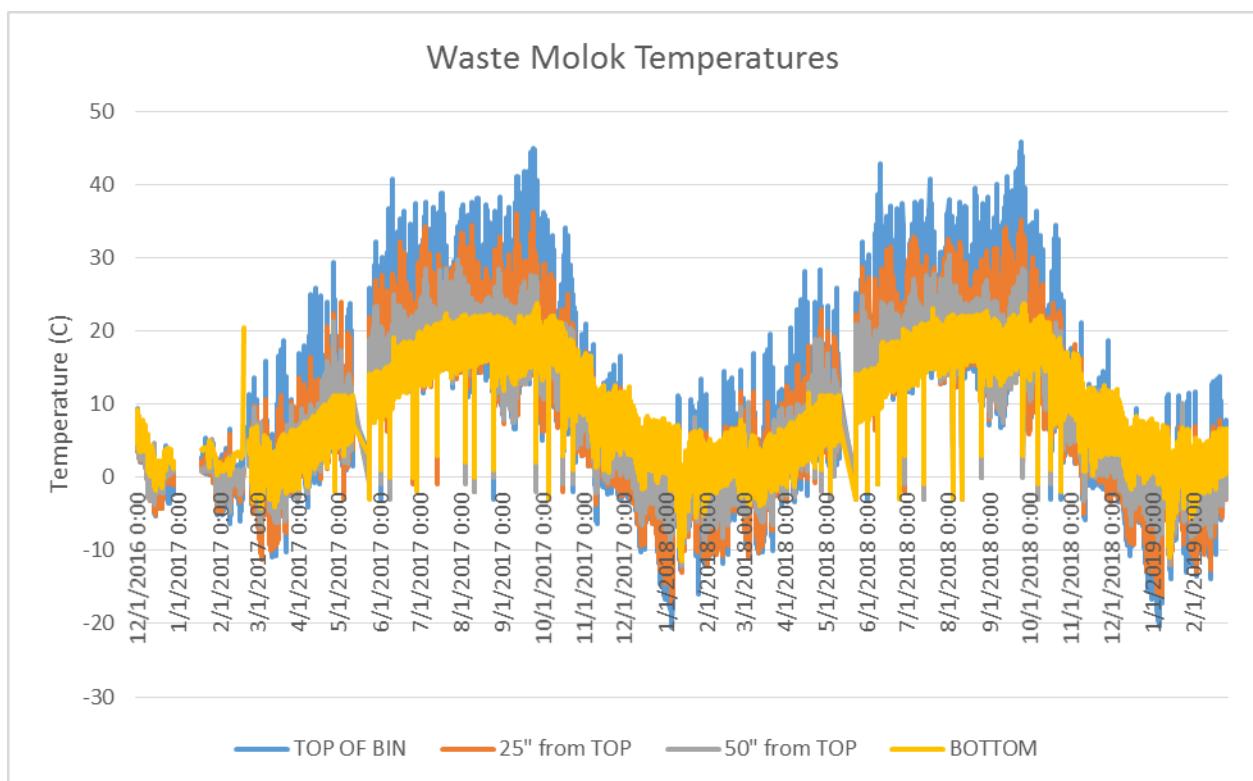
Odours were measured using the following equipment:

- Levitt Safety IAQ monitor set to measure CO₂, SO₂, NO, O₂, and ambient temperature
- KanoMax Handheld Odor Meter OMX-ADM, which measure hydrogen sulfide, methyl mercaptan, ammonia and other odour causing substances.

Odours and temperatures were measured bi-weekly (every 2 weeks) for a period of one (1) year. Odours were measured at the Molok area and also in our waste room for comparison purposes.

SUMMARY OF FINDINGS

Based on the results of our two (2) year study on temperatures and odours emanating from the Waste and Organics Molok containers, we measured the temperatures at intervals of one (1) hour for at four (4) different depths for each Molok container. The below graph shows the temperatures from the waste and organics Moloks vs the temperatures from our conditioned waste room. Please note that the temperatures were much more constant 50" from the top of the bin to the bottom of the bin for both the waste and organics Moloks.

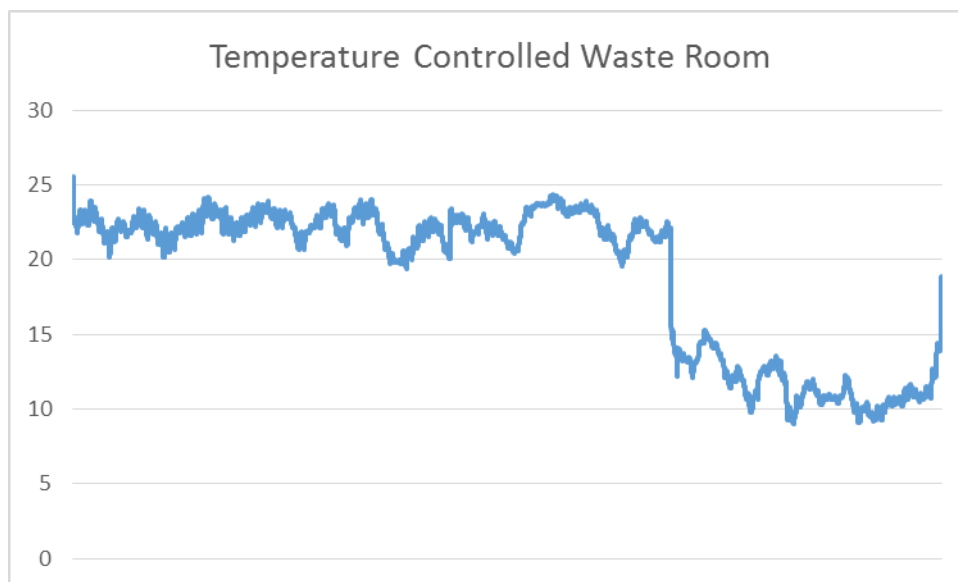
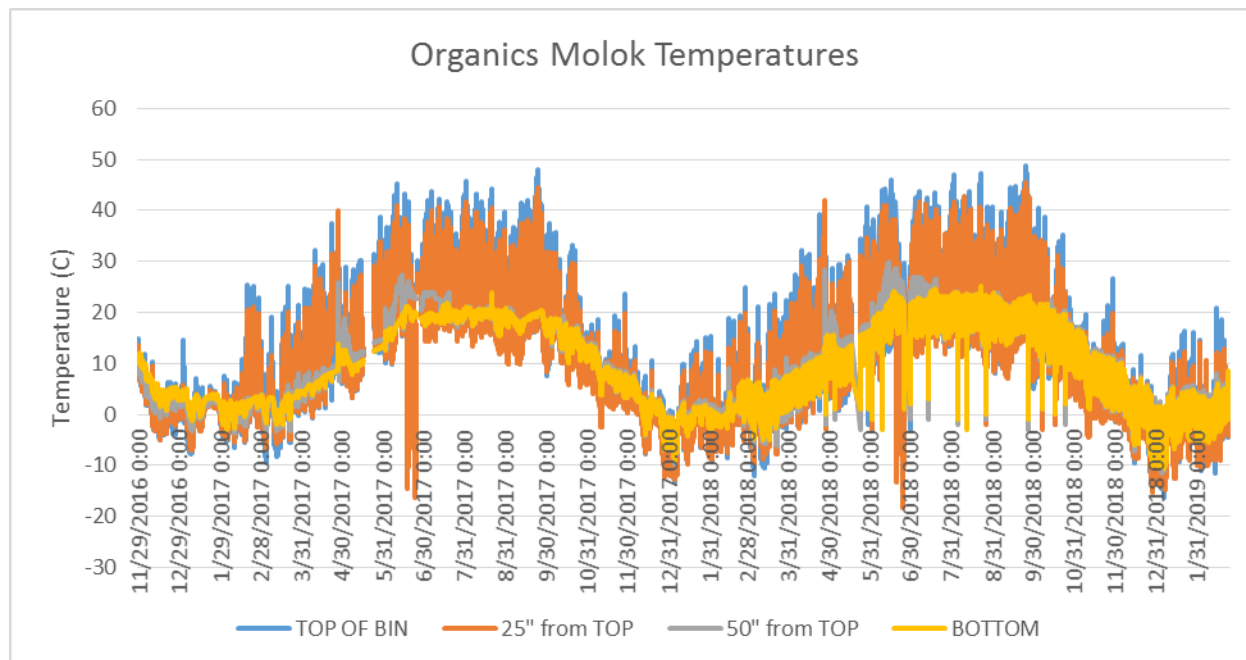




Earth Rangers Centre for Sustainable Technology

Molok - Independent
Temperature &
Odour Test Report

Apr 2019



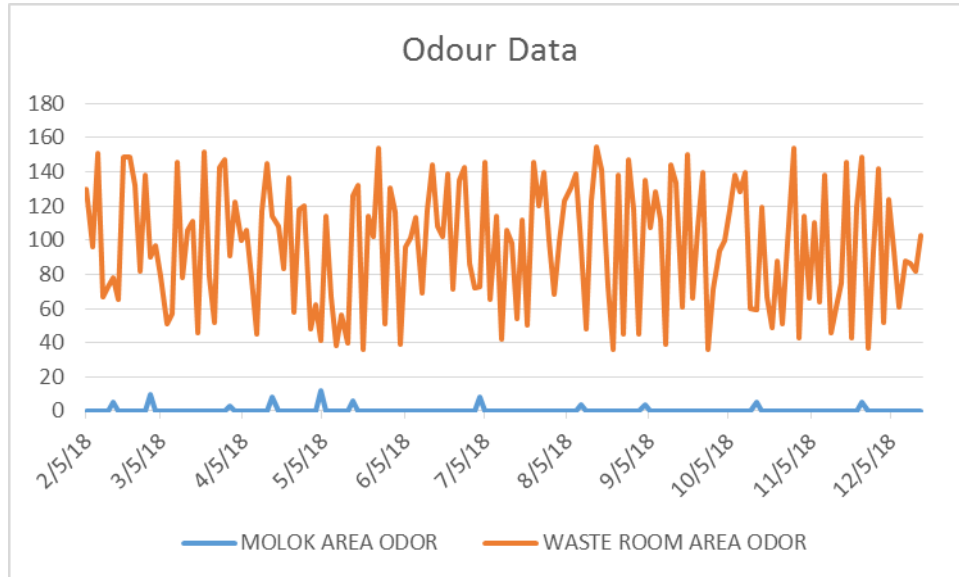
The Kanomax odour monitor was provided the most accurate readings of odours and measured odours on a scale from 0 to 999 with 0 being no detectable presence of any odour causing molecules. Odours were detected in the waste room throughout the year while odours were only detected from Molok in May, directly following a recent Molok pick-up.



Earth Rangers Centre for Sustainable Technology

Molok - Independent
Temperature &
Odour Test Report

Apr 2019





Earth Rangers Centre for Sustainable Technology

Molok - Independent
Temperature &
Odour Test Report

Apr 2019

CONTACT

This study was supervised by Gavin Yeung; contact provided below. All measurements and analysis were completed at the Earth Rangers Centre for Sustainable Technology located at 9520 Pine Valley Dr., Woodbridge, ON.

Please contact the undersigned should you have any additional questions or inquiries regarding this report.

Gavin Yeung, H.Bsc., MBA, LEED®AP, CPMP, BCxP, C.E.M.®
Manager, Earth Rangers Centre For Sustainable Technology

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Mobile: 416.859.4994

9520 Pine Valley Drive | Woodbridge, ON L4H 2Z6



Report
Staff Report
 The Corporation of the City of Brampton
 10/21/2024

Date: 2024-10-21

Subject: **Recommendation Report – Building Improvement Grant Application – 3 Chapel Street**

Contact: Vrinda Bhardwaj, Assistant Policy Planner, Downtown Revitalization

Report number: Planning, Bld & Growth Mgt-2024-779

RECOMMENDATIONS:

1. That the report from Vrinda Bhardwaj, Assistant Policy Planner, Downtown Revitalization to the Planning and Development Committee Meeting of October 21 2024, re: **Recommendation Report – Building Improvement Grant Application – 3 Chapel Street** in Ward 3, be received;
2. That the application BFIP-2023-0006 (3 Chapel Street) be approved in the amount of \$7,350.00 under the Building Improvement Grant Program. The application is subject to satisfying the rules of the program as set out in the approved Implementation Guidelines of the Central Area Community Improvement Plan (CIP), and meeting the following conditions on or before January 21, 2025, unless extended by the Director of Downtown Revitalization, failing which this approval shall be null and void:
 - i. That the Applicant enters into the Building Improvement Grant Program Agreement with the City of Brampton.
3. That the Commissioner of Planning, Building and Growth Management be authorized to sign the Building Improvement Grant Program Agreement in relation to the approved project with content satisfactory to the Commissioner of Planning, Building and Growth Management, or designate, and in a form approved by the City Solicitor, or designate, and that staff be authorized to take the next steps to implement the terms of the agreement.

OVERVIEW:

- **The Building and Façade Improvement Grant Program aims to revitalize the historic downtown by offering matching grants, up to a maximum amount per property to eligible landowners and businesses. These grants support property enhancements that complement Downtown Brampton's**

Main Street character and align with the Central Area Community Improvement Plan (CIP). The program incentivizes private investment to encourage the revitalization of Downtown Brampton and supports the ongoing maintenance of both interior and exterior building conditions.

- This report recommends approval of the grant application under the Building Improvement Grant Program of the CIP. The application BFIP-2023-0006 (3 Chapel Street) proposes to facilitate interior improvements, that will restore and enhance the heritage-listed building. By supporting the internal restoration and rehabilitation, this grant will play a vital role in preserving the building's unique historical features, ensuring they remain intact and appreciated for years to come. Such efforts are essential for the long-term preservation of heritage structures in the downtown area, contributing to the area's historical integrity and cultural vibrancy.
- Staff recommend the approval of the application for the maximum grant of \$7,350.00 under the Building Improvement Grant Program as permitted by Section 2.4.4 (b) of the program.
- Sufficient funding is available for this application under the Building Improvement Grant Program.
- The recommendations in this report align with the Strategic Focus Area – Growing Urban Centers & Neighborhoods. The application is consistent with the goals of the grant program. The grant supports landowners and business owners in their efforts to improve the interior spaces of their buildings, contributing to the attractiveness of the downtown, new investment, and future employment opportunities to the downtown.

BACKGROUND:

The Building and Façade Improvement Grant Programs (BFIP) are integral parts of the Central Area Community Improvement Plan (CIP), aimed at revitalizing the historic Downtown area and fostering a vibrant and thriving community. These programs offer matching grants up to a maximum amount, based on eligibility to landowners and businesses to incentivize interior and exterior improvements to their buildings. Launched in 2013, the BFIP comprises of two main incentive programs:

- **Building Improvement Grant Program:** This program targets building improvements such as structural repairs, fire protection system installation/upgrades, and overall building system enhancements. The program aims to support the structural integrity and safety features of Downtown buildings.
- **Façade Improvement Grant Program:** This program is designed to uplift the external appearance of buildings, supporting exterior improvements to buildings

such as signage updates, restoration of exterior materials, and upgrades of windows and doors for energy efficiency or to enhance safety and security. The program aims to revitalize the visual appeal of the Downtown.

This report recommends approval for the Building Improvement Grant application at 3 Chapel Street. A location map of the property is attached as Attachment 1.

CURRENT SITUATION:

Proposal and Project Description

The property is currently being used for commercial uses for an Indoor Golf Simulator and Sports Bar. This use brings increased commercial activity and an attraction for residents to enjoy in Downtown Brampton. It acts as a means for recreation and entertainment needs of residents and visitors alike. The Applicant has applied for the Building Improvement Grant Program for BFIP-2023-0006 for 3 Chapel Street (Attachment 1). The proposed interior work includes the construction of two new bathrooms, new plumbing, electrical, and a new Heating Ventilation and Air Conditioning (HVAC) system. Additional work includes installation of a new security system and high-efficiency LED lighting. In addition, the applicant has submitted a Façade Improvement Grant application for 3 Chapel Street for proposed exterior works that include cosmetic repair to concrete staircase, general exterior repairs, installation of a prefabricated canopy at the entrance, new paint, and wall repair. The Façade application is currently under review and will proceed to a future Planning and Development Committee meeting for consideration. Staff are awaiting more information on the application as a Listed Heritage Resource that requires a Heritage Impact Assessment.

The Applicant has submitted the following cost estimates for the building improvement proposal:

Building Improvement Grant Program	3 Chapel Street
Building Improvement Grant	\$20,001 \$14,700
Total Construction Value	\$14,700
*Values in bold represent lowest cost estimate	

As per the approved Implementation Guidelines, the lower values of the submitted quotes per application were used for the calculation of the total grant eligibility. Based on the total construction value, the Applicant is eligible for a maximum of \$7,350 under the Building Improvement Grant Program.

Recommendation and Next Steps

Staff recommend the maximum grant be approved in the amount of \$7,350 under the Building Improvement Grant Program for 3 Chapel Street. The next step in the grant

process is for the Applicant to secure the necessary permits and approvals required, specifically Building Permits (Section 3.1.4(h) of the Building Improvement Program). The Applicant must continue to satisfy the requirements outlined in the Council-Approved Implementation Guidelines and enter into agreement with the City of Brampton, which is expected to be fully executed by January 21, 2025. Once the agreement is finalized, subsequent steps can be further outlined to the Applicant.

CORPORATE IMPLICATIONS:

Financial Implications:

There is sufficient funding available in capital project #197827-001 to fund this Building Improvement Grant application BFIP-2023-0006:

Project #	Project Name	Balance Available*
197827-001	Building Improvement Program	\$85,000

*Updated as of September 26, 2024

Other Implications:

There are no other corporate implications associated with the application.

STRATEGIC FOCUS AREA:

The application is consistent with the Strategic Focus Area – Growing Urban Centers & Neighborhoods. This application will support the growth of Brampton's local economy, the maintenance of cultural heritage assets, and the activation of commercial spaces through these upgrades attract more visitors to the downtown core for entertainment and recreation. The interior enhancements at 3 Chapel Street will transform the building into a more functional, safer and appealing space, further bolstering the area.

CONCLUSION:

Providing incentives such as the Building Improvement Grant serves to enhance building conditions and the historic character along Chapel Street to improve the overall interest, consumption and marketability of commercial spaces in the downtown. Staff recommend approval of the grant application for 3 Chapel Street to improve the buildings' interior space to support the Golf Simulator and Sports Bar. This investment enhances the vibrancy of the downtown area and contributes to a more thriving business environment.

Authored by:

Reviewed by:

Vrinda Bhardwaj
Assistant Policy Planner
Downtown Revitalization

Andria Oliveira
Director
Downtown Revitalization

Approved by:

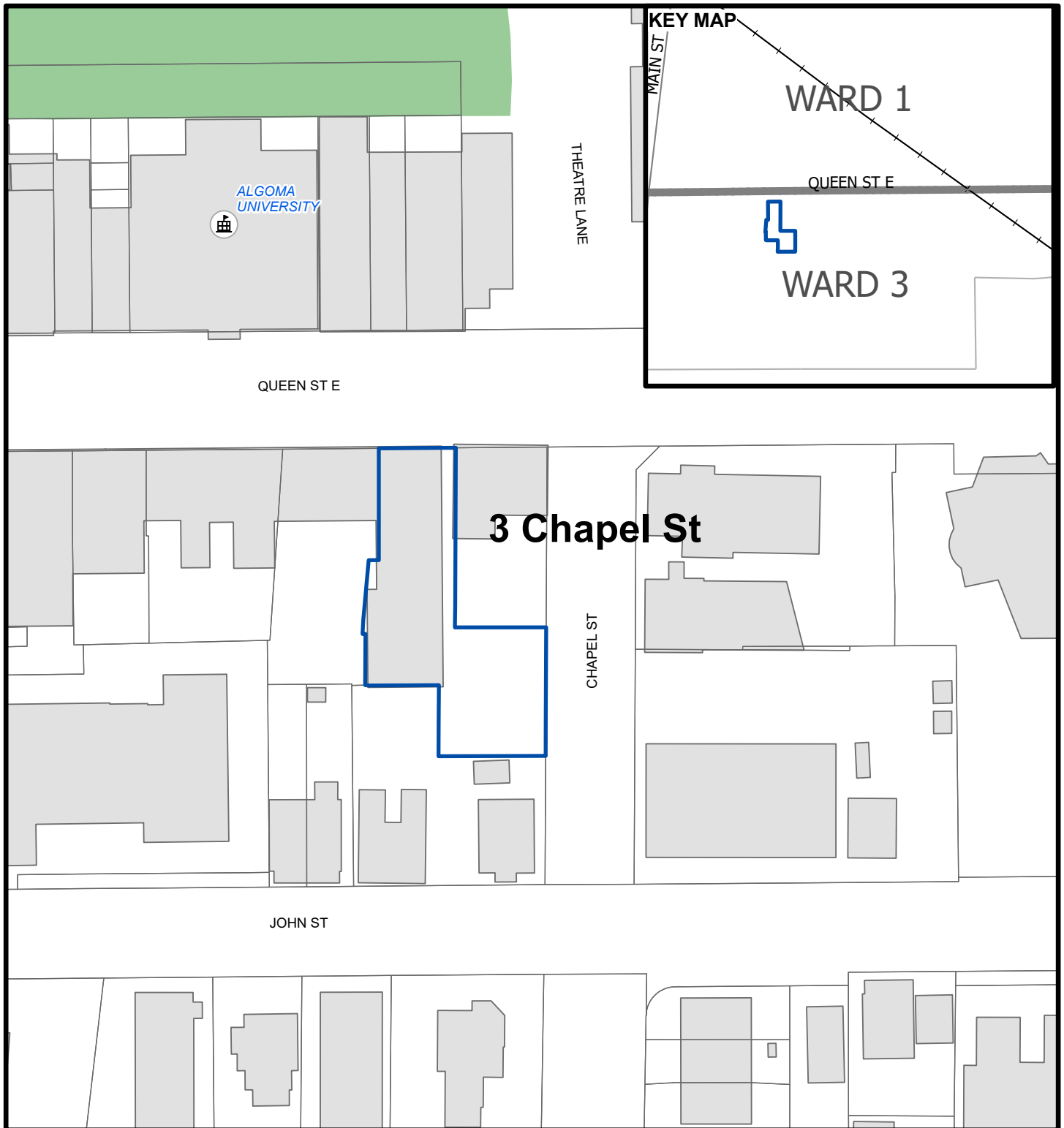
Approved by:

Steve Ganesh MCIP RPP
Commissioner
Planning, Building and Growth
Management Services Department

Marlon Kallideen
Chief Administrative Officer
City of Brampton

Attachments:

- Attachment 1 – Location Map for 3 Chapel Street

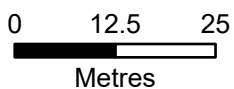


- School
- Subject Land
- Park
- Building Footprint



BRAMPTON
Flower City

PLANNING, BUILDING AND GROWTH MANAGEMENT



Date: 2024/08/14



Location Map: 3 Chapel St



Report
Staff Report
 The Corporation of the City of Brampton
 10/21/2024

Date: 2024-10-02

Subject: **Recommendation Report – 2024 Fee Changes for Development Applications (Tariff of Fees By-law with Respect to Planning and other Municipal Applications – By-law 85-96, as amended)**

Contact: Carolyn Crozier, Strategic Leader, Office of the Commissioner, Planning, Building and Growth Management

Allan Parsons, Director, Development Services, Planning, Building and Growth Management

Report number: Planning, Bld & Growth Mgt-2024-796

RECOMMENDATIONS:

1. That the report from Carolyn Crozier, Strategic Leader, Office of the Commissioner, to the Planning and Development Committee meeting of September 23, 2024 re: **Recommendation Report - 2024 Fee Changes for Development Applications (Tariff of Fees By-law with Respect to Planning and other Municipal Applications – By-law 85-96, as amended)** be received; and,
2. That staff be directed to report annually, through the budget process, on the resourcing impacts and requirements of the Committee of Adjustment application processes when under recovery is occurring; and,
3. That Schedule A to the Tariff of Fees By-law with respect to Planning and Other Municipal Applications By-law 85-96, as amended, be amended to reflect the fee changes as set out in Attachment A of this report, to be effective following Council ratification for November 1, 2024.

OVERVIEW:

- In 2022, the City completed an Internal Audit of the City's User Fee program, including the current user fees for development applications (i.e. Plans of Subdivision, Amendments to the Official Plan and Zoning By-law, Site Plans).

- The audit directed staff to evaluate the feasibility of raising development application fees to improve the cost recovery ratio, reduce the burden on Brampton property taxpayers and ensure rates are comparable with neighboring municipalities.
- In May 2023, Council directed staff to explore the per unit fee component of development application fees.
- In July 2023, staff retained Watson & Associates Economics Ltd. to undertake the Development Fee Review in a two phased approach.
- Staff reported on Phase 1 of the Development Fee Review in November, 2023 (PBGM-2023-981). This report identified options for the City to consider with respect to the per unit fee component of development application fees as part of a future amendment to the Tariff of Fees By-law.
- This report outlines the findings, and recommendations, of Phase 2 of the Development Fee Review.
- The recommended changes to the City's Tariff of Fees By-law for Development applications will:
 - Move the City towards full cost realization to reduce financial burden on the tax base;
 - Respond to industry and Council concerns, mitigating financial risks while helping to ensure the City remains attractive for development and investment is not cost-prohibitive; and,
 - Modernize the fee structure in alignment with current Provincial policies.
- Staff undertook consultation with BILD (Building Industry and Land Development Association) on the fee recommendations on June 6, 2024 to share Watson's report and staff's general recommendations. An additional meeting was held August 8, 2024 to further review Watson's approach and assessment of fees, and to work through Pre-Consultation fee approaches based on changes to Provincial legislation. Staff understood that general concurrence with BILD was achieved.
- These proposed recommendations are anticipated to align with the forthcoming Council User Fee Policy.
- Based on the City recommended fees structures, the City is estimating revenues of \$6.9 million annually (using 2023 application volumes). The recommendation outlined in this report will result in a revenue reduction of approximately \$4 million, as a result of aligning fees with the requirements

of the Planning Act and by maintaining status quo fees for Committee of Adjustment applications.

BACKGROUND:

In 2022, the City completed an Internal Audit of the City's User Fee program to evaluate the effectiveness of user fees and identify opportunities for improvement. Development Services and Design (DS&D) was one of four divisions audited, and findings indicated the current user fees for development applications do not recover the costs incurred while processing applications.

The audit report directed staff to evaluate the feasibility of adjusting the development services user fees so that the rates charged by the City are comparable with neighboring municipalities, to improve the cost recovery ratio and reduce the subsidization of development application reviews by Brampton property taxpayers.

Additionally, in May, 2023, Council directed staff to explore the per unit fees component of the Development Application Fee Review and report back in response to the Solmar/Hampton delegation to reduce the Zoning By-law application fee for 241 Queen Street East.

In response to the User Fee Audit, and Council direction to explore the per unit fee component of development fees, the City retained Watson & Associates Economists Ltd.(Watson) to undertake a review of the base fee and per unit fees (as applicable) associated with respect to the City's development and site plan applications.

Staff reported back to Council on December 4, 2023 with the Phase 1 findings of the Development Application Fee Review (PBGM-2023-981, Attachment B). The report included an Activity Based Costing exercise to capture the true cost of processing development applications. Watson worked with staff from multiple departments that participate in the development application review process to understand the level of effort, direct and indirect costs, and capital costs of processing these applications.

The Phase 1 report provided the City with options to consider with respect to the capping of per unit fees, to be included in the final fee recommendations found herein.

CURRENT SITUATION:

The second phase of Watson's Development Application Fees Review study (Attachment C) included an analysis of current cost recovery levels of the City's current fees and to provide recommendations on fee adjustments and fee structure changes.

The *Planning Act* requires fees to be cost justified at the application type level. Utilizing the Activity Based Costing exercise completed through Phase 1, Watson determined the following processing costs are incurred by the City:

Table 1: Processing Cost per Planning Application by Type

Application Type	Cost per Application
Pre-consultation	\$ 20,011
Official Plan Amendment	\$ 48,558
Zoning By-law Amendment (Simple)	\$ 44,486
Zoning By-law Amendment (Complex)	\$ 68,821
Draft Plan of Subdivision (Simple)	\$ 73,735
Draft Plan of Subdivision (Complex)	\$ 119,935
Temporary Use ZBA	\$ 38,118
Lifting of a Holding Provision	\$ 8,316
Site Plan (Simple)	\$ 36,813
Site Plan (Complex)	\$ 69,865
Draft Plan of Condominium	\$ 27,215
Minor Variance	\$ 11,949
Consent	\$ 10,157

These costs are reflective of the organizational direct, indirect and capital costs based on 2023 budget estimates, and have been calculated based on the average annual volume of planning applications from 2019 to 2022. The fulsome methodology used by Watson can be found in section 2 of Attachment C.

Some applications are also displayed with 'simple' and 'complex' to demonstrate the variability or range in costing from the most basic of applications to the most complex.

Using this information and comparing it to the application volumes and revenues generated in 2023 generates the cost recovery assessment as seen in the table below:

Table 2: 2023 Planning Application Cost Recovery Levels by Application Type

Application Type	Cost per Application	2023 Application Volumes	Calculated 2023 Costs ^A	Calculated 2023 Revenues ^B	Cost Recovery %
Pre-consultation	\$ 20,011	129.0	\$ 2,581,415	\$ 645,000	25%
Official Plan Amendment	\$ 48,558	12.0	\$ 2,297,888	\$ 7,644,863	333%
Zoning By-law Amendment (Simple)	\$ 44,486	13.5			
Zoning By-law Amendment (Complex)	\$ 68,821	13.5			
Draft Plan of Subdivision (Simple)	\$ 73,735	3.5			
Draft Plan of Subdivision (Complex)	\$ 119,935	3.5			
Temporary Use ZBA	\$ 38,118	4.0	\$ 152,473	\$ 8,220	5%
Lifting of a Holding Provision	\$ 8,316	2.0	\$ 16,633	\$ 6,400	38%
Site Plan (Simple)	\$ 36,813	17.0	\$ 625,819	\$ 278,065	44%
Site Plan (Complex)	\$ 69,865	9.0	\$ 628,784	\$ 998,731	159%
Draft Plan of Condominium	\$ 27,215	6.0	\$ 163,291	\$ 472,608	289%
Minor Variance ^C	\$ 11,949	418.0	\$ 4,994,854	\$ 737,770	15%
Consent	\$ 10,157	30.0	\$ 304,701	\$ 131,490	43%
Total			\$11,765,858	\$10,923,148	93%

Table 2 demonstrates that overall, the City's current development application fees are recovering nearly all related operating costs.

However, it is important to note that the assessment has identified that the City's current fee structure is not in compliance with the requirements of the Planning Act.

Section 69 of the Planning Act requires that planning application costs be cost-justified by the application type, indicating that cross-subsidization of planning fee revenues across application types is not permissible.

The over-recovery seen in variable rate applications such as Zoning By-law Amendment, Site Plan and Plan of Condominium, is functioning to subsidize other applications, most notably applications managed through the Committee of Adjustment service stream—Minor Variance and Consent applications.

As recommended through the Phase 1 report, and as required by the Planning Act, the City must cap application fees at a rate equal to the cost to provide the service, by application type.

Based on the costing analysis of the City's application fees and fee structure options provided by Watson, staff are recommending changes to the fee structure that will achieve near full cost recovery on development applications, with the exception of Committee of Adjustment applications (Minor Variance and Consent), for the reasons set out below.

Fee Recommendations by Application Type

Pre-Consultation Applications

Pre-consultation applications have traditionally served as a crucial initial step in the development process, providing owners and applicants with a framework for understanding the City's requirements and those of other stakeholders when reviewing a proposed development.

Since the completion of Watson's study, the Province has amended the Planning Act, removing the requirement for municipalities to mandate pre-consultation applications as part of the application review process. This change now leaves the decision to pursue Pre-Consultation at the discretion of the applicant.

However, regardless of whether a Pre-Consultation application is submitted, the work and associated costs of evaluating and assessing complete application requirements remain part of the process. These costs must be factored into the City's efforts to achieve full cost recovery for development application reviews.

Watson identified the processing cost for a pre-consultation application as \$20,011.

Setting the pre-consultation application fee at this rate—particularly when the process is no longer mandatory—could lead to a significant decline in the number of such applications. This poses a financial risk to the City and could introduce risks to the industry through potential delays and inefficiencies in application review.

Both the City and the development industry recognize the mutual benefits of obtaining pre-consultation comments as a tool to enhance the efficiency and speed of the application review process.

Therefore, staff recommend that the full cost of a pre-consultation be set in the fee by-law at the processing rate of \$20,011, but whereby a credit for this amount will be provided to an applicant towards the full development application, if the full application is received within one year.

To ensure that no over or under recovery in cost results due to this change, the proposed base fees outlined in Watson's report will need to be increased by \$20,011 to accurately reflect the true processing costs should an applicant choose not to pursue the pre-consultation process. Applicants who do choose to complete a Pre-Consultation process, will not be 'double charged' by way of the introduction of the noted credit.

Flat Fee Applications

Flat fee applications are applications that, irrespective of ultimate development size and complexity, generate a consistent processing cost to the City. The current fees for these applications, as demonstrated in the table below, have been significantly under recovering, meaning that the balance of the cost is borne by the tax base.

Staff are recommending that the fees for these applications be set to reflect full cost recovery.

Table 3: Flat Fee Application Recommendations

Application Type	Current Fee	Cost Recovered Application Fee (%)	Cost Recovered Tax Base (%)	Proposed Fee	% Change
Official Plan Amendment	\$14,605	30%	70%	\$48,558	232%
Temporary Use Zoning By-law Amendment	\$2,119	5%	95%	\$38,118	1699%
Lifting of Holding Provision	\$3,299	38%	62%	\$8,316	152%

Related municipal benchmarking can be found in Attachment D.

Variable Fee Applications

Variable fee applications are applications that can be typified as those that, based on various factors including size, scale, complexity, and level of processing effort, generate a range of processing costs for the City.

Application types that fall into the variable fee bucket are: Zoning By-law Amendments, Draft Plans of Subdivision, Site Plans and Draft Plans of Condominiums.

Watson's assessment demonstrated that the current fees, specifically the maximum generated by way of the per unit fees, has created a significant over recovery. These over recoveries results in the City being non-compliant with the *Planning Act*, which was the driver of several appeals to the Ontario Land Tribunal that we had received.

Resolution of this over recovery can be easily resolved by way of reducing the maximum fees currently charged for these application types.

Table 4: Variable Fee Application 2023 Recovery

Application Type	Calculated 2023 Costs	Calculated 2023 Revenues	Cost Recovery
Zoning By-law Amendment	\$2,297,888	\$7,644,863	333%
Plan of Subdivision			
Plan of Condominium	\$163,291	\$472,608	289%
Site Plan (Complex)	\$628,784	\$998,731	159%

As all options provided work to achieve the outcome of full cost recovery, staff are recommending adoption of "Option 1: Maintain the current fee structure with a reduced maximum fee" as it is the option that best balances cost recovery with the greatest degree of fairness for all applicants.

This fee structure is optimal as it maintains the existing fee structure and existing fee costs with no need to increase or decrease the City's already established fees for variable fee applications. Modest simplification in the fee structure is also achieved through the elimination of per unit fees for sites with more than 100 units as the maximum fee cap is reached at this quantum of units. The only other change is to the maximum fee level to reflect the maximum processing cost for each variable fee application type.

Table 5: Current Vs. Future Maximum Fees

Application Type	Current Maximum	Proposed Maximum	Reduction to Maximum
Zoning By-law Amendment	\$819,444	\$68,821	91%
Plan of Subdivision	\$819,444	\$119,935	85%
Plan of Condominium	\$819,444	\$27,215	96%
Site Plan (Complex)	\$194,398	\$69,865	64%

Related municipal benchmarking examples can be found in Attachment E.

Concurrent Applications

The assessment of staff processing efforts where applicants submit concurrent applications demonstrated that there are benefits from reduced processing efforts. As such, the following applications, when submitted together, will receive a 25% reduction on the total application fee amount:

- Zoning By-law Amendment and Draft Plan of Subdivision
- Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision
- Official Plan Amendment and Zoning By-law Amendment

Resubmissions

The estimate of effort to complete application reviews by staff included an average number of rounds to account for resubmitted materials that must be re-reviewed by City staff where deficiencies have been identified. Therefore, the full cost of fees includes an average estimation of 3 resubmissions.

Any resubmission of materials over-and-above this amount should be charged as a fee to applicants.

Staff are recommending that a fee of \$5,000 be charged for each re-submission, beyond three for each application type.

Committee of Adjustment Applications – Minor Variance and Consent

The City has historically chosen to offer the Committee of Adjustment (CofA) service at a substantially subsidized rate to maintain accessibility for Brampton residents who need to seek modest permissions to facilitate changes to their properties.

Watson identified that, in the case of Minor Variance applications, the City is recovering 15% of the costs to provide this service, and Consent applications recovering 43% of the cost.

In consideration of the City's need to balance resident accessibility to this service, staff are recommending that there be no change at this time to the fees for this service.

Table 6: Annual Committee of Adjustment Application Volumes

Application Type	2021 Application Volume	2022 Application Volume	2023 Application Volume	2024 Current Application Volume*	2024 Projected Application Volume**
Minor Variance	274	401	417	295	444
Consents	33	28	30	13	24

*Applications received to August 1, 2024. **Projected volume based on monthly application average.

While staff are recommending status quo for CofA application fees, it is important to highlight that as the City continues to urbanize and absorb new growth, CofA applications can become a more predominant tool to implement land use changes and related programs (i.e. Additional Residential Units, Compliance to Residential Landlord Licensing, etc.).

This will have impacts on the operating budgets for inter-dependent services to administer and enforce the CofA applications (i.e. Building, Clerks and Enforcement). This direct relationship is a reflection of the City's evolution. This report recommends that staff be directed to continue to monitor this and report back through the City's annual budget process should there be a need to add resources in a manner that provides our level of service for the CofA applications.

Related municipal benchmarking can be found in Attachment F.

Overall Assessment of Proposed Fee Changes by Application Type

To understand the overall impact of the proposed fee changes, staff assessed the 2023 application volumes against the proposed fee recommendations.

Table 7 below demonstrates, except for the Committee of Adjustment applications (Minor Variance and Consent) improvements in cost recovery percentages. Applications where over-recovery was occurring are now proposed at rates that will comply with the City's legislative requirements under the Planning Act, and applications where under-recovery was occurring, have been adjusted to minimize impact on the tax base.

The overall cost recovery ratios under the recommended fee structure are substantially lower than the current structure. As previously noted, the City's current fee recovery ratio is the result of certain application fees functioning to subsidize others, most significantly, the Minor Variance and Consent applications. As this is not permitted under the Planning Act, the City can no longer operate in this manner.

Removing the Committee of Adjustment applications from the overall cost recovery analysis demonstrates that the cost recovery ratio for all other application types results in an overall cost recovery of 94%.

Table 7: Impact of Recommended Fee Structure on Cost Recovery

Application Type	Calculated 2023 Costs	Calculated Annual Revenues ^A				City Recommended Cost Recovery %	Current Cost Recovery %
		Option 1	Option 2	Option 3	City Recommended		
Pre-consultation	\$ 2,581,415	\$ 2,581,415	\$ 2,581,415	\$ 2,581,415	\$ 2,581,415	100%	25%
Official Plan Amendment							
Zoning By-law Amendment (Simple)							
Zoning By-law Amendment (Complex)	\$ 2,297,888	\$ 2,324,843	\$ 2,297,888	\$ 2,297,888	\$ 2,324,843	101%	333%
Draft Plan of Subdivision (Simple)							
Draft Plan of Subdivision (Complex)							
Temporary Use ZBA	\$ 152,473	\$ 152,473	\$ 152,473	\$ 152,473	\$ 152,473	100%	5%
Lifting of a Holding Provision	\$ 16,633	\$ 16,633	\$ 16,633	\$ 16,633	\$ 16,633	100%	38%
Site Plan (Simple)	\$ 625,819	\$ 255,823	\$ 625,819	\$ 278,065	\$ 255,823	41%	44%
Site Plan (Complex)	\$ 628,784	\$ 544,608	\$ 628,784	\$ 976,537	\$ 544,608	86%	159%
Draft Plan of Condominium	\$ 163,291	\$ 148,302	\$ 163,291	\$ 163,291	\$ 148,302	91%	289%
Minor Variance	\$ 4,994,854	\$ 4,994,854	\$ 4,994,854	\$ 4,994,854	\$ 737,770	15%	15%
Consent	\$ 304,701	\$ 304,701	\$ 304,701	\$ 304,701	\$ 131,490	43%	43%
Total	\$11,765,858	\$11,323,652	\$11,765,858	\$11,765,857	\$ 6,893,358	59%	93%

^A Calculated revenues include reductions to fees resulting from the submission of concurrent applications.

Maintaining the status quo fee structure for Committee of Adjustment applications will ensure that this service remains attainable and affordable for residents; however, it will result in a fee under-recovery of approximately \$4 million dollars.

CORPORATE IMPLICATIONS:

Financial Implications:

Based on the City recommended fees structures, the City is estimating revenues of \$6.9 million annually (using 2023 application volumes). The recommendation outlined in this report will result in potential revenue reduction of approximately \$4 million, predominately as a result of maintaining status quo fees for Committee of Adjustment applications.

Should Council approve the amendment of Schedule A to the Tariff of Fees By-law with respect to Planning and Other Municipal Applications By-law 85-96, staff will ensure the impact is included in a future budget submission and presented to the Mayor for his consideration.

Other Implications:

The recommended changes to maximum fees for variable rate applications will eliminate any legal risks related to appeals for application fees paid under process.

STRATEGIC FOCUS AREA:

This report and associated recommendations for the development application fees is consistent with the Strategic Focus Area of Government and Leadership. The recommendations will support the establishment of a fee structure that supports service excellence, balancing efficiency, transparency and effectiveness with equity and innovation.

CONCLUSION:

Staff, supported by the analysis completed by Watson, are recommending changes to the City's Tariff of Fees By-law for Development Applications that will result in moving the City towards full cost realization, reduce the financial burden on the tax base, and responds to industry and Council concerns. The modernized fee structure aligns with current Provincial policies and works to mitigate financial risks to the City while ensuring attracting development and investment is not cost-prohibitive.

Authored by:

Reviewed by:

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Approved by:

Approved by:

Steve Ganesh MCIP, RPP
Commissioner
Planning, Building and Growth
Management

Marlon Kallideen
Chief Administrative Officer

Attachments:

- Attachment A: Schedule A of City Fee By-law (By-Law Number 85-96 “To Establish a Tariff of Fees By-law with Respect to Planning and Other Municipal Applications”)
- Attachment B: Phase 1 Staff Report and Technical Memo
- Attachment C: Phase 2 Fee Report by Watson
- Attachment D: Flat Fee Municipal Benchmarking
- Attachment E: Variable Fee Municipal Benchmarking
- Attachment F: Committee of Adjustment Municipal Benchmarking

Schedule A to By-Law 85-96

1. Application for Pre-Consultation		Fee
Pre-Consultation	\$20,000	Per Application
<i>Note: Pre-Consultation fees will be credited, in their entirety, towards the base fee of any future application for the same address, if such application is submitted within one year from the date of the pre-consultation application. The Director of Development Services & Design, at their discretion, can consider credits beyond the one-year timeframe.</i>		

2. Flat Fee Applications		Fee
Official Plan Amendment	\$68,558	Per Application
Temporary Use Zoning By-Law Amendment	\$58,118	Per Application
Removal of (H) Holding Symbol	\$28,316	Per Application

3. Zoning By-Law Amendments		Fee
Base Fee	\$62,602	
Apartments	\$754	First 25 Units
	\$602	26 to 100 Units
	\$457	101 to 200 Units
	\$308	201 Units and Above
All Other Residential	\$1,547	Per Dwelling Unit
All Non-Residential	\$15,511	Per Net Hectare
Maximum Fee*	\$88,821	Per Application
<i>Note: All lands associated with a specific application shall be contiguous. Per unit/hectare fees noted in Table 3 are only to be applied once to a development project through a Zoning By-Law Amendment, Plan of Subdivision, or Plan of Condominium Application (Site Plans excluded).</i> <i>Note: For residential mixed use developments, non-residential fees apply to the gross floor area of the non-residential use.</i>		
<i>*Excluding sign deposits and resubmission fees, as outlined in Table 11.</i>		

4. Plan of Subdivision		Fee
Base Fee	\$35,350	
Apartments	\$754	First 25 Units
	\$602	26 to 100 Units
	\$457	101 to 200 Units
	\$308	201 Units and Above
All other Residential	\$1,547	Per Dwelling Unit
All Non-Residential	\$15,511	Per Net Hectare
Maximum Fee*	\$139,935	Per Application
<p><i>Note: All lands associated with a specific application shall be contiguous. Per unit/hectare fees noted in Table 4 are only to be applied once to a development project through a Zoning By-Law Amendment, Plan of Subdivision, or Plan of Condominium application (Site Plans excluded).</i></p> <p><i>Note: For residential mixed use developments, non-residential fees apply to the gross floor area of the non-residential use.</i></p> <p><i>*Excluding sign deposits and resubmission fees as outlined in Table 11.</i></p>		

Concurrent Application Fee Reductions:

The following applications, when received together, will receive a 25% reduction on the total application fee amount:

- Zoning By-law Amendment and Draft Plan of Subdivision.
- Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision.
- Official Plan Amendment and Zoning By-law Amendment.

5. Plan of Condominium		Fee
Base Fee	\$30,870	
Apartments	\$754	First 25 Units
	\$754	26 to 100 Units
	\$754	101 to 200 Units
	\$754	201 Units and Above
All Other Residential	\$1,547	Per Dwelling Unit
All Non-Residential	\$15,511	Per Net Hectare
Maximum Fee*	\$57,215	Per Application
<p><i>Note: All lands associated with a specific application shall be contiguous. Per unit/hectare fees noted in Table 5 are only to be applied once to a development project through a Zoning By-Law Amendment, Plan of Subdivision, or Plan of Condominium application (Site Plans excluded).</i></p> <p><i>Note: For residential mixed use developments, non-residential fees apply to the gross floor area of the non-residential use.</i></p> <p><i>*Excluding sign deposits and resubmission fees as outlined in Table 11.</i></p>		

6. Draft Plan Approval (Condominiums and Subdivisions) and Assumptions		Fee
Revision of Draft Plan after Draft Approval (when requested by applicant/owner)	\$6,139	Per Revision
Revisions to Conditions of Draft Plan Approval (when requested by applicant/owner)	\$6,139	Per Revision
Extension of Draft Plan Approval	\$6,139	Per Application
Registration of Each Phase of a Plan (cost per phase beyond first phase)	\$6,139	Per Phase
Subdivision Release and Assumption	\$689	Flat Fee

7: Site Plan Applications		Fee
Base Fee	\$29,080	
Apartments	\$753	First 25 Units
	\$602	26 to 100 Units
	\$457	101 to 200 Units
	\$378	201 Units and Above
All Other Residential	\$1,547	Per Dwelling Unit
All Non-Residential	\$15,511	Per Net Hectare
Maximum Fee*	\$89,865	Per Application
Minor Revisions to Site Plans**	\$1,436	Per Application
<p><i>Note: All lands associated with a specific application shall be contiguous.</i></p> <p><i>Note: For residential mixed use developments, non-residential fees apply to the gross floor area of the non-residential use.</i></p> <p><i>*Excluding sign deposit fees sign deposits and resubmission fees as outlined in Table 11.</i></p> <p><i>** At the discretion of the Director of Development Services and Design.</i></p>		

8. Committee of Adjustment	Fee
----------------------------	-----

Residential and Institutional Minor Variance Applications	\$720	Per Application
All Other Minor Variance Applications	\$2,920	Per Application
Applications Re-Circulated Pursuant to A Request by The Applicant to Defer an Application	\$263 + \$5.00	Per Notice
Consent Application	\$4,519	Per Application
Consent Certificate	\$2,127	Per Certificate
Replacement Notice Sign	\$75	Per Sign
Committee of Adjustment Application Refunds: <ul style="list-style-type: none"> • \$400 refund if withdrawn prior to internal circulation (By-law 231-2007). • \$300 refund if withdrawn prior to circulation of public notice of a hearing (By-law 231-2007). • No refund if withdrawn once the circulation of the public notice of a hearing has occurred (By-law 231-2007). 		

10. Removal of Part Lot Control	Fee	
Per application, per registered plan of subdivision, for the creation of lots or blocks, plus \$242 for each lot or block being created;	\$3,051	Per Application
Creation of Maintenance Easements	\$3,051	Per Application, Per Registered Plan of Subdivision
Applications Re-Circulated Pursuant to A Request by The Applicant to Defer an Application	\$1,686	Per Notice
For existing land leases involving a single dwelling unit and requiring an application for exemption	\$242	Per Application

11. Other Fees	Fee	
Proposal Signs	\$1,499	Per Application
Temp Sales Trailers	\$689	Per Application
Ontario Land Tribunal Mailing Labels	\$3.06	Per Label
Resubmissions/Re-circulations of Applications past 3 resubmissions/circulations	\$5,000	Per Application
Resubmission/re-circulation fees apply to the following application types: <ul style="list-style-type: none"> • Official Plan Amendments • Zoning By-law Amendments • Plan of Subdivision and/or Condominium • Site Plan Applications 		

NOTES:

1. Any resubmission by a person other than the original applicant shall be deemed a new application.
2. Except as otherwise provided, the Commissioner of Planning, Building and Growth Management, may, upon written request, authorize a refund of no greater than 50% of an application fee if the application is withdrawn prior to the Public Meeting required by the Planning Act for the application.
3. The fees in Schedule A shall be adjusted annually, effective January 1, in accordance with the rate of increase of the Consumer Price Index-Toronto from the previous year published by Statistics Canada. In the event that a fee is not adjusted by the Consumer Price Index in any year, the cumulative adjustment for the past years may be made in future years.

Date: 2023-11-24

Subject: **Development Application Fee Review – Update (RM 37/2023)**

Contact: Michael Kralt, Strategic Leader, Project Management, Planning Building and Growth Management

Report Number: Planning, Bld & Growth Mgt-2023-981

Recommendations:

1. That the report from Michael Kralt, Strategic Leader, Project Management, Planning Building and Growth Management to the Planning and Development Committee Meeting of December 4, 2023 re: **Development Application Fee Review – Update**, be received;

Overview:

- In 2022, the City completed an Internal Audit of the City's User Fee program including the current user fees for development applications.
- The audit determined that user fees for development applications do not result in full cost-realization, and the City's rates are significantly lower compared to other municipalities, potentially losing \$2.3 million in user fee revenue annually.
- The audit directed staff to evaluate the feasibility of raising development application fees to improve the cost recovery ratio, reduce the burden on Brampton property taxpayers and ensure rates are comparable with neighboring municipalities.
- On May 17, 2023, Council directed staff to explore the issue of capping per unit fees and report back before the end of 2023 in response to the Solmar/Hampton delegation to reduce the Zoning By-law application fee for 241 Queen Street East.
- In July 2023 Staff retained Watson & Associates Economists Ltd. to undertake the Development Fee Review in a two phased approach.

- **This report outlines the results of Phase 1 of the Development Fee Review and includes three Zoning By-law Amendment Application Fee structures for consideration.**
- **Phase 2 of the development fee review will include an assessment of all other in scope application fee types (Spring 2024).**

Background:

In 2022, the City completed an Internal Audit of the City's User Fee program to evaluate the effectiveness of user fees and identify opportunities for improvement. Development Services and Design (DS&D) was one of four divisions audited, and findings indicated that the current user fees for development applications do not recover the costs incurred while processing applications. It also indicated that fees are significantly less when compared to other municipalities and estimated that the City may potentially be losing \$2.3 million in user fee revenue.

The audit report directed staff to evaluate the feasibility of raising the development services user fees so that the rates charged by the City are comparable with neighboring municipalities, to improve the cost recovery ratio and reduce the subsidization of development application reviews by Brampton property taxpayers.

In response to the audit, staff undertook a Development Application Fee Review to create a fee structure that:

- Increases user fee revenue,
- Moves the City towards full cost realization,
- Reduces financial burden on the tax base and;
- Mitigates potential revenue loss resulting from Bill 109, *More Homes for Everyone Act*, 2022 and Bill 23, *More Homes Built Faster Act*, 2023.

On May 17, 2023, Council directed staff to explore the per unit fees component of the Development Application Fee Review and report back in response to the Solmar/Hampton delegation to reduce the Zoning By-law application fee for 241 Queen Street East.

In response to the User Fee Audit and Council direction to explore the per unit fee component of development fees, the City retained Watson & Associates Economists Ltd. to undertake a review of the base fee and per unit fees (as applicable) associated with the following application types:

- Official Plan Amendment
- Zoning Bylaw Amendment
- Temporary Zoning Bylaw Amendment

- Lifting of Holding Provision
- Draft Plan of Subdivision
- Draft Plan of Condo
- Minor Variance
- Consent
- Site Plan
- Pre-Consultations

This report fulfills Council's direction to report back on the issue of capping per unit development fees before the end of 2023. Watson & Associates Economists are undertaking the work in two phases and their respective scope are as follows:

Phase 1 Scope (Complete)

- Examining the full costs to the City – including direct, indirect, and capital costs – of processing select planning applications
- Compile benchmarking data from municipal comparators and compare with the City's planning fees, and;
- Provide recommendations on the capping of fees for Zoning By-law Amendment applications.

Phase 2 Scope (Spring 2024)

- Analyze cost recovery levels supported by current fees and assess the impact of under-recovery on tax base; and
- Recommend fee adjustments and fee structure changes with regard for municipal best practices.

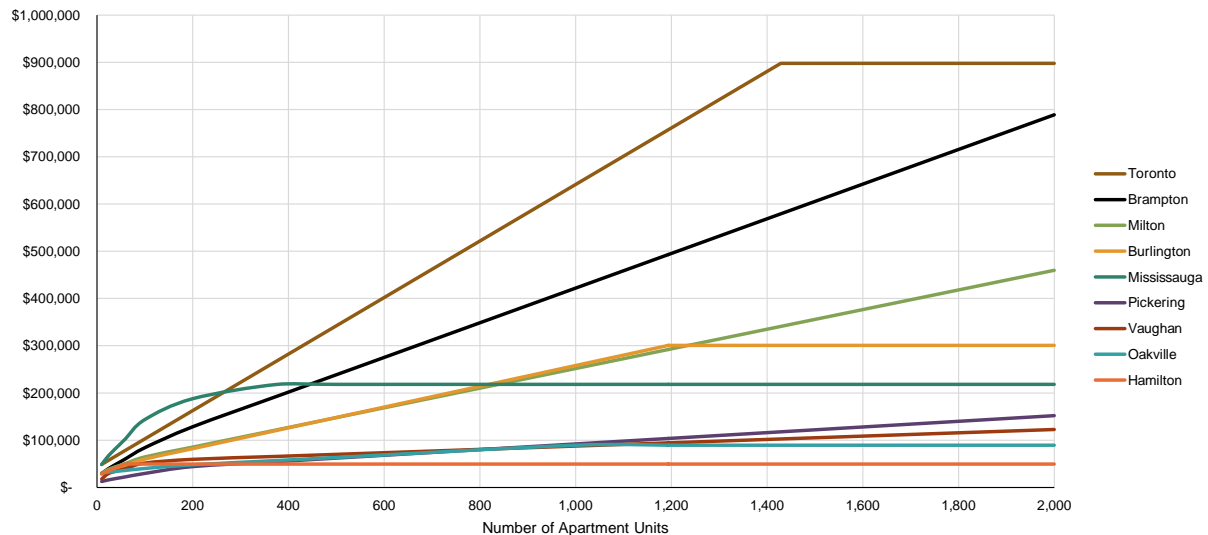
This report outlines the Phase 1 findings and Zoning By-law Fee options for Council's consideration. The complete Phase 1 report from Watson is attached as Attachment 2.

Current Situation:

Benchmarking

Benchmarking of Zoning By-law Application fees was performed to understand how Brampton's current rate structure compares to other GTHA municipalities. This exercise confirmed that with respect to Zoning By-law Application Fees, Brampton is among the highest among comparators (See figure 1). This is largely due to the variable per unit charge that is currently applied to residential applications.

Figure 1: Total Zoning By-law Amendment Application Fees for Residential Apartment Development



Activity Based Costing Exercise

To shift the City's development application fee structure toward full cost recovery as envisioned by the User Fee Audit, an activity-based costing exercise was performed to capture the true cost of processing development applications. Watson worked with staff from multiple departments that participate in the development application review process to understand the level of effort, direct and indirect costs, and capital costs of processing these applications. This costing exercise is important, as the Planning Act requires development fees to be limited to the anticipated costs of processing each application type. Establishing the underlying cost to process an application enables the establishment of fees that are tied to actual costs, ultimately making fees less susceptible to challenge.

In addition to determining the cost by application type, analysis was also undertaken to determine the cost difference between simple/small (Greenfield residential development of approximately 160 units) and complex/large applications (Large multi-story residential apartment with 1,500 units in an infill setting, with ground floor commercial). This allows the City to potentially take a more targeted approach to development application fees, taking into account the effort required to process both simple and complex applications. For Zoning By-Law Amendment applications, it was identified that complex/large applications required approximately 56% more effort than simple/small applications.

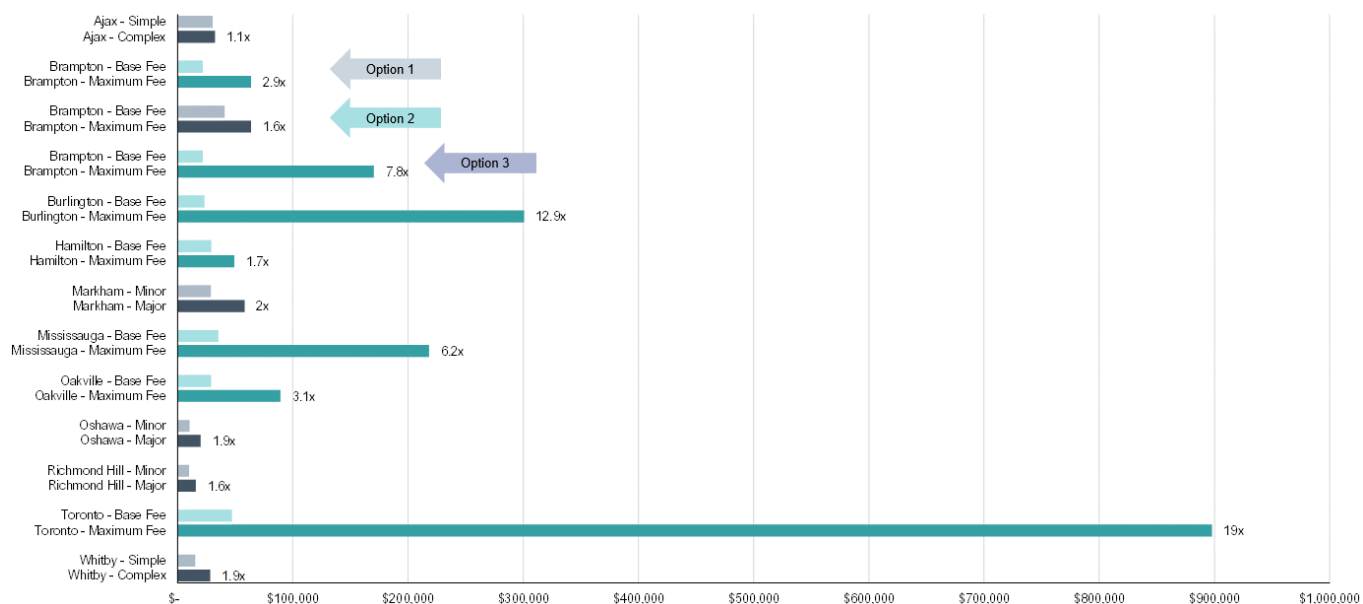
Options

Following the benchmarking and costing analysis, three fee structure options were identified for consideration. The options include:

Option	Fee	Considerations
1. Current Fee Structure with Reduced Maximum Fee	Base Fee: \$21,922 Residential Variable Fee: \$367 to \$1,500 per unit depending on application type & number of units. Non-Residential Variable Fee: \$15,045 per net hectare Max Fee: \$63,796.	<ul style="list-style-type: none"> • Maintains existing per unit fee structure but includes a max fee. • Option does not provide full cost recovery and little variability.
2. Flat Fees by Application Type	Simple/Minor: \$40,858 Complex/Major: \$63,796	<ul style="list-style-type: none"> • Simplest option • Option most closely reflects results from costing analysis. • Complexity (not unit count) is largest driver of cost.
3. Simplified Rate Structure and Reduced Maximum Fee	Base Fee: \$21,992 Residential Variable Fee: \$114 per unit Non-Residential Variable Fee: \$2,887 per net hectare Max Fee: \$170,269	<ul style="list-style-type: none"> • Under recovery occurs for applications with ≤ 167 residential units or ≤ 6.56 net hectares of non-residential development • Over recovery occurs at 1,302 residential units or 51.38 net hectares if non-residential development. • Maximum fee is higher because revenues from larger applications make up under-recovery on smaller applications.

The chart below depicts how the three Zoning By-law Amendment Fee options compares with municipal benchmarks.

Figure 2: Zoning By-law Amendment Application Fees – Minimums and Maximums



Corporate Implications:

Financial Implications:

There are no direct financial implications associated with this report. Staff will report back to Council in Spring 2024 with a comprehensive list of application fees and the recommended fee adjustments for all in-scope applications for Council approval.

Other Implications:

Legal Implications – The City has received two appeals on development application fees in 2023. When completed, the development fee work outlined in this report ensures that development fees will be defensible and less susceptible to challenges in the future.

Strategic Focus Area:

This report focuses on the Strategic Focus Area of Government & Leadership, ensuring that service costs are understood, and appropriate fee structures are put in place to move the development application review process toward full cost recovery and less reliance on tax-based funding.

Conclusion:

This report provides a summary of Phase 1 of the Development Application Fee Review. It fulfills Council direction to investigate the reduction of Zoning By-law

Application Fees and report back before the end of 2023, and includes three Zoning By-Law Amendment Application fee structure options for consideration.

Completion of Phase 2 of the Development Application Fee Review in spring 2024 will complete the response to the User Fee Audit with respect to Development Fees. This review will include the full cost of processing the remaining application types within the scope of the project and recommended fee adjustments. Phase 2 will further analyze and will also take into consideration:

- Any potential efficiencies that may result from concurrent processing Zoning By-law Amendment, Official Plan Amendment or Draft Plan of Subdivisions.
- Impacts of an enhanced two-stage pre-consultation process, which was approved by Council but appealed to the Ontario Land Tribunal (OLT), to mitigate possible costs associated with Bill 109 timeline requirements.

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Approved by:

Steve Ganesh, Commissioner,
Planning, Building & Growth
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Approved by:

Marlon Kallideen, Chief Administrative
Officer

Attachments:

- Attachment 1 – Planning Application Fees Review – Presentation
- Attachment 2 – Brampton Planning Application Fees Review – Phase 1 Report

Memorandum

To	Steve Ganesh, Commissioner of Planning, Building & Growth Management
From	Peter Simcisko, Managing Partner
Date	November 24, 2023
Re:	City of Brampton Development Application Fees Review – Phase 1 Report

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Courier ☐

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Email ☒

1. Introduction

The City of Brampton (City) retained Watson & Associates Economists Ltd. (Watson) to undertake a review of the City's development application fees, and to make recommendations to provide for reasonable full cost recovery. The review is being undertaken in two phases, with the scope of each phase summarized below.

Phase 1

- Examine the full costs to the City—including direct, indirect, and capital costs—of processing select planning applications;
- Compile benchmarking data from municipal comparators and compare with the City's planning fees; and
- Provide recommendations on the capping of fees for Zoning By-law Amendment applications.

Phase 2

- Analyze cost recovery levels supported by current fees and assess the impact of under-recovery on tax base; and
- Recommend fee adjustments and fee structure changes with regard for municipal best practices.

The specific development applications that are included in the scope of this review include the following:

- Official Plan Amendment applications;
- Zoning By-law Amendment applications, including Temporary use By-law and the Lifting of a Holding provision applications;
- Draft Plan of Subdivision applications;
- Draft Plan of Condominium applications;



- Site Plan applications;
- Pre-Consultation applications;
- Minor Variance applications; and
- Consent applications.

This memorandum details the work completed as part of Phase 1 of the assignment, and ultimately presents several options related to the fee structure and capping of fees in respect of Zoning By-law Amendment applications.

2. Legislative Context for Planning Application Fees

The context for the scope of this planning application fees review is framed by the statutory authority available to the City to recover the costs of service. The statutory authority that must be considered is the *Planning Act* which governs the imposition of fees for recovery of the anticipated costs of processing planning applications. The following summarizes the provisions of the statute as they pertain to fees.

2.1 Planning Act, 1990

Section 69 of the *Planning Act* allows municipalities to impose fees through by-law for the purposes of processing planning applications. In determining the associated fees, the Act requires that:

“The council of a municipality, by by-law, and a planning board, by resolution, may establish a tariff of fees for the processing of applications made in respect of planning matters, which tariff shall be designed to meet only the anticipated cost to the municipality or to a committee of adjustment or land division committee constituted by the council of the municipality or to the planning board in respect of the processing of each type of application provided for in the tariff.”

Section 69 establishes many cost recovery requirements that municipalities must consider when undertaking a full cost recovery fee design study. The Act specifies that municipalities may impose fees through by-law and that the anticipated costs of such fees must be cost justified by application type as defined in the tariff of fees (e.g. subdivision, zoning by-law amendment, etc.). Given the cost justification requirements by application type, this would suggest that cross-subsidization of planning fee revenues across application types is not permissible. For instance, if site plan application fees were set at levels below full cost recovery for policy purposes, this discount could not be funded by subdivision application fees set at levels higher than full cost recovery. Our interpretation of section 69 is that any fee discount must be funded from other general revenue sources such as property taxes. In comparison to the cost justification requirements of the *Building Code Act*, where the justification point is set at the aggregate level of the Act, the requirements of the *Planning Act* are more stringent in this regard.



The legislation further indicates that the fees may be designed to recover the “anticipated cost” of processing each type of application, reflecting the estimated costs of processing activities for an application type. This reference to anticipated costs represents a further costing requirement for a municipality. It is noted that the statutory requirement is not the actual processing costs related to any one specific application. As such, actual time docketing of staff processing effort against application categories or specific applications does not appear to be a requirement of the Act for compliance purposes. As such, our methodology, which is based on staff estimates of application processing effort, meets the requirements of the Act and is in our opinion a reasonable approach in determining anticipated costs.

The Act does not specifically define the scope of eligible processing activities and there are no explicit restrictions to direct costs as previously witnessed in other statutes. Moreover, amendments to the fee provisions of the *Municipal Act* and the *Building Code Act* have provided for broader recognition of indirect costs. Acknowledging that staff effort from multiple departments is involved in processing planning applications, it is our opinion that such fees may include direct costs, capital-related costs, support function costs directly related to the service provided, and general corporate overhead costs apportioned to the service provided.

The payment of *Planning Act* fees can be made under protest with appeal to the Ontario Land Tribunal (OLT), previously known as the Ontario Municipal Board, if the applicant believes the fees were inappropriately charged or are unreasonable. The OLT will hear such an appeal and determine if the appeal should be dismissed or direct the municipality to refund payment in such amount as determined. These provisions confirm that fees imposed under the *Planning Act* are always susceptible to appeal. Unlike other fees and charges (e.g. development charges) there is no legislated appeal period related to the timing of by-law passage, mandatory review period, or public process requirements.

3. Activity-Based Costing

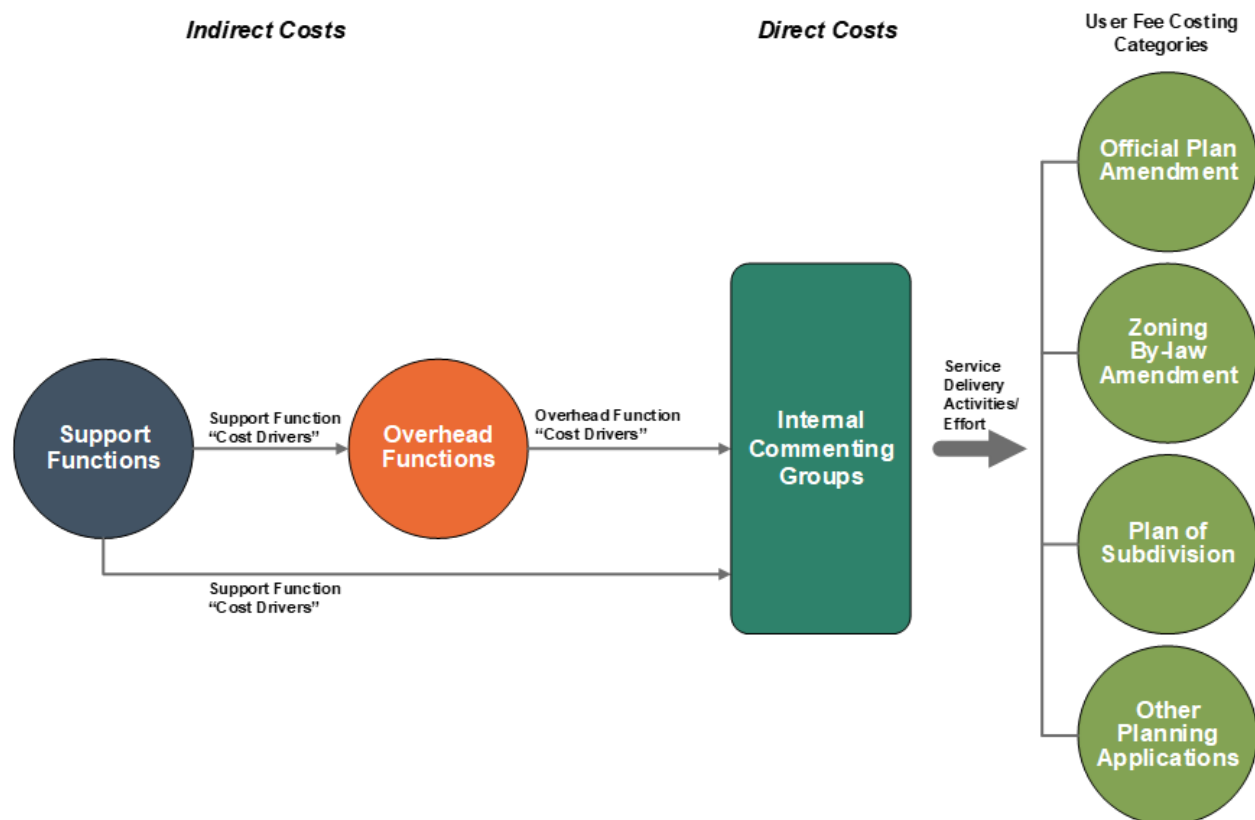
3.1 Methodology

An activity-based costing (A.B.C.) methodology, as it pertains to municipal governments, assigns an organization's resource costs through activities to the services provided to the public. One of the service channels provided by municipalities is the planning application review process. Conventional municipal accounting structures are typically not well suited to the costing challenges associated with planning application processing activities, as these accounting structures are business unit focused and thereby inadequate for fully costing services with involvement from multiple business units. An A.B.C. approach better identifies the costs associated with the processing activities for specific application types and thus is an ideal method for determining full cost recovery planning application fees.



As illustrated in Figure 1, an A.B.C. methodology attributes processing effort and associated costs from all participating municipal business units to the appropriate planning application service categories. The resource costs attributed to processing activities and application categories include direct operating costs, indirect support costs, and capital costs. Indirect support function and corporate overhead costs are allocated to direct business units according to operational cost drivers (e.g., human resource costs allocated based on the relative share of full-time equivalent positions). Once support costs have been allocated amongst direct business units, the accumulated costs (i.e., indirect, direct, and capital costs) are then distributed across the various planning application service categories and other non-planning services offered by the City, based on the business unit's direct involvement in planning application review process activities. The assessment of each business unit's direct involvement in planning application review process activities is accomplished by tracking the relative shares of staff processing effort across each planning application category's sequence of process steps. The results of employing this costing methodology provide municipalities with a better recognition of the costs incurred in delivering planning review processes, as it acknowledges not only the direct costs of resources deployed but also the operating and capital support required by those resources to provide services.

Figure 1
Activity-Based Costing Conceptual Cost Flow Diagram





3.2 Application Processing Effort Cost Allocation

To capture each participating City staff member's relative level of effort in processing planning applications, process map templates were prepared for each of the costing categories identified in Section 1. These process map templates outline the process steps undertaken for each planning application costing category. These process maps were developed based on the City's existing processes as documented in the City's standard operating procedures and in the "Future State Report - Committee of Adjustment End-to-End Process Review" prepared by Dillon Consulting in partnership with Performance Concepts Consulting Inc. The process templates were subsequently reviewed and refined through several workshops with City staff from the Development Services group.

Following the development of the process maps, over a dozen workshops were held with each City business unit that contained staff who are directly involved in the processing of planning applications. Through these workshops, initial time effort estimates were developed.

The effort estimates received were applied against average annual application volumes to assess the average annual processing time per position spent on each planning application category. Annual processing effort per staff position was measured against available processing capacity to determine overall service levels. The results of the initial capacity analysis were reviewed with City staff. Effort estimates were subsequently refined to better reflect current staff utilization levels and to ensure reasonableness of the capacity utilization results. These refinements provided for the recognition of efforts within the planning application review processes ancillary to direct processing tasks, i.e., application oversight activities by departmental management. It is noted that the effort estimates captured through this exercise are reflective of the City's current processing activities and current application characteristics.

3.3 Direct Costs

The following City business units are directly involved in processing the development applications included in the review:

- | | |
|---|---|
| • Development Services | • Policy, Programs & Implementation |
| • Urban Design | • Transportation Planning |
| • Planning, Building & Growth Management Special Projects | • Roads Maintenance, Operations & Fleet |
| • Plans & Permits | • Capital Works |
| • Zoning & Sign By-law | • Transit Development |
| • Standards & Training | • City Clerk's Office |
| • Development Engineering | • Litigation and Municipal Law |
| • Environment | |



- Digital Innovation and IT
- Finance
- Parks Maintenance & Forestry
- Office of the CAO

Based on the results of the resource capacity analysis, the proportionate share of each position's direct costs was allocated to the respective planning application categories. The City's 2023 Operating Budget was used to generate the direct cost allocations within the model, including cost components such as:

- Advertising, Marketing & Promotion;
- Contracted Services;
- Financial Services;
- Office and Administrative;
- Professional Services;
- Rent and Lease Charges;
- Repairs, Maintenance and Materials;
- Salary, Wages and Benefits;
- Staff Development; and
- Utilities and Fuel

3.4 Indirect Costs

An A.B.C. review includes not only the direct cost of providing service activities but also the indirect support costs that allow direct service business units to perform these functions. The method of allocation employed in this analysis is referred to as a step costing approach. Under this approach, support function and general corporate overhead functions are classified separate from direct service delivery departments. These indirect cost functions are then allocated to direct service delivery departments based on a set of cost drivers, which subsequently flow to the costing categories according to staff effort estimates.

Cost drivers are units of service that best represent the consumption patterns of indirect support and corporate overhead services by direct service delivery departments or business units. As such, the relative share of a cost driver (unit of service consumed) for a direct department determines the relative share of support/corporate overhead costs attributed to that direct service department. An example of a cost driver commonly used to allocate human resource support costs would be a department or business unit's share of full-time equivalent positions. Cost drivers are used for allocation purposes acknowledging that these business units do not typically participate directly in the delivery of services, but that their efforts facilitate services being provided by the City's direct business units.

Table 1 summarizes the support and corporate overhead functions included in the calculations and the cost drivers assigned to each function for cost allocation purposes. The indirect support and corporate overhead cost drivers used in the fees model reflect generally accepted practices within the municipal sector.



Table 1
Indirect Support and Corporate Overhead Functions and Cost Drivers

Sub-branch Cost Centres	Cost Driver(s)
Service Brampton	Budget
Corporate Support Services	Budget
Finance	Budget Operating Distribution Lines Processed
Organizational Performance & EDI	Budget
Strategic Communications	Budget
City Clerk's Office	Budget
Insurance & Risk Management	Budget
Legal Services	Budget
Mayor	Budget
Council Costs Other	Budget
Members of Council	Budget
Office of the CAO	Budget
Human Resources	Full-time Equivalents
Information Technology	Full-time Equivalents
Facilities Maintenance	Gross Floor Area Occupied
Facilities Services & Operations	Gross Floor Area Occupied
Transit Operations	Gross Floor Area Occupied
Fleet Services	Vehicle Replacement Cost

3.5 Capital Costs

Estimated annual lifecycle costs of assets commonly utilized to provide direct business unit services have been included in the full cost assessment. The annual lifecycle costs were estimated based on the replacement cost of the assets and estimated asset useful life or annual reinvestment rate suggested in the Canadian Infrastructure Report Card¹. These lifecycle costs are then allocated across all development application categories based on the capacity utilization of direct business units.

Annual lifecycle capital costs for the following types of assets were calculated:

- City Hall facility space utilized: Based on the gross floor area (G.F.A.) occupied by the business unit at a replacement value of \$410 per square foot and annual reinvestment rate of 2.1%;
- Flower City Community Campus Site 1 facility space utilized: Based on the G.F.A. occupied by the business unit at a replacement value of \$373 per square foot and annual reinvestment rate of 2.1%;

¹ Informing the Future: The Canadian Infrastructure Report Card, 2016
(https://www.pppcouncil.ca/web/pdf/infra_report_card_2016.pdf)



- Flower City Community Campus Site 2 facility space utilized: Based on the G.F.A. occupied by the business unit at a replacement value of \$419 per square foot and annual reinvestment rate of 2.1%;
- Clark Transit facility space utilized: Based on the G.F.A. occupied by the business unit at a replacement value of \$315 per square foot and annual reinvestment rate of 2.1%;
- Sandalwood Transit facility space utilized: Based on the G.F.A. occupied by the business unit at a replacement value of \$275 per square foot and annual reinvestment rate of 2.1%;
- Williams Parkway Operations Centre facility space utilized: Based on the G.F.A. occupied by the business unit at a replacement value of \$477 per square foot and annual reinvestment rate of 2.1%;
- West Tower facility space utilized: Based on the G.F.A. occupied by the business unit at a replacement value of \$410 per square foot and annual reinvestment rate of 2.1%; and
- Vehicles utilized: Based on the replacement values of vehicles attributable to each business unit and a useful life of nine years.

4. Zoning By-law Amendment Applications

4.1 Effort Variability

One of the key aspects of Phase 1 of this review was an examination of the level of variability in processing effort related to Zoning By-law Amendment applications. To evaluate this, processing effort estimates were developed for two types of Zoning By-law Amendment applications: a simple/small-scale and a complex/large-scale application. The simple/small-scale application represents the simplest type of application that the City would expect to receive and represents the minimum level of effort that would be associated with processing a Zoning By-law Amendment application. Conversely, the complex/large-scale type represents the maximum level of effort that would be associated with processing a Zoning By-law Amendment application. Based on discussions with City staff, for the purposes of processing effort estimation these two types of Zoning By-law Amendment applications were defined using the following characteristics:

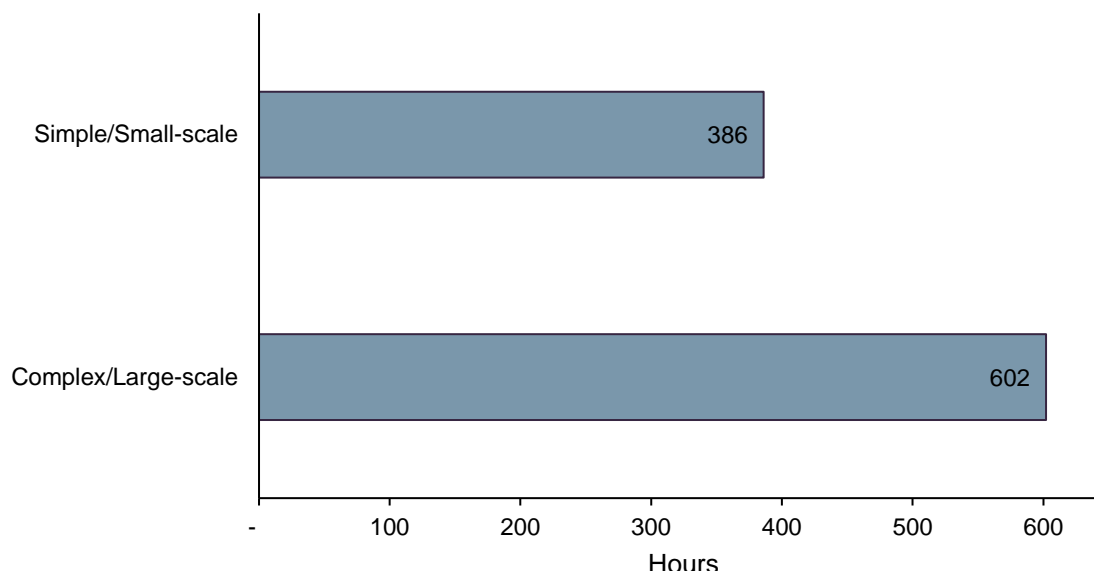
- Simple/Small-scale: Greenfield residential development of approximately 160 units; and
- Complex/Large-scale: Large, multi-storey residential apartment with approximately 1,500 units in an infill setting, with ground floor commercial development.

The results of the effort estimation exercise for the two types of Zoning By-law Amendment applications are summarized in Figure 2. As illustrated, the complex



applications require approximately 56% more processing effort than their simple counterparts.

Figure 2
Zoning By-law Amendment Application Processing Effort Variability



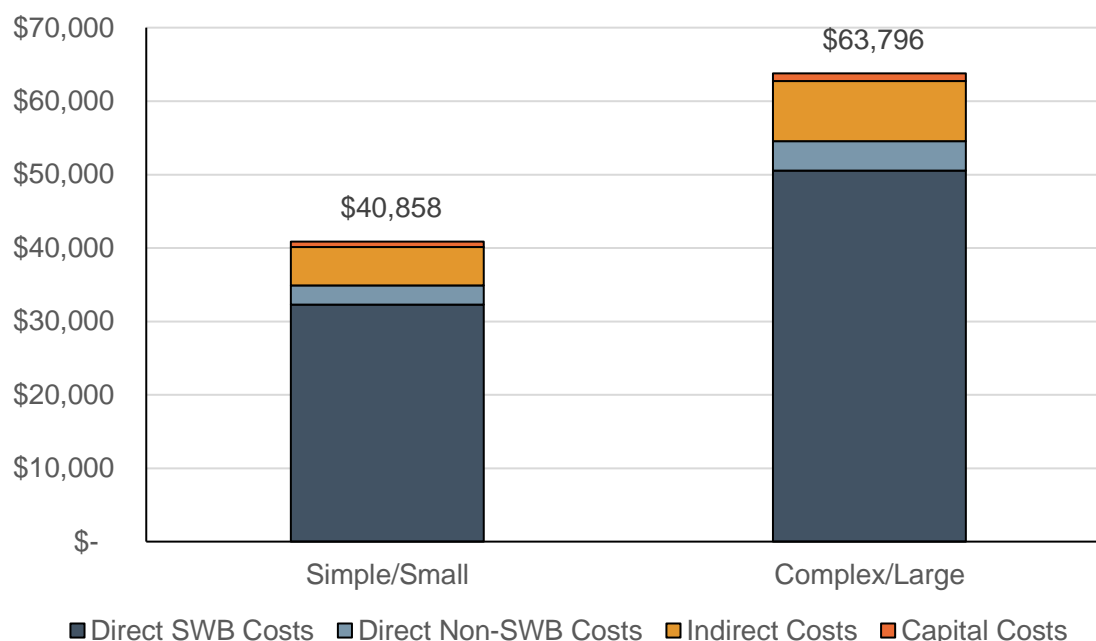
4.2 Costing Results

The results of the costing exercise are presented in Figure 3. As depicted, the full cost of processing a simple/small-scale Zoning By-law Amendment application is approximately \$40,900. The full cost of processing a complex/large-scale Zoning By-law Amendment application is approximately \$63,800. Consistent with the processing effort variation presented in section 4.1, the full cost of processing complex applications is approximately 56% greater than that of simple applications. The relative share of total costs for each cost component is as follows:

- Direct salary, wage, and benefits (S.W.B.) costs: 79%
- Direct non-S.W.B. costs: 6%
- Indirect costs: 13%
- Capital costs: 2%



Figure 3
Zoning By-law Amendment Full Processing Costs by Type



4.3 Municipal Benchmarking

As part of this review, a benchmarking exercise was completed to provide context of the City's current and proposed development application fees (including per unit fees, GFA fees and cap fees) compared to other municipalities. The benchmarking exercise included single/lower tier municipalities throughout the Greater Toronto and Hamilton Area with a population of approximately 100,000 or more¹. The results of this survey as it relates to Zoning By-law Amendment application fees are presented in Table 2 and are summarized below:

- Five municipalities (38% of those surveyed) impose a flat fee, differentiated by simple/complex or major/minor;
- Seven municipalities (54% of those surveyed) impose a base fee plus a variable fee;
- One municipality imposes a flat fee for simple applications, and a base plus variable fee for all other applications; and
- Of the eight municipalities that impose a variable fee, five impose a cap (maximum fee payable).

¹ The survey currently does not include the Municipality of Clarington.



Table 2
Fee Structures Utilized for Zoning By-law Amendment Applications

Municipality	Flat Fee - Simple/Complex or Minor/Major	Base fee + variable fee	Maximum
Ajax	x		
Burlington		x ^D	x
Hamilton		x	x
Markham	x		
Milton		x	
Mississauga		x	x
Oakville		x	x ^A
Oshawa	x		
Pickering	x ^B	x ^C	
Richmond Hill	x		
Toronto		x	x
Vaughan		x	
Whitby	x		

^A Maximum is only imposed on residential units.

^B Pickering imposes a flat fee on "simple" zoning by-law amendment applications.

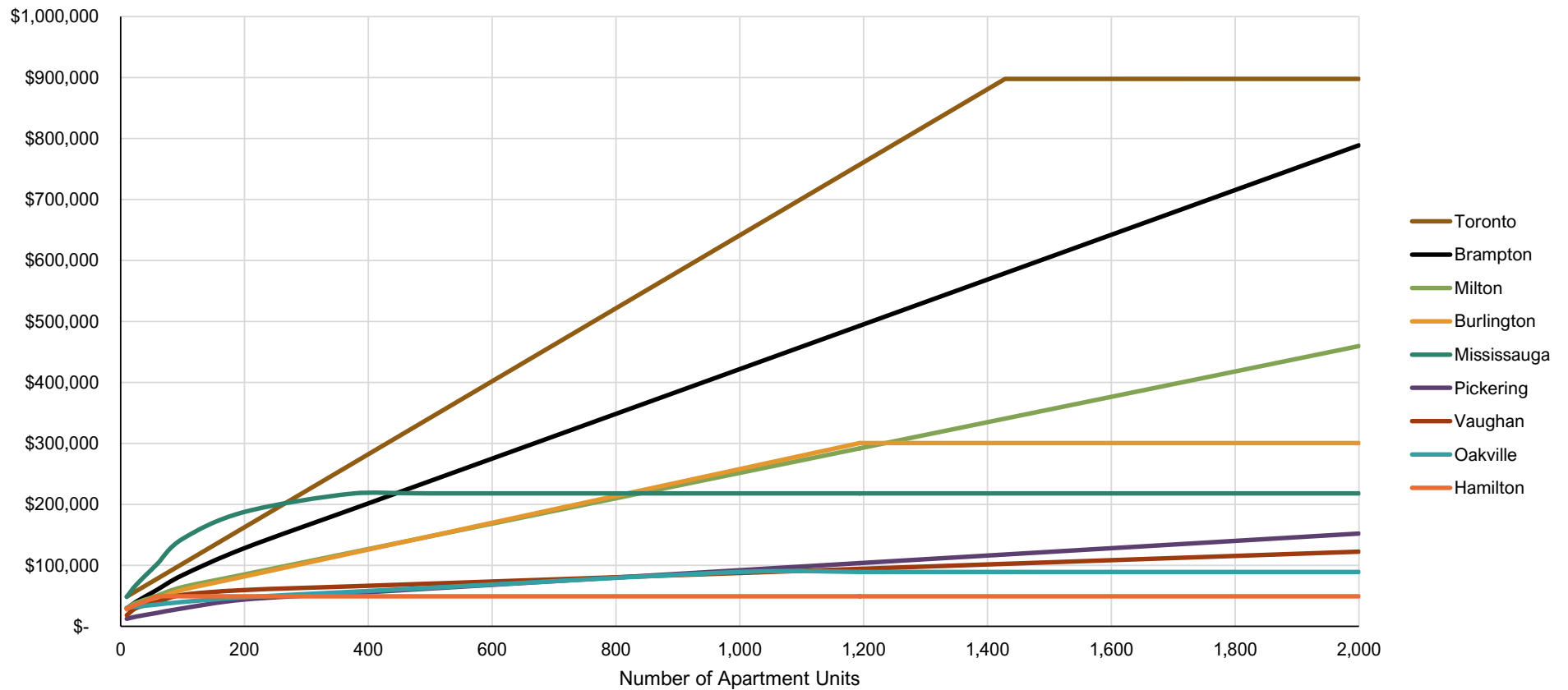
^C Pickering imposes a base fee in combination with a variable fee on "complex" zoning by-law amendment applications.

^D Burlington imposes different base fees and variable fees depending on the complexity of the ZBA application

Figure 4 presents the total Zoning By-law Amendment application fees for residential apartment developments of varying size, in all surveyed municipalities that impose application fees with a variable component. Based on the current fee structure and quantum, the City would be among the top two or three of the surveyed municipalities, depending on the number of apartment units. This is a result of both the relatively high variable (per unit) fees and due to the relatively high maximum fee the City currently imposes, as only the City of Toronto has a higher maximum fee.



Figure 4
Total Zoning By-law Amendment Application Fees for Residential Apartment Development





4.4 Fee Structure Recommendations

As previously identified, the key output resulting from Phase 1 of the work plan is regarding the potential capping of fees related to Zoning By-law Amendment applications. To this end, three fee structure options have been prepared for the City's consideration, as detailed below.

Option 1: Current Fee Structure with Reduced Maximum Fee

The first option was designed to maintain the City's existing fee quantum and structure while reducing the maximum fee charged.

Option 2: Flat Fee Structure Differentiated by Application Complexity

The second option provides an alternative fee structure, with flat fees imposed based on application complexity.

Based on discussions with the City's staff, it was identified that the size of a development (as measured by the number of residential units or net hectares of non-residential development) is not a good indicator of the effort required to process a Zoning By-law Amendment application. A more significant driver of effort was noted to be application complexity, which is mainly influenced by factors including location (greenfield vs. infill), presence of mixed uses, etc.

It is noted that in order for the City to implement this option, definitions would need to be developed to clearly distinguish between Simple and Complex applications.

Option 3: Simplified Fee Structure with Reduced Maximum Fee

The third option provides a simplified version of City's current fee structure. This option maintains the City's existing base fee and replaces the declining per unit fee with a constant per unit fee. Additionally, the non-residential variable fee and maximum fee would both be reduced from current levels.

Table 3 presents the recommended fees for each of the three options identified above, with additional commentary provided below.

Under Option 1, the maximum fee of \$63,796 would be reached by applications that consisted of 65 apartment units, 28 non-apartment units, or 2.77 net hectares of non-residential development. It is noted that under Option 1, full cost recovery would not be achieved on applications consisting of less than or equal to 26 apartment units, 12 non-apartment units, or 1.25 net hectares of non-residential development.

The fees presented under Option 2 would provide for full cost recovery aligned with processing effort intensity by application complexity.



Under Option 3, the maximum fee of \$170,269 would be reached by applications that consisted of 1,302 residential units or 51.38 net hectares of non-residential development. Full cost recovery would not be achieved on applications consisting of less than or equal to 167 residential units or 6.56 net hectares of non-residential development, however, this under-recovery of costs would be compensated by applications with higher unit counts and/or larger amount of non-residential development.

Table 3
Zoning By-law Amendment Application Fee Options

Option	Fee	Maximum Fee
Option 1: Current Fee Structure with Reduced Maximum Fee	Base: \$21,922	\$ 63,796
	Per Apartment Units:	
	1-25: \$ 730	
	26-100: \$ 584	
	101-201: \$ 443	
	200+: \$ 367	
	Per Other Unit: \$ 1,500	
Option 2: Flat Fee Structure Differentiated by Application	Per net Ha: \$15,045	
	Simple: \$40,858	
	Complex: \$63,796	
Option 3: Simplified Fee Structure with Reduced Maximum Fee	Base: \$21,922	\$ 170,269
	Per Unit: \$ 114	
	Per net Ha: \$ 2,887	

Figure 5 presents the ratio of minimum and maximum Zoning By-law Amendment application fees for the three recommended options as well as for municipalities from the benchmarking survey that impose a maximum fee or charge a flat fee differentiated by application type. The bars in the teal colours represent the municipalities that impose a base plus variable fee structure and have a maximum fee, while the bars in blue represent flat fees that are charged based on application type. In either case, the maximum/larger fee is compared to the base/smaller fee and the calculated multiple is highlighted.

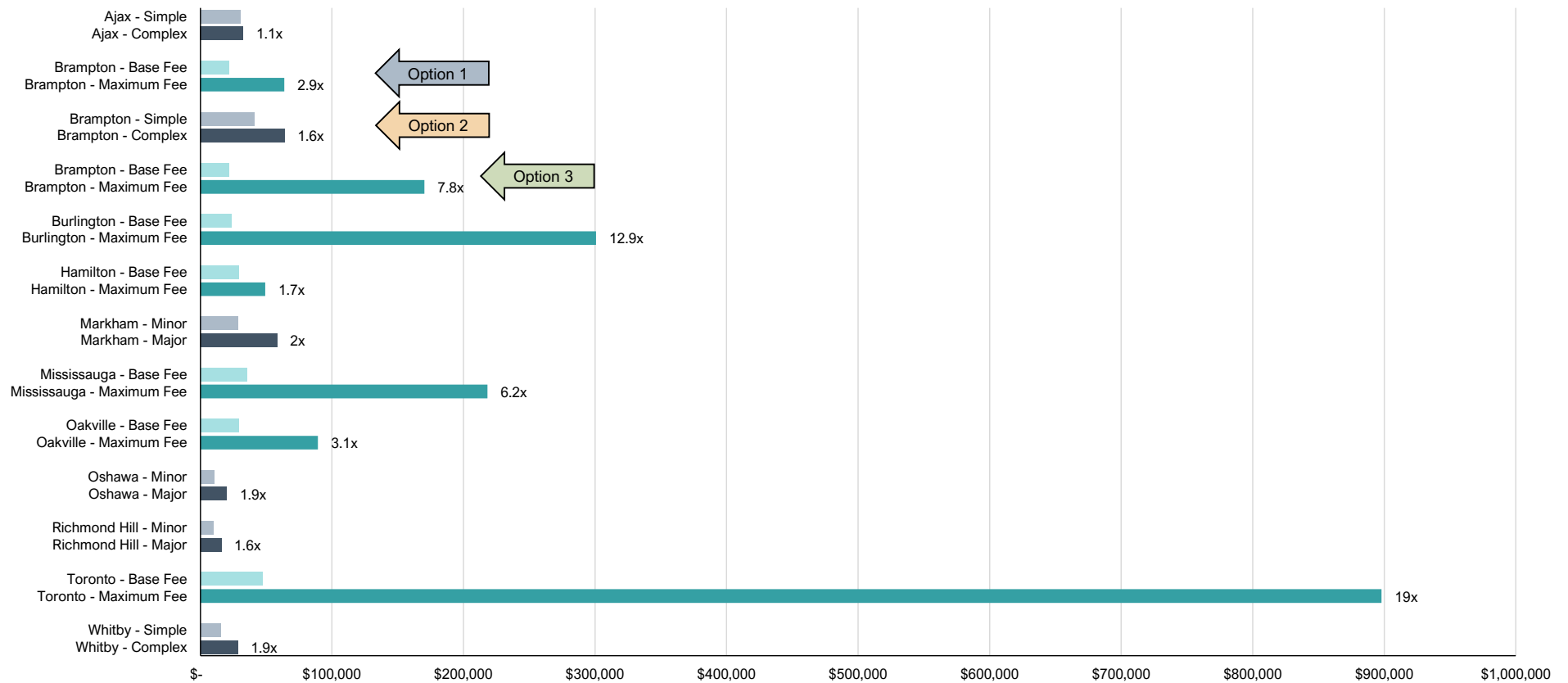
Implementing either Option 1 or Option 2 would result in a maximum-to-minimum ratio of 2.9 and 1.6, respectively. Either option would result in the City's fee structure aligning with the median multiple of 2.0 witnessed amongst the municipalities included in the survey. Implementing Option 3 would increase the maximum-to-minimum ratio of



7.8, which would still be below the multiples witnessed in the City of Burlington (12.9) and the City of Toronto (19.0).



Figure 5
Zoning By-law Amendment Application Fee Minimums & Maximums





5. Next Steps

Phase 2 of the assignment includes reviewing the full cost of processing all planning applications within the scope of this review (as identified in Chapter 1). Based upon this assessment, recommended fee adjustments for all aforementioned planning applications will be made.

This forthcoming review will examine several additional items that may impact the cost of processing Zoning By-law Amendment applications identified herein, including:

- Any potential processing efficiencies that may result from processing Zoning By-law Amendment, Official Plan Amendment, or Draft Plan of Subdivision applications concurrently; and
- The impacts of the enhanced two-stage pre-consultation process that was recently implemented by the City.

It is currently anticipated that Phase 2 will be completed in the first quarter of 2024, with a final report and presentation to Council occurring in March 2024.



Development Application Fees Review Study – Phase 2

City of Brampton

April 9, 2024

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Chapter 1

Introduction



1. Introduction

1.1 Background

Municipalities have periodically undertaken updates to their development application fees in order to address changes in development cycles, application characteristics, and cost recovery levels with the intent of continuing to improve fee structures so that they more accurately reflect processing efforts. The City of Brampton (City) retained Watson & Associates Economists Ltd. (Watson) to undertake a review for a selection of the City's development application fees, and to make recommendations to provide for reasonable full cost recovery. The review was undertaken in two phases, with the scope of each phase summarized below.

Phase 1

- Examine the full costs to the City—including direct, indirect, and capital costs—of processing select planning applications;
- Compile benchmarking data from municipal comparators and compare with the City's planning fees; and
- Provide recommendations on the capping of fees for Zoning By-law Amendment applications.

Phase 2

- Analyze cost recovery levels supported by current fees and assess the impact of under-recovery on tax base; and
- Recommend fee adjustments and fee structure changes with regard for municipal best practices.

A Technical Memorandum detailing Phase 1 of the assignment (Phase 1 Memo) was provided to the City on November 24, 2023. This technical report details the work completed as part of Phase 2 of the assignment and provides: a summary of the legislative context for the fees review, a detailed description of the methodology utilized to assess the full costs of service, and the financial implications of moving towards full cost recovery and the associated fee schedules.



1.2 Legislative Context for Development Application Fees Review

The context for the scope of this development application fees review is framed by the statutory authority available to the City to recover the costs of service. The statutory authority that must be considered is the *Planning Act* which governs the imposition of fees for recovery of the anticipated costs of processing planning applications. The following summarizes the provisions of this statute as it pertains to fees.

1.2.1 *Planning Act, 1990*

Section 69 of the *Planning Act* allows municipalities to impose fees through by-law for the purposes of processing planning applications. In determining the associated fees, the Act requires that:

“The council of a municipality, by by-law, and a planning board, by resolution, may establish a tariff of fees for the processing of applications made in respect of planning matters, which tariff shall be designed to meet only the anticipated cost to the municipality or to a committee of adjustment or land division committee constituted by the council of the municipality or to the planning board in respect of the processing of each type of application provided for in the tariff.”

Section 69 establishes many cost recovery requirements that municipalities must consider when undertaking a full cost recovery fee design study. The Act specifies that municipalities may impose fees through by-law and that the anticipated costs of such fees must be cost justified by application type as defined in the tariff of fees (e.g. subdivision, zoning by-law amendment, etc.). Given the cost justification requirements by application type, this would suggest that cross-subsidization of planning fee revenues across application types is not permissible. For instance, if site plan application fees were set at levels below full cost recovery for policy purposes, this discount could not be funded by subdivision application fees set at levels higher than full cost recovery. Our interpretation of section 69 is that any fee discount must be funded from other general revenue sources such as property taxes. In comparison to the cost justification requirements of the *Building Code Act*, where the justification point is set at the aggregate level of the Act, the requirements of the *Planning Act* are more stringent in this regard.



The legislation further indicates that the fees may be designed to recover the “anticipated cost” of processing each type of application, reflecting the estimated costs of processing activities for an application type. This reference to anticipated costs represents a further costing requirement for a municipality. It is noted that the statutory requirement is not the actual processing costs related to any one specific application. As such, actual time docketing of staff processing effort against application categories or specific applications does not appear to be a requirement of the Act for compliance purposes. As such, our methodology, which is based on staff estimates of application processing effort, meets the requirements of the Act and is in our opinion a reasonable approach in determining anticipated costs.

The Act does not specifically define the scope of eligible processing activities and there are no explicit restrictions to direct costs as previously witnessed in other statutes. Moreover, amendments to the fee provisions of the *Municipal Act* and the *Building Code Act* have provided for broader recognition of indirect costs. Acknowledging that staff effort from multiple departments is involved in processing planning applications, it is our opinion that such fees may include direct costs, capital-related costs, support function costs directly related to the service provided, and general corporate overhead costs apportioned to the service provided.

The payment of *Planning Act* fees can be made under protest with appeal to the Ontario Land Tribunal (OLT), previously known as the Ontario Municipal Board, if the applicant believes the fees were inappropriately charged or are unreasonable. The OLT will hear such an appeal and determine if the appeal should be dismissed or direct the municipality to refund payment in such amount as determined. These provisions confirm that fees imposed under the *Planning Act* are always susceptible to appeal. Unlike other fees and charges (e.g. development charges) there is no legislated appeal period related to the timing of by-law passage, mandatory review period, or public process requirements.



Chapter 2

Activity-Based Costing



2. Activity-Based Costing

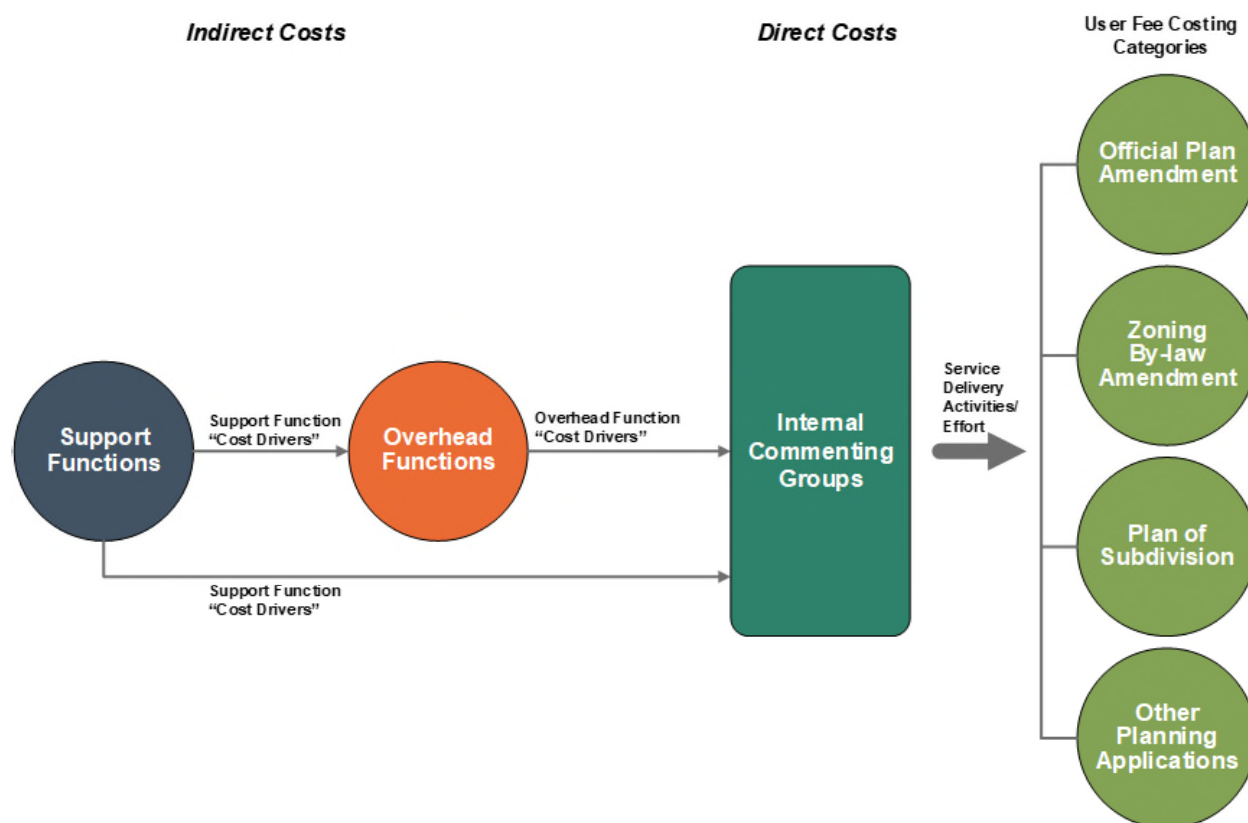
2.1 Methodology

An activity-based costing (A.B.C.) methodology, as it pertains to municipal governments, assigns an organization's resource costs through activities to the services provided to the public. One of the service channels provided by municipalities is the development review process. Conventional municipal accounting structures are typically not well suited to the costing challenges associated with development processing activities, as these accounting structures are business unit focused and thereby inadequate for fully costing services with involvement from multiple business units. An A.B.C. approach better identifies the costs associated with the processing activities for specific application types and thus is an ideal method for determining full cost recovery development application fees.

As illustrated in Figure 2-1, an A.B.C. methodology attributes processing effort and associated costs from all participating municipal business units to the appropriate development application service categories. The resource costs attributed to processing activities and application categories include direct operating costs, indirect support costs, and capital costs. Indirect support function and corporate overhead costs are allocated to direct business units according to operational cost drivers (e.g., information technology costs allocated based on the relative share of departmental personal computers supported). Once support costs have been allocated amongst direct business units, the accumulated costs (i.e., indirect, direct, and capital costs) are then distributed across the various development application service categories and other non-development services offered by the City, based on the business unit's direct involvement in development review process activities. The assessment of each business unit's direct involvement in development review process activities is accomplished by tracking the relative shares of staff processing effort across each development application category's sequence of process steps. The results of employing this costing methodology provide municipalities with a better recognition of the costs incurred in delivering development review processes, as it acknowledges not only the direct costs of resources deployed but also the operating and capital support required by those resources to provide services.



Figure 2-1
Activity-Based Costing Conceptual Cost Flow Diagram



The following sections of this chapter review each component of the A.B.C. methodology as it pertains to the City's development application fees review.

2.2 Application Category Definition

A critical component of the full cost user fees review is the selection of costing categories. This is an important first step as the process design, effort estimation, and subsequent costing is based on these categorization decisions. It is also important from a compliance standpoint where, as noted previously, the *Planning Act* requires user fees to be cost justified by application type consistent with the categorization contained within the City's tariff of fees.

The specific development applications that are included in the scope of this review and modeled in the A.B.C. analysis comprises the following:



- Official Plan Amendment applications;
- Zoning By-law Amendment applications, including Temporary use By-law and the Lifting of a Holding provision applications;
- Draft Plan of Subdivision applications;
- Draft Plan of Condominium applications;
- Site Plan applications;
- Pre-Consultation applications;
- Minor Variance applications; and
- Consent applications.

2.3 Application Processing Effort Cost Allocation

To capture each participating City staff member's relative level of effort in processing development applications, process map templates were prepared for each of the above-referenced costing categories. These process map templates outline the process steps undertaken for an application in each planning application costing category.

The development of the process maps and resulting effort estimates are fully detailed in the Phase 1 Memo and summarized herein. Through discussions with the City's staff, processing effort estimates were documented for each position and refined based on an assessment of average annual processing capacity relative to current staff utilization levels. Additionally, ancillary effort related to the oversight and management of the planning application review process by departmental management were incorporated. The resulting effort estimates were utilized to calculate the final capacity utilization for each costing category.

It is noted that the effort estimates captured through this exercise are reflective of the City's current processing activities and current application characteristics.

2.3.1 *Changes to Planning Application Processes in Response to Bill 109*

On April 14, 2022, the Province gave Royal Assent to Bill 109 (*More Homes for Everyone Act*), which introduced changes to the *Planning Act* that come into force on January 1, 2023. These changes require municipalities to refund some or all of



planning fees collected for select applications (zoning by-law amendment and site plan control) where a decision has not been reached within legislated timelines.

This review captured the processes employed by the City in reviewing planning applications prior to Bill 109. Through discussions with City staff, changes to the processing of affected applications in response to Bill 109 have been considered, but have yet to be implemented. These changes are based on the existing processes and distribute the effort into distinct stages with the introduction of mandatory, phase 2 pre-consultation for the following planning applications:

- Official Plan Amendment;
- Zoning By-law Amendment;
- Temporary Use Zoning By-law Amendment;
- Site Plan Application;
- Draft Plan of Subdivision; and
- Draft Plan of Condominium.

These changes to the processing of applications lead to the reallocation of effort from processing the application to pre-consultation analysis and review, and results in no additional effort being required. Section 3.4.1 examines the reallocation of full costs for the above mentioned planning applications in light of these proposed process changes.

2.3.2 Staff Capacity Utilization at Historical Volumes of Development Applications

The development application review process considered within this assessment involves, to varying degrees, staff from multiple departments across the organization. The development application processing effort estimates were evaluated against the City's current business processes, 2019 to 2022 average application volumes and characteristics, and staffing levels currently in place across City departments. Table 2-1 provides the average annual volume of planning applications by costing category.



Table 2-1
Planning Application Historical Volumes (2019 to 2022)

Costing Category	Historical Average Annual Volume
Pre-consultation	105.3
Official Plan Amendment	18.0
Zoning By-law Amendment (Small Scale)	16.8
Zoning By-law Amendment (Large Scale)	16.8
Temporary Use ZBA	1.5
Lifting of a Holding Provision	1.3
Site Plan (Small Scale)	26.3
Site Plan (Large Scale)	34.0
Draft Plan of Subdivision (Small Scale)	7.1
Draft Plan of Subdivision (Large Scale)	7.1
Draft Plan of Condominium	8.8
Minor Variance	247.0
Consent	27.0

Table 2-2 summarizes the number of full-time equivalent (F.T.E.) positions attributable to development application processes included in this review. In total, development application processing activities considered within the scope of this review consume approximately 82.1 F.T.E. positions annually across the organization. The majority of the staff effort is from:

- Development Services: Approximately 32.7 F.T.E. positions within the department are utilized in the processing of planning applications.
- Environment: Approximately 7.8 F.T.E. positions within the department are utilized in the processing of planning applications.
- Urban Design: Approximately 6.8 F.T.E. positions within the department are utilized in the processing of planning applications.
- Building: Approximately 6.6 F.T.E. positions within the department are utilized in the processing of planning applications.
- Development Engineering: Approximately 6.3 F.T.E. positions within the department are utilized in the processing of planning applications.
- Policy, Programs and Implementation: Approximately 4.9 F.T.E. positions within the department are utilized in the processing of planning applications.



- Public Works & Engineering: Approximately 4.4 F.T.E. positions within the division are utilized in the processing of planning applications.
- City Clerk's Office: Approximately 3.9 F.T.E. positions within the department are utilized in the processing of planning applications.
- Community Services: Approximately 3.6 F.T.E. positions within the division are utilized in the processing of planning applications.

Table 2-2
Development Application F.T.E. Utilization by Business Unit – at Average Annual Activity Volumes

City Business Unit	F.T.E.s Utilized in Processing Planning Applications
Planning, Building & Growth Management - Administration	0.6
Development Services & Design - Administration	0.7
Development Services	32.7
Urban Design	6.8
Building	6.6
Environment & Development Engineering - Administration	0.3
Development Engineering	6.3
Environment	7.8
Integrated City Planning - Administration	0.1
Policy, Programs and Implementation	4.9
Transportation Planning	0.3
Public Works & Engineering	4.4
Transit	0.5
Legislative Services - Administration	0.0
City Clerk's Office	3.9
Litigation and Municipal Law	1.2
Corporate Support Services - Administration	0.0
Information Technology	1.3
Finance	0.1
Community Services	3.6
Office of the CAO	0.0
Total	82.1



2.4 Direct Costs

The following City business units are directly involved in processing the development applications included in the review:

- Commissioner's Office - Planning, Building & Growth Management
- Development Services
- Urban Design
- Commissioner Office - Planning, Building & Growth Management
- Building
- Director's Office - Environment & Development Engineering
- Development Engineering
- Environment
- Director's Office - City Planning and Design
- Policy, Programs and Implementation
- Transportation Planning
- Commissioner's Office - Public Works & Engineering
- Director's Office - Roads Maintenance, Operations & Fleet
- Traffic Operations
- Director's Office - Engineering & Construction
- Management - Infrastructure Planning
- Survey's and Mapping
- Infrastructure Planning
- General Manager - Transit
- Service Development
- Higher Order Transit
- Hurontario LRT
- Commissioner's Office - Legislative Services
- City Clerk's Office
- Law
- Commissioner's Office - Corporate Support Services
- Director's Office - Digital Innovation and IT
- BI and Integration
- Location Intel and Data Visual
- Finance Administration
- Revenue Services Administration
- Capital & Development Finance
- Commissioner's Office - Community Services
- Director's Office - Parks Maintenance & Forestry
- Parks Planning & Development
- Office of the CAO
- Mayor's Office
- Offices of the Councillors

Based on the results of the resource capacity analysis summarized above, the proportionate share of each individual's direct costs were allocated to the respective



development application categories. The City's 2023 Operating Budget was used to generate the direct cost allocations within the model, including cost components such as:

- Salary, Wages and Benefits;
- Advertising, Marketing & Promotion;
- Contracted Services;
- Financial Services;
- Office and Administrative;
- Professional Services;
- Rent and Lease Charges;
- Repairs, Maintenance and Materials;
- Staff Development; and
- Utilities and Fuel.

2.5 Indirect Costs

An A.B.C. review includes not only the direct cost of providing service activities but also the indirect support costs that allow direct service business units to perform these functions. The method of allocation employed in this analysis is referred to as a step costing approach. Under this approach, support function and general corporate overhead functions are classified separate from direct service delivery departments. These indirect cost functions are then allocated to direct service delivery departments based on a set of cost drivers, which subsequently flow to the costing categories according to staff effort estimates.

Cost drivers are units of service that best represent the consumption patterns of indirect support and corporate overhead services by direct service delivery departments or business units. As such, the relative share of a cost driver (unit of service consumed) for a direct department determines the relative share of support/corporate overhead costs attributed to that direct service department. An example of a cost driver commonly used to allocate human resource's support costs would be a department or business unit's share of F.T.E.s relative to the City-wide total. Cost drivers are used for allocation purposes acknowledging that these business units do not typically participate directly in the delivery of services, but that their efforts facilitate services being provided by the City's direct business units.



Table 2-3 summarizes the support and corporate overhead functions included in the calculations and the cost drivers assigned to each function for cost allocation purposes. The indirect support and corporate overhead cost drivers used in the fees model reflect generally accepted practices within the municipal sector.

Table 2-3
Indirect Support and Corporate Overhead Functions and Cost Drivers

Sub-branch Cost Centres	Cost Driver(s)
Service Brampton	Budget
Corporate Support Services	Budget
Finance	Budget Operating Distribution Lines Processed
Organizational Performance & EDI	Budget
Strategic Communications	Budget
City Clerk's Office	Budget
Insurance & Risk Management	Budget
Legal Services	Budget
Mayor	Budget
Council Costs Other	Budget
Members of Council	Budget
Office of the CAO	Budget
Strategic Service & Initiatives	Budget
Building Design & Construction	Budget
Asset/Energy Management & Capital Planning	Budget
Security Services	Budget
Human Resources	Full-time Equivalents
Information Technology	Full-time Equivalents
Facilities Maintenance	Budget Gross Floor Area Occupied
Facilities Services & Operations	Budget Gross Floor Area Occupied
Transit Operations	Gross Floor Area Occupied
Fleet Services	Vehicle Replacement Cost

2.6 Capital Costs

Estimated annual lifecycle costs of assets commonly utilized to provide direct business unit services have been included in the full cost assessment. The annual lifecycle costs were estimated based on the replacement cost of the assets and estimated asset useful



life or annual reinvestment rates suggested in the Canadian Infrastructure Report Card¹ for facility assets. These lifecycle costs are then allocated across all development application categories based on the capacity utilization of direct business units.

Capital costs for the following departments/divisions were calculated:

- City Hall facility space utilized: Based on the gross floor area (G.F.A.) occupied by the business unit at a replacement value of \$410 per square foot and annual reinvestment rate of 2.1%;
- Flower City Community Campus Site 1 facility space utilized: Based on the G.F.A. occupied by the business unit at a replacement value of \$373 per square foot and annual reinvestment rate of 2.1%;
- Flower City Community Campus Site 2 facility space utilized: Based on the G.F.A. occupied by the business unit at a replacement value of \$419 per square foot and annual reinvestment rate of 2.1%;
- Clark Transit facility space utilized: Based on the G.F.A. occupied by the business unit at a replacement value of \$315 per square foot and annual reinvestment rate of 2.1%;
- Sandalwood Transit facility space utilized: Based on the G.F.A. occupied by the business unit at a replacement value of \$275 per square foot and annual reinvestment rate of 2.1%;
- Williams Parkway Operations Centre facility space utilized: Based on the G.F.A. occupied by the business unit at a replacement value of \$477 per square foot and annual reinvestment rate of 2.1%;
- West Tower facility space utilized: Based on the G.F.A. occupied by the business unit at a replacement value of \$410 per square foot and annual reinvestment rate of 2.1%; and
- Vehicles utilized: Based on the replacement values of vehicles attributable to each business unit and a useful life of nine years.

The total annual lifecycle amount, as detailed above, was then distributed to each costing category based on staff resource capacity utilization.

¹ Informing the Future: The Canadian Infrastructure Report Card, 2016
(https://www.pppcouncil.ca/web/pdf/infra_report_card_2016.pdf)



Chapter 3

Cost Recovery Analysis and Full Cost Fees



3. Cost Recovery Analysis and Full Cost Fees

3.1 Planning Application Costing Results

As noted in the introduction, the *Planning Act* requires fees to be cost justified at the application type level. Application costs reflect the organizational direct, indirect, and capital costs based on 2023 budget estimates, and have been calculated based on the average annual volume of planning applications over the 2019 to 2022 period. Table 3-1 presents the calculated processing cost per planning application for each type considered within this review.

Table 3-1
Processing Cost per Planning Application by Type

Application Type	Cost per Application
Pre-consultation	\$ 20,011
Official Plan Amendment	\$ 48,558
Zoning By-law Amendment (Simple)	\$ 44,486
Zoning By-law Amendment (Complex)	\$ 68,821
Draft Plan of Subdivision (Simple)	\$ 73,735
Draft Plan of Subdivision (Complex)	\$ 119,935
Temporary Use ZBA	\$ 38,118
Lifting of a Holding Provision	\$ 8,316
Site Plan (Simple)	\$ 36,813
Site Plan (Complex)	\$ 69,865
Draft Plan of Condominium	\$ 27,215
Minor Variance	\$ 11,949
Consent	\$ 10,157

In regard to the planning applications included in the scope of this review, Table 3-2 summarizes the 2023 annual processing costs based on the average costs per application (as identified in Table 3-1) and the volume of applications received by the City in 2023, compared with the total application fee revenues generated from those applications in the same year. The total cost to the City of processing planning applications in 2023 has been estimated at approximately \$11.8 million. Direct service costs represent 83% (\$9.8 million) of the total, with indirect and capital costs accounting



for the remaining 16% (\$1.9 million) of costs. The City's 2023 planning application fees have been estimated to generate revenues of approximately \$10.9 million. It is noted that this estimate includes an adjustment to account for a fee increase that was implemented by the City part-way through 2023. Based on this assessment, the City's planning application fees provided a cost recovery level of approximately 93% in 2023.

Table 3-2
Planning Applications: Annual Costs of Processing and Cost Recovery Levels at
Calculated 2023 Fees

Cost Component	
Direct Costs (SW&B) ^A	\$ 9,038,010
Direct Costs (Council PDC SW&B) ^A	\$ 50,835
Direct Costs (non-SW&B) ^A	\$ 734,768
Total Direct Costs	\$ 9,823,613
Indirect Costs	\$ 1,697,853
Capital - Annual Lifecycle Costs	\$ 244,392
Grand Total Costs	\$ 11,765,858
Calculated 2023 Annual Revenues	\$ 10,923,148
Cost Recovery Level (total costs)	93%

^A "SW&B" means Salaries, Wages, and Benefits

It is noted that the calculated annual costs reflect the cost savings arising from the processing of concurrent applications (for more detail see Section 3.4.2).

Table 3-3 details the cost recovery level for each costing category. While there are some planning application types that are recovering more than the average costs of processing, the majority of application types are recovering less than 100% of full costs.



Table 3-3
2023 Planning Application Cost Recovery Levels by Application Type

Application Type	Cost per Application	2023 Application Volumes	Calculated 2023 Costs ^A	Calculated 2023 Revenues ^B	Cost Recovery %
Pre-consultation	\$ 20,011	129.0	\$ 2,581,415	\$ 645,000	25%
Official Plan Amendment	\$ 48,558	12.0	\$ 2,297,888	\$ 7,644,863	333%
Zoning By-law Amendment (Simple)	\$ 44,486	13.5			
Zoning By-law Amendment (Complex)	\$ 68,821	13.5			
Draft Plan of Subdivision (Simple)	\$ 73,735	3.5			
Draft Plan of Subdivision (Complex)	\$ 119,935	3.5			
Temporary Use ZBA	\$ 38,118	4.0	\$ 152,473	\$ 8,220	5%
Lifting of a Holding Provision	\$ 8,316	2.0	\$ 16,633	\$ 6,400	38%
Site Plan (Simple)	\$ 36,813	17.0	\$ 625,819	\$ 278,065	44%
Site Plan (Complex)	\$ 69,865	9.0	\$ 628,784	\$ 998,731	159%
Draft Plan of Condominium	\$ 27,215	6.0	\$ 163,291	\$ 472,608	289%
Minor Variance ^C	\$ 11,949	418.0	\$ 4,994,854	\$ 737,770	15%
Consent	\$ 10,157	30.0	\$ 304,701	\$ 131,490	43%
Total			\$ 11,765,858	\$ 10,923,148	93%

^A Calculated costs include cost savings resulting from the processing of concurrent applications.

^B Calculated revenues have been adjusted to account for a fee increase that was implemented by the City part-way through 2023.

^C Revenues for Minor Variances have been calculated assuming a 50/50 split between single residential/institutional and all other types of development.

Based on the above, it is estimated that in 2023 approximately \$843,000 of processing costs related to the applications included in this review were funded from the City's general property tax levy.

3.2 Full Cost Fees

Full cost fees were developed with regard to the costs presented in Table 3-1 and Table 3-3. The results are based on the A.B.C. model and historical average application characteristics underlying planning applications. Implementing the full cost fees would provide the City with approximately \$843,000 of additional planning application revenue, which would increase the annual cost recovery of planning applications to full cost recovery levels.

3.2.1 Flat Fee Applications

The full cost fee schedule for flat rate fees is provided in Table 3-4. Based on this, all flat fee planning application types considered within this review would see increases to



the 2023 fees. Included in Appendix A is a survey of planning application fees in select comparator municipalities in the Greater Toronto and Hamilton Area (G.T.H.A.).

Table 3-4
Full Cost Planning Application Fees – Flat Fees

Application Type	2023 Flat Fee	Full Cost Flat Fee
Pre-consultation	\$ 5,000	\$20,011
Official Plan Amendment	\$ 14,166	\$48,558
Temporary Use ZBA	\$ 2,055	\$38,118
Lifting of a Holding Provision	\$ 3,200	\$ 8,316
Minor Variance	\$698 (Single Unit Res./ Inst.) \$2,832 (All Other)	\$ 11,949
Consent	\$ 4,383	\$ 10,157

3.2.2 Variable Fee Applications

Full cost fee options for planning applications with a variable fee component have had several fee structure options developed. These types of planning applications consist of Zoning By-law Amendments, Draft Plans of Subdivision, Draft Plans of Condominium, and Site Plans.

By design, the costing categories for Zoning By-law Amendments, Draft Plans of Subdivision, and Site Plans were developed with two segments differing by complexity with the intent to determine the full costs of processing both small scale (i.e., simple) and large scale (i.e., complex) applications. In other words, a simple application would represent the lowest cost of processing a planning application of a given type, while the complex application would represent the highest cost. Therefore, the full cost fee options have been developed in consideration of these minimum and maximum costs and impact on annual cost recovery levels. Through discussion with City staff, it was determined that for a Draft Plan of Condominium the costs of processing a small vs. large scale application did not differ.

Three options for full cost fees have been developed for these application types. These three options are detailed below.



Option 1: Current Fee Structure with Reduced Maximum Fee

The first option developed would maintain the City's 2023 fee structure and quantum but would reduce the maximum fee to that of a complex application.

Option 2: Flat Fee Structure Differentiated by Application

Through discussions with City staff, it was communicated that the complexity of an application is not necessarily tied to the size of the application (i.e., units or gross floor area), but often other inherent characteristics of the development. These factors that increase complexity include things such as the location of development or if the application consists of infill development relative to greenfield development. Based on this, an option of imposing flat fees for simple vs. complex applications was developed. This option would remove the variable component from the fee structure and would align the basis of complexity with factors other than size. It is noted however that before the City could implement this option, it would be required to clearly and accurately define what constitutes a simple vs complex application.

Option 3: Simplified Fee Structure with Reduced Maximum Fee

The final option has been developed to be similar in nature to Option 1, but simplified by charging a uniform fee per unit rather than a differentiated fee. The maximum fee has been re-calculated in an attempt to minimize the likelihood of under-recovery of small applications that would generate revenues beneath the minimum cost of processing (as determined by the cost of processing a simple application).

3.2.2.1 Zoning By-law Amendments

Table 3-5 presents the full cost fee options for a Zoning By-law Amendment application. Options 1 and 3 would mimic the City's 2023 fee structure but would introduce adjustments to the maximum fee. Option 3 would further simplify the per residential unit rate into a uniform fee. Option 2 would impose flat fees that differ based on the complexity of the application.



Table 3-5
Zoning By-law Amendment – Full Cost Fee Options

Option	Fee	Maximum Fee	Units to Maximum
Option 1: Current Fee Structure with Reduced Maximum Fee	Base: \$ 21,922	\$ 68,821	Apartment: 65
	Per Apartment Units:		
	1-25: \$ 730		
	26-100: \$ 584		
	101-201: \$ 443		Other: 31
	200+: \$ 367		
	Per Other Unit: \$ 1,500		
Option 2: Flat Fee Structure Differentiated by Application	Per net Ha: \$ 15,045		
	Simple: \$ 44,486		
Option 3: Simplified Fee Structure with Reduced Maximum Fee	Complex: \$ 68,821	\$ 107,411	743
	Base: \$ 21,922		
	Per Unit: \$ 115		
	Per net Ha: \$ 4,566		

A survey of select G.T.H.A. municipalities was conducted to examine the Zoning By-law Amendment fee structures employed in neighbouring municipalities. These results are presented in Table 3-6 which indicates that of the thirteen municipalities surveyed, five impose a flat fee, seven impose a base and variable fee, and one imposes a flat fee for simple applications and a base and variable fee for complex applications. Additionally, four municipalities impose a maximum fee on all forms of development, and one imposes a maximum fee only on residential development.



Table 3-6
Survey of Zoning By-law Amendment Fee Structures

Municipality	Flat Fee - Simple/Complex or Minor/Major	Base fee + variable fee	Maximum
Ajax	x		
Burlington		x ^D	x
Hamilton		x	x
Markham	x		
Milton		x	
Mississauga		x	x
Oakville		x	x ^A
Oshawa	x		
Pickering	x ^B	x ^C	
Richmond Hill	x		
Toronto		x	x
Vaughan		x	
Whitby	x		

^A Maximum is only imposed on residential units.

^B Pickering imposes a flat fee on "simple" zoning by-law amendment applications.

^C Pickering imposes a base fee in combination with a variable fee on "complex" zoning by-law amendment applications.

^D Burlington imposes different base fees and variable fees depending on the complexity of the ZBA application.

3.2.2.2 Draft Plans of Subdivision

Table 3-7 presents the full cost fee options for a Draft Plan of Subdivision application. Options 1 and 3 would mimic the City's 2023 fee structure but would introduce adjustments to the maximum fee. Option 3 would further simplify the per residential unit rate into a uniform fee. Option 2 would impose flat fees that differ based on the complexity of the application.



Table 3-7
Draft Plan of Subdivision – Full Cost Fee Options

Option	Fee	Maximum Fee	Units to Maximum
Option 1: Current Fee Structure with Reduced Maximum Fee	Base: \$ 14,888	\$ 119,935	Apartment: 193
	Per Apartment Units:		
	1-25: \$ 730		
	26-100: \$ 584		
	101-201: \$ 443		Other: 70
	200+: \$ 367		
	Per Other Unit: \$ 1,500		
Option 2: Flat Fee Structure Differentiated by Application	Per net Ha: \$ 15,045		
	Simple: \$ 73,735		
Option 3: Simplified Fee Structure with Reduced Maximum Fee	Complex: \$119,935	\$ 189,863	674
	Base: \$ 14,888		
	Per Unit: \$ 260		
	Per net Ha: \$ 6,698		

A survey of select G.T.H.A. municipalities was conducted to examine the Draft Plan of Subdivision fee structures employed in neighbouring municipalities. These results are presented in Table 3-8 which indicates that of the thirteen municipalities surveyed, four impose a maximum fee. All surveyed municipalities impose a base and variable fee for Draft Plans of Subdivision.



Table 3-8
Survey of Draft Plan of Subdivision Fee Structures

Municipality	Flat Fee	Base Fee + Variable Fee	Maximum
Ajax		x	
Burlington		x	x
Hamilton		x	
Markham		x	
Milton		x	
Mississauga		x ^A	x
Oakville		x	x
Oshawa		x	
Pickering		x	
Richmond Hill		x	
Toronto		x	
Vaughan		x	
Whitby		x	x

^A Variable per unit fee applies to only single-detached, semi-detached, and townhouse units, otherwise the variable fee is charged on a per GFA basis.

3.2.2.3 Site Plan Applications

Table 3-9 presents the full cost fee options for a Site Plan application. Options 1 and 3 would mimic the City's 2023 fee structure but would introduce adjustments to the maximum fee. Option 3 would further simplify the per residential unit rate into a uniform fee. Option 2 would impose flat fees that differ based on the complexity of the application.



Table 3-9
Site Plan Application – Full Cost Fee Options

Option	Fee	Maximum Fee	Units to Maximum
Option 1: Current Fee Structure with Reduced Maximum Fee	Base: \$ 8,807	\$ 69,865	Apartment: 93
	Per Apartment Units:		
	1-25: \$ 730		
	26-100: \$ 584		
	101-201: \$ 443		
	200+: \$ 367		Other: 41
	Per Other Unit: \$ 1,500		
	Per sq.m. of GFA for new: \$ 3.50		
Option 2: Flat Fee Structure Differentiated by Application	Per sq.m. of GFA for add., alt., or conv.: \$ 8.85		
Option 3: Simplified Fee Structure with Reduced Maximum Fee	Simple: \$ 36,813		
	Complex: \$ 69,865		
	Base: \$ 8,807	\$ 184,090	279
	Per Unit: \$ 628		
	Per sq.m. of GFA for new: \$ 3.50		
	Per sq.m. of GFA for add., alt., or conv.: \$ 8.85		

A survey of select Greater Toronto and Hamilton Area (G.T.H.A.) municipalities was conducted to examine the Site Plan application fee structures employed in neighbouring municipalities. These results are presented in Table 3-10 which indicates that of the thirteen municipalities surveyed, five impose a maximum fee on all forms of development, two impose a maximum fee only on residential development, and one imposes a fee only on non-residential development. All surveyed municipalities impose a base and variable fee for Site Plan applications.



Table 3-10
Survey of Site Plan Application Fee Structures

Municipality	Flat Fee	Base Fee + Variable Fee	Maximum
Ajax		x	
Burlington		x	x
Hamilton		x	x ^A
Markham		x	
Milton		x	x ^B
Mississauga		x	x ^C
Oakville		x	x ^D
Oshawa		x	x ^D
Pickering		x	
Richmond Hill		x	x
Toronto		x	
Vaughan		x	
Whitby		x	x

^A Hamilton sets differing maximum fees for ground related and vertical development.

^B Maximum is only imposed on non-residential development.

^C Mississauga sets differing maximum fees for commercial/office/institutional and industrial development.

^D Maximum is only imposed on residential units.

3.2.2.4 Draft Plans of Condominium

Table 3-11 presents the full cost fee options for a Draft Plan of Condominium application. Options 1 and 3 would mimic the City's 2023 fee structure but would introduce adjustments to the maximum fee. Option 3 would further simplify the per residential unit rate into a uniform fee. Option 2 would impose flat fees that differ based on the complexity of the application.



Table 3-11
Draft Plan of Condominium – Full Cost Fee Options

Option	Fee	Maximum Fee	Units to Maximum
Option 1: Current Fee Structure with Reduced Maximum Fee	Base: \$ 10,543	\$ 27,215	Apartment: 21
	Per Apartment Units:		
	1-25: \$ 730		
	26-100: \$ 584		
	101-201: \$ 443		
	200+: \$ 367		Other: 11
	Per Other Unit: \$ 1,500		
	Per net Ha: \$ 15,045		
Option 2: Flat Fee Structure	Flat: \$ 27,215		
Option 3: Simplified Fee Structure with Reduced Maximum Fee	Base: \$ 10,543	\$ 52,131	325
	Per Unit: \$ 128		
	Per net Ha: \$ 3,794		

A survey of select G.T.H.A. municipalities was conducted to examine the Draft Plan of Condominium fee structures employed in neighbouring municipalities. These results are presented in Table 3-8 which indicates that of the thirteen municipalities surveyed, four impose a flat fee, two impose a base and variable fee, and seven impose a flat fee and a base plus variable fee dependent on the type of condominium development. Two surveyed municipalities impose a maximum fee.



Table 3-12
Survey of Draft Plan of Condominium Fee Structures

Municipality	Flat Fee	Base Fee + Variable Fee	Maximum
Ajax	x		
Burlington	x ^A	x ^A	x
Hamilton		x	
Markham	x		
Milton	x ^B	x ^B	
Mississauga	x ^C	x ^C	x
Oakville	x ^C	x ^C	
Oshawa	x ^D		
Pickering	x ^D		
Richmond Hill		x	
Toronto	x ^E	x ^E	
Vaughan	x		
Whitby	x		

^A Burlington imposes a flat fee for common element developments, and a base plus variable fee for vacant land developments.

^B Milton imposes a base plus variable fee for vacant land developments, and a flat fee for all other types of developments.

^C A flat fee for common element developments is imposed, and a base plus variable fee for standard developments is imposed.

^D Fees are differentiated by common element developments and all other developments.

^E Toronto imposes a flat fee for common element & vacant land developments, and a base plus variable fee for standard, phased, & leasehold developments.

3.3 Annual Revenue Impacts

The estimated annual revenues resulting from the volume and underlying characteristics of planning applications received by the City in 2023 has been calculated for each of the three fee structure options presented above. These calculations include calculated revenues for the flat fee planning applications (i.e., those identified in Section 3.2.1) at full cost recovery levels.



Table 3-13
Estimated Annual Revenues by Application Type and Fee Structure Option

Application Type	Calculated Annual Revenues ^A		
	Option 1	Option 2	Option 3
Pre-consultation	\$ 2,581,415	\$ 2,581,415	\$ 2,581,415
Official Plan Amendment	\$ 2,324,843	\$ 2,297,888	\$ 2,297,888
Zoning By-law Amendment (Simple)			
Zoning By-law Amendment (Complex)			
Draft Plan of Subdivision (Simple)			
Draft Plan of Subdivision (Complex)			
Temporary Use ZBA	\$ 152,473	\$ 152,473	\$ 152,473
Lifting of a Holding Provision	\$ 16,633	\$ 16,633	\$ 16,633
Site Plan (Simple)	\$ 255,823	\$ 625,819	\$ 278,065
Site Plan (Complex)	\$ 544,608	\$ 628,784	\$ 976,537
Draft Plan of Condominium	\$ 148,302	\$ 163,291	\$ 163,291
Minor Variance	\$ 4,994,854	\$ 4,994,854	\$ 4,994,854
Consent	\$ 304,701	\$ 304,701	\$ 304,701
Total	\$ 11,323,652	\$ 11,765,858	\$ 11,765,857

^A Calculated revenues include reductions to fees resulting from the submission of concurrent applications.

3.4 Other Matters

3.4.1 Costing Impacts of Changes to Planning Application Processes in Response to Bill 109

As discussed in Section 2.3.1, changes to the processing of select planning applications in response to Bill 109 have been made that have yet to be enacted. These changes entail the introduction of mandatory, Second Stage Detailed Pre-consultation processes for:

- Official Plan Amendments;
- Zoning By-law Amendments;
- Temporary Use Zoning By-law Amendments;
- Site Plan Applications;
- Draft Plans of Subdivision; and



- Draft Plans of Condominium.

Based on discussions with City staff, it was determined that these modified workflows would not alter the total amount of effort required to process an application, but would result in the reallocation of effort from the processing of an application to pre-consultation processes. To that end, detailed in Table 3-14 below is the share of effort and resultant portion of costs that would be reallocated from the full cost fees presented above to the Second Stage Detailed Pre-consultation and to the remaining review and processing time.

Table 3-14
Full Costs of Second Stage Detailed Pre-consultation and Remaining
Review/Processing

Application Type	Full Cost per Application	Second Stage Detailed Pre-consultation Share of Effort (%)	Full Cost per Application	
			Second Stage Detailed Pre-consultation	Remaining Review/Processing
Official Plan Amendment	\$ 48,558	26%	\$ 12,749	\$ 35,809
Zoning By-law Amendment (Simple)	\$ 44,486	28%	\$ 12,638	\$ 31,848
Zoning By-law Amendment (Complex)	\$ 68,821	26%	\$ 17,572	\$ 51,249
Temporary Use ZBA	\$ 38,118	28%	\$ 10,711	\$ 27,407
Site Plan (Simple)	\$ 36,813	42%	\$ 15,508	\$ 21,305
Site Plan (Complex)	\$ 69,865	36%	\$ 24,940	\$ 44,924
Draft Plan of Subdivision (Simple)	\$ 73,735	20%	\$ 14,949	\$ 58,786
Draft Plan of Subdivision (Complex)	\$ 119,935	20%	\$ 23,462	\$ 96,473
Draft Plan of Condominium	\$ 27,215	29%	\$ 7,900	\$ 19,315

3.4.2 Concurrent Applications

Through discussions with City staff, it was determined that some types of concurrent planning applications that are jointly submitted would benefit from reduced processing effort. These joint applications would require less total time spent processing and reviewing when compared to applications that are submitted separately due to efficiencies in reviewing all submitted materials simultaneously. As a result, the full costs of processing concurrent applications would be reduced relative to the total costs of processing the individual applications.

The following combinations of concurrent applications were examined:



- Concurrent Zoning By-law Amendment and Draft Plan of Subdivision;
- Concurrent Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision.; and
- Concurrent Official Plan Amendment and Zoning By-law Amendment.

Based on discussion with City staff, the estimated reduction in effort resulting from processing concurrent application was examined and captured. These effort reduction figures were applied to the standalone effort estimates in order to calculate the full costs of processing concurrent applications. Table 3-15 presents the calculated full costs of processing individual applications and concurrent applications, by application complexity. The full costs of processing concurrent Zoning By-law Amendment and Draft Plan of Subdivision applications would be reduced to approximately 77% and 84% of the full cost of processing the applications individually for simple and complex applications, respectively. A concurrent application with all three types of planning application, the full costs of processing would be reduced to approximately 72% and 75% of the full costs of processing the applications individually for simple and complex applications, respectively. Lastly, the full costs to process a concurrent Official Plan Amendment and Zoning By-law Amendment would be reduced to 79% and 75% of the full costs of processing the applications individually for simple and complex applications, respectively.

Table 3-15
Full Costs of Processing Concurrent Applications

Application Combination	Complexity	Full Costs - Individual Applications	Full Costs - Concurrent Application	Concurrent Application Relative to Individual Applications
Zoning By-law Amendment & Draft Plan of Subdivision	Simple	\$ 118,221	\$ 90,688	77%
	Complex	\$ 188,756	\$ 158,318	84%
Official Plan Amendment, Zoning By-law Amendment, & Draft Plan of Subdivision	Simple	\$ 166,779	\$ 120,066	72%
	Complex	\$ 237,314	\$ 177,824	75%
Official Plan Amendment & Zoning By-law Amendment	Simple	\$ 93,043	\$ 73,864	79%
	Complex	\$ 117,379	\$ 88,326	75%



3.4.3 Review of Resubmitted Materials

Discussions held during the effort estimation workshops led to the identification of an average number of rounds of resubmitted materials that must be re-reviewed by City staff. Effort required to review these resubmission rounds were included in the calculation of the full costs of processing each type of planning application. Therefore, the full cost fees includes effort for a fixed number of rounds of resubmitted materials, and any rounds of resubmitted materials over-and-above this amount should be charged as a fee to applicants.

Table 3-16 identifies the number of rounds of resubmissions that have been included in the full cost for each application type. Additionally, based on the share of effort required to review resubmitted materials, the full cost of reviewing one round of resubmitted materials has been identified.

Table 3-16
Full Cost of Reviewing Resubmitted Materials

Application Type	Number of Resubmissions Included in Base Review	% of Effort to Review Resubmission	Full Cost of Reviewing Resubmission
Official Plan Amendment	2	8%	\$ 4,004
Zoning By-law Amendment (Simple)	1	21%	\$ 9,506
Zoning By-law Amendment (Complex)	2	18%	\$ 12,259
Temporary Use ZBA	1	18%	\$ 7,021
Draft Plan of Subdivision (Simple)	3	9%	\$ 6,964
Draft Plan of Subdivision (Complex)	3	14%	\$ 16,465
Site Plan (Simple)	2	10%	\$ 3,831
Site Plan (Complex)	3	14%	\$ 9,654
Draft Plan of Condominium	1	12%	\$ 3,196



Chapter 4

Conclusions



4. Conclusions

Summarized in this technical report is the legislative context for the development application fees review, the methodology and approach undertaken, A.B.C. full cost of service results, identification of full cost fees, potential fee structure options for application fees with a variable component, and associated impacts on the City's financial position.

Full costs, as investigated through this review, are representative of the true costs of service based on current processing efforts of City staff. The immediate implementation of the full cost fees would be compliant with all applicable legislation as well as industry best practices related to the regular review of fees to ensure alignment with costs of service.

The intent of the fees review is to provide the City with the identification of the full costs of processing planning applications for Council's consideration to appropriately recover the service costs from benefiting applicants. The City will ultimately determine the level of cost recovery and implementation strategy that is suitable for its objectives.



Appendix A – Market Survey



Market Survey – Planning Application Fees

Type	Ajax	Burlington	Hamilton	Markham	Milton	Mississauga	Oakville	Oshawa	Pickering	Richmond Hill	Toronto	Vaughan	Whitby
Pre-Consultation		\$ 2,060		\$ 791	\$ 371		\$ 26,673				\$ 700	\$ 1,646	\$ 622
Pre-consultation (Phase 1)	\$ 3,296							\$ 1,750					
Pre-consultation (Phase 2 - Subdivision, Condo)	\$ 5,000												
Pre-consultation (Phase 2 - All Others)	\$ 12,246							\$ 500					
Pre-consultation (Development Application Review Committee - OPA/ZBA)						\$ 8,876							
Pre-consultation (Development Application Review Committee - Subdivision)						\$ 7,726							
Pre-consultation (Development Application Review Committee - Site Plan)						\$ 6,082							
Pre-Submission Consultation (Simple)									\$ 350				
Pre-Submission Consultation (Complex)									\$ 1,200				
Official Plan Amendment		\$ 118,030			\$ 47,036	\$ 27,053	\$ 29,110	\$ 25,000			\$ 124,286		
Official Plan Amendment (Simple)	\$ 36,772			\$ 31,192									\$ 25,457
Official Plan Amendment (Complex)	\$ 96,674			\$ 82,797									\$ 38,485
Official Plan Amendment (Minor)									\$ 42,400	\$ 33,296		\$ 28,338	
Official Plan Amendment (Major)									\$ 89,000	\$ 56,104		\$ 45,679	
Official Plan Amendment (Urban Boundary Expansion)			\$ 78,850										
Official Plan Amendment (Rural or Urban)			\$ 42,520										
Temporary Use ZBA	\$ 30,478			\$ 28,916	\$ 18,539	\$ 5,546	\$ 28,064		\$ 13,190	\$ 14,426			\$ 13,922
Lifting of a Holding Provision	\$ 8,942	\$ 2,330		\$ 9,773	\$ 4,049	\$ 2,223	\$ 5,893	\$ 4,500	\$ 3,810	\$ 2,326		\$ 5,980	\$ 7,734
Lifting of a Holding Provision (Complex)			\$ 23,310										
Lifting of a Holding Provision (Routine)			\$ 8,250										
Minor Variance			\$ 3,900				\$ 3,984			\$ 4,418			
Minor Variance (Residential)	\$ 1,550	\$ 6,160		\$ 2,824	\$ 2,799	\$ 1,246		\$ 782			\$ 4,027	\$ 3,299	\$ 993
Minor Variance (Residential Minor)									\$ 1,100				
Minor Variance (Residential Major)									\$ 2,400				
Minor Variance (Non-Residential)	\$ 3,875	\$ 7,220		\$ 6,653	\$ 9,386	\$ 1,583		\$ 1,874	\$ 3,040		\$ 5,212	\$ 3,838	\$ 2,829
Consent	\$ 6,063		\$ 3,360	\$ 15,329		\$ 2,637	\$ 9,324	\$ 787	\$ 3,900	\$ 5,951	\$ 6,494	\$ 4,051	\$ 962
Consent (Minor - Lot Line Adjustment, Easement)		\$ 8,325											
Consent (Major - Lot Creation)		\$ 10,715											
Consent (Type 1)					\$ 7,809								
Consent (Type 2)					\$ 5,922								



Type	Ajax	Burlington	Hamilton	Markham	Milton	Mississauga
Zoning By-law Amendment						
Zoning By-law Amendment					Base Fee: \$24,361 ≤25 Units (per Unit): \$577 26 to 100 Units (per Unit): \$344 ≥101 Units (per Unit): \$208 Per m² GFA: \$2.36	
Zoning By-law Amendment (Simple)	\$30,478					
Zoning By-law Amendment (Complex)	\$32,495					
Zoning By-law Amendment (Minor)				\$28,916		
Zoning By-law Amendment (Major)				\$58,167		
Zoning By-law Amendment (Minor - Residential)		Base Fee: \$16,715 ≤25 Units (per Unit): \$310 26 to 100 Units (per Unit): \$235 ≥101 Units (per Unit): \$155				
Zoning By-law Amendment (Minor - Non-Residential)		Base Fee: \$16,715 Per 100 m² net site area: \$50				
Zoning By-law Amendment (Major - Residential)		Base Fee: \$23,370 ≤25 Units (per Unit): \$450 26 to 100 Units (per Unit): \$340 ≥101 Units (per Unit): \$220				
Zoning By-law Amendment (Major - Non-Residential)		Base Fee: \$23,370 Per 100 m² net site area: \$70				
Zoning By-law Amendment (Residential)			Base Fee: \$29,290 ≤10 Units (per Unit): \$0 11 to 60 Units (per Unit): \$400			Base Fee: \$35,427 ≤25 Units (per Unit): \$1,303 26 to 100 Units (per Unit): \$1,008 101 to 200 Units (per Unit): \$442 ≥201 Units (per Unit): \$172
Zoning By-law Amendment (Non-Residential)			Base Fee: \$29,290 ≤5,000 m² GFA: \$7			
Zoning By-law Amendment (Commercial & Institutional)						Base Fee: \$35,427 Per m² GFA: \$20
Zoning By-law Amendment (Industrial & Office)						Base Fee: \$35,427 Per ha: \$11,803
Zoning By-law Amendment (Mixed Use)						
Draft Plan of Subdivision						
Draft Plan of Subdivision		Base Fee: \$31,740 ≤25 Units (per Unit): \$575 26 to 100 Units (per Unit): \$435 ≥101 Units (per Unit): \$145	Base Fee: \$55,615 1 to 25 Units (per Unit): \$560 26 to 100 Units (per Unit): \$300 ≥101 Units (per Unit): \$245 Per Block: \$950	Base Fee: \$44,578 Unit Fee Component (per Unit/Lot): \$442 Land Area Component (per ha): \$22,959	Base Fee: \$53,760 ≤25 Units (per Unit): \$436 26 to 100 Units (per Unit): \$259 ≥101 Units (per Unit): \$121 Per m² GFA: \$1.44	Base Fee: \$9,604 Per Detached, Semi-detached, & Townhouse Unit (per Unit): \$623 All other Residential, Commercial, & Institutional (per m² >500 m²): \$3.11 Industrial & Office (per ha): \$5,271
Draft Plan of Subdivision (Residential)	Base Fee: \$27,408 ≤200 Units (per Unit): \$643 ≥201 Units (per Unit): \$322					
Draft Plan of Subdivision (Non-Residential)	\$69,936					



Type	Oakville	Oshawa	Pickering	Richmond Hill	Toronto	Vaughan	Whitby
Zoning By-law Amendment							
Zoning By-law Amendment							
Zoning By-law Amendment (Simple)							\$15,226
Zoning By-law Amendment (Complex)							\$28,278
Zoning By-law Amendment (Minor)		\$10,444	\$6,690	\$10,023			
Zoning By-law Amendment (Major)		\$20,000		\$15,793			
Zoning By-law Amendment (Minor - Residential)							
Zoning By-law Amendment (Minor - Non-Residential)							
Zoning By-law Amendment (Major - Residential)			Base Fee: \$10,100 ≤25 Units (per Unit): \$240 26 to 100 Units (per Unit): \$180 101 to 200 Units (per Unit): \$145 ≥201 Units (per Unit): \$60				
Zoning By-law Amendment (Major - Non-Residential)			Base Fee: \$10,100 Per ha of Land Area: \$485				
Zoning By-law Amendment (Residential)	Base Fee: \$29,110 ≤25 Units (per Unit): \$130 26 to 100 Units (per Unit): \$103 101 to 200 Units (per Unit): \$77 201 to 1,000 Units (per Unit): \$52				Base Fee: \$47,227 ≤500 m² GFA: \$0 >500 to ≤100,000 m² GFA: \$8.55	Base Fee: \$10,347 ≤25 Units (per Unit): \$780 26 to 100 Units (per Unit): \$290 101 to 200 Units (per Unit): \$79 ≥201 Units (per Unit): \$35	
Zoning By-law Amendment (Non-Residential)	Base Fee: \$29,110 Per m² GFA: \$0.67				Base Fee: \$47,227 ≤500 m² GFA: \$0 >500 to ≤100,000 m² GFA: \$7.07	Base Fee: \$10,347 Per ha of Land Area: \$6,922	
Zoning By-law Amendment (Commercial & Institutional)							
Zoning By-law Amendment (Industrial & Office)							
Zoning By-law Amendment (Mixed Use)					Base Fee: \$47,227 ≤500 m² GFA: \$0 >500 to ≤100,000 m² GFA: \$4.50 >100,000 m² GFA: \$4.76		
Draft Plan of Subdivision							
Draft Plan of Subdivision	Base Fee: \$23,070 ≤25 Units (per Unit): \$715 26 to 100 Units (per Unit): \$569 101 to 200 Units (per Unit): \$430 201 to 1,000 Units (per Unit): \$285	Base Fee: \$35,000 ≤200 Units/Blocks (per Unit): \$450 ≥201 Units/Blocks (per Unit): \$200	Base Fee: \$34,600 ≤25 Units (per Unit): \$575 26 to 100 Units (per Unit): \$465 101 to 200 Units (per Unit): \$365 ≥201 Units (per Unit): \$230 Per ha of Land Area: \$185	Base Fee: \$2,506 Per Unit: \$612 Per ha of Land Area: \$7,824	Base Fee: \$65,071 Per Lot: \$3,261	Base Fee: \$54,291 ≤25 Units (per Unit): \$1,401 26 to 100 Units (per Unit): \$700 101 to 200 Units (per Unit): \$211 ≥201 Units (per Unit): \$63 Per ha of Blocks: \$14,694	Base Fee: \$42,509 Per Unit/Lot: \$850
Draft Plan of Subdivision (Residential)							
Draft Plan of Subdivision (Non-Residential)							



Type	Ajax	Burlington	Hamilton	Markham	Milton	Mississauga
Draft Plan of Condominium						
Draft Plan of Condominium	\$19,606			\$48,795		
Draft Plan of Condominium (Common Element)		\$5,960				\$22,333
Draft Plan of Condominium (Standard)		\$60,250				Base Fee: Base Fee Apartment Per Unit: \$39 Non-apartment or Vacant Land Per Unit: \$95 Non-Residential Per ha: \$188
Draft Plan of Condominium (Vacant Land)					Base Fee: \$53,760 ≤25 Units (per Unit): \$436 26 to 100 Units (per Unit): \$259 ≥101 Units (per Unit): \$121 Per m² GFA: \$1.44	
Draft Plan of Condominium (Phased & Leasehold)						
Draft Plan of Condominium (Vacant Land - Residential)		Base Fee: \$21,860 ≤25 Units (per Unit): \$575 26 to 100 Units (per Unit): \$435 ≥101 Units (per Unit): \$145				
Draft Plan of Condominium (Vacant Land - Non-Residential)		Base Fee: \$21,860 Per 100 m² net site area: \$60				
Draft Plan of Condominium (with Public Process)			Base Fee: \$20,380 Per Unit: \$85			
Draft Plan of Condominium (without Public Process)			Base Fee: \$16,980 Per Unit: \$85			
Draft Plan of Condominium (All Others)						

Type	Oakville	Oshawa	Pickering	Richmond Hill	Toronto	Vaughan	Whitby
Draft Plan of Condominium				Base Fee: \$6,243 Single & Semi Detached Per Unit: \$1,860 Res. Or Non-res. Blocks Per ha: \$23,591		\$30,112	\$10,152
Draft Plan of Condominium (Common Element)	\$20,044	\$15,000	\$19,300		\$22,365		
Draft Plan of Condominium (Standard)	Base Fee: \$20,044 Not Subject to Site Plan Per Unit: \$1,034 Subject to Site Plan Per m² Site Area: \$0.67				Base Fee: \$10,626 Per Unit: \$28.49		
Draft Plan of Condominium (Vacant Land)					\$22,365		
Draft Plan of Condominium (Phased & Leasehold)					Base Fee: \$10,626 Per Unit: \$28.49		
Draft Plan of Condominium (Vacant Land - Residential)							
Draft Plan of Condominium (Vacant Land - Non-Residential)							
Draft Plan of Condominium (with Public Process)							
Draft Plan of Condominium (without Public Process)							
Draft Plan of Condominium (All Others)		\$11,749	\$13,600				

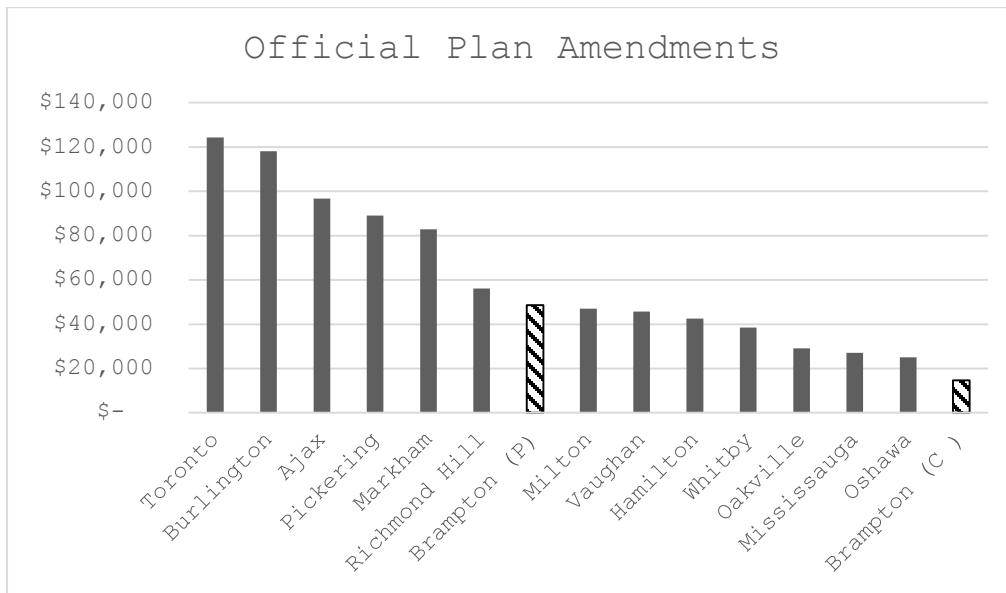


Type	Ajax	Burlington	Hamilton	Markham	Milton	Mississauga
Site Plan						
Site Plan (Residential)	Base Fee: \$4,675 ≤25 Units (per Unit): \$441 26 to 100 Units (per Unit): \$342 101 to 200 Units (per Unit): \$167 ≥201 Units (per Unit): \$89	Base Fee: \$10,950 ≤25 Units (per Unit): \$395 26 to 100 Units (per Unit): \$305 ≥101 Units (per Unit): \$200		Base Fee: \$13,588 Unit Fee Component (per Unit): \$2,316 Calculated GFA Fee Component (per m², less GFA of units): \$6.32	Base Fee: \$13,767 ≤25 Units (per Unit): \$574 26 to 100 Units (per Unit): \$196 ≥101 Units (per Unit): \$160	Base Fee: \$11,132 ≤25 Units (per Unit): \$654 26 to 100 Units (per Unit): \$298 ≥ 101 Units (per Unit): \$68
Site Plan (Non-Residential)	Base Fee: \$4,675 Per m² GFA: \$0.48	Base Fee: \$10,950 Per 100 m² GFA: \$230			Base Fee: \$13,767 Per ha: \$22,713	
Site Plan (Non-Residential - With No Units Accomodating Overnight Stay)				Base Fee: \$13,588 Calculated GFA Fee Component (per m²): \$6.32		
Site Plan (Non-Residential - With Units Accomodating Overnight Stay)				Base Fee: \$13,588 Unit Fee Component (per Unit): \$2,316 Calculated GFA Fee Component (per m², less GFA of units): \$6.32		
Site Plan (Residential & Institutional)			Base Fee: \$8,760 ≤10 Units (per Unit): \$1,005 11 to 50 Units (per Unit): \$605			
Site Plan (Commercial)			Base Fee: \$8,760 ≤50,000 m² GFA: \$10			
Site Plan (Industrial)			Base Fee: \$8,760 ≤5,000 m² GFA: \$10			Base Fee: \$11,132 ≤2,000 m² GFA (per GFA): \$8.39 2,001 to 4,500 m² GFA (per GFA): \$5.85 4,501 to 7,000 m² GFA (per GFA): \$3.04 ≥7,001 m² GFA (per GFA): \$1.37
Site Plan (Institutional)						
Site Plan (Commercial, Office, & Institutional)						Base Fee: \$11,132 ≤2,000 m² GFA (per GFA): \$15.15 2,001 to 4,500 m² GFA (per GFA): \$10.86
Site Plan (Industrial, Office, & Institutional)						
Site Plan (Mixed Use)						

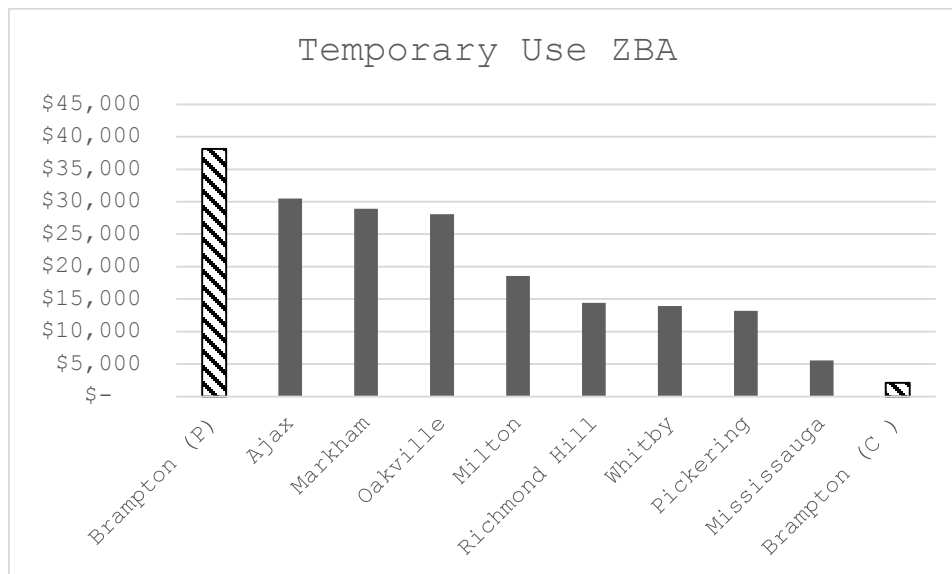


Type	Oakville	Oshawa	Pickering	Richmond Hill	Toronto	Vaughan	Whitby
Site Plan							
Site Plan (Residential)	Base Fee: \$8,950 ≤25 Units (per Unit): \$655 26 to 100 Units (per Unit): \$175 101 to 200 Units (per Unit): \$133 201 to 1,000 Units (per Unit): \$78	Base Fee: \$5,500 Per Unit: \$358	Base Fee: \$5,425 ≤25 Units (per Unit): \$145 26 to 100 Units (per Unit): \$115 101 to 200 Units (per Unit): \$85 ≥201 Units (per Unit): \$20	Base Fee: \$2,807 Per Unit: \$612	Base Fee: \$24,095 ≤500 m² GFA: \$0 >500 to ≤700 m² GFA: \$12.84 >700 to ≤1,400 m² GFA: \$9.92 >1,400 to ≤4,400 m² GFA: \$6.44 >4,400 m² GFA: \$3.20	Base Fee: \$11,926 ≤25 Units (per Unit): \$952 26 to 100 Units (per Unit): \$475 101 to 200 Units (per Unit): \$334 ≥201 Units (per Unit): \$199	Base Fee: \$10,966 ≤25 Units (per Unit): \$488 26 to 100 Units (per Unit): \$281 ≥101 Units (per Unit): \$134
Site Plan (Non-Residential)	Base Fee: \$8,950 Per m² GFA: \$7.05	Base Fee: \$5,500 Per m² of Land Area: \$0.42	Base Fee: \$5,425 Per m² GFA: \$0.85	Base Fee: \$2,807 Per ha of Land Area: \$1,137	Base Fee: \$24,095 Per m² GFA: \$6.04		
Site Plan (Non-Residential - With No Units Accomodating Overnight Stay)							
Site Plan (Non-Residential - With Units Accomodating Overnight Stay)							
Site Plan (Residential & Institutional)							
Site Plan (Commercial)						Base Fee: \$11,926 ≤4,500 m² GFA (per GFA): \$11.64 ≥4,501 m² GFA (per GFA): \$3.49	Base Fee: \$10,966 Per m2 GFA: \$5.37
Site Plan (Industrial)							Base Fee: \$10,966 Per m2 GFA: \$5.37
Site Plan (Institutional)							Base Fee: \$10,966 Per m2 GFA: \$4.75
Site Plan (Commercial, Office, & Institutional)							
Site Plan (Industrial, Office, & Institutional)						Base Fee: \$11,926 ≤4,500 m² GFA (per GFA): \$3.55 ≥4,501 m² GFA (per GFA): \$1.80	
Site Plan (Mixed Use)					Base Fee: \$24,095 Per m² GFA: \$4.13		

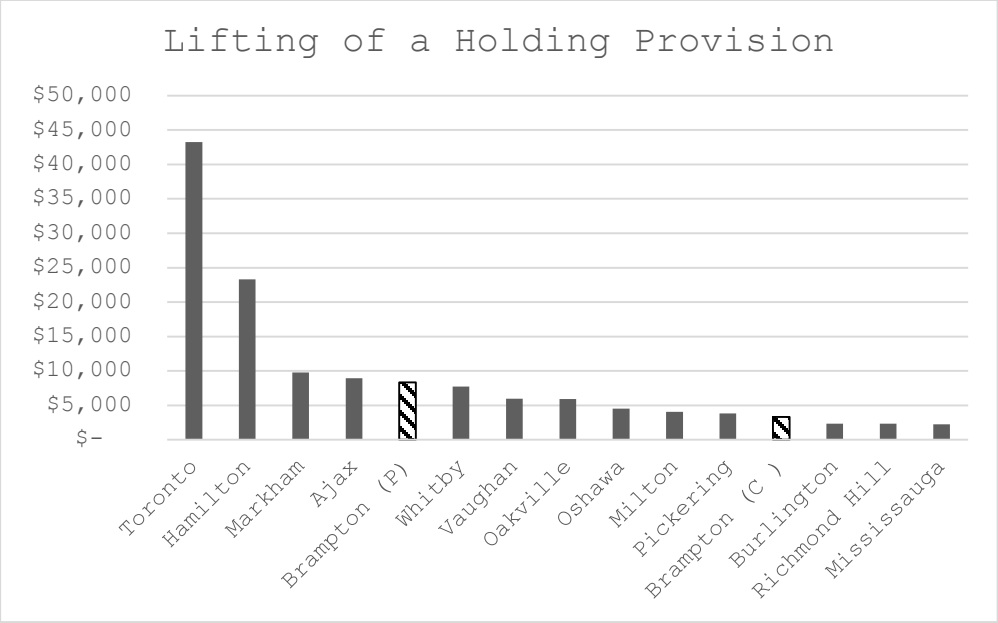
Appendix D: Municipal Flat Fee Benchmarking



*Brampton P = proposed fee, Brampton C = current fee

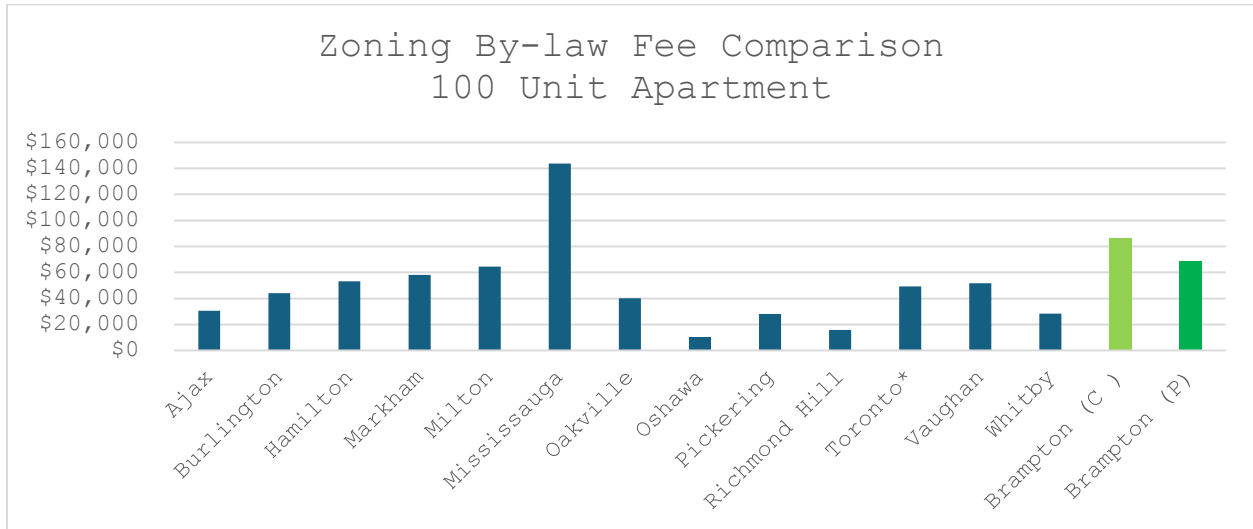


*Brampton P = proposed fee, Brampton C = current fee

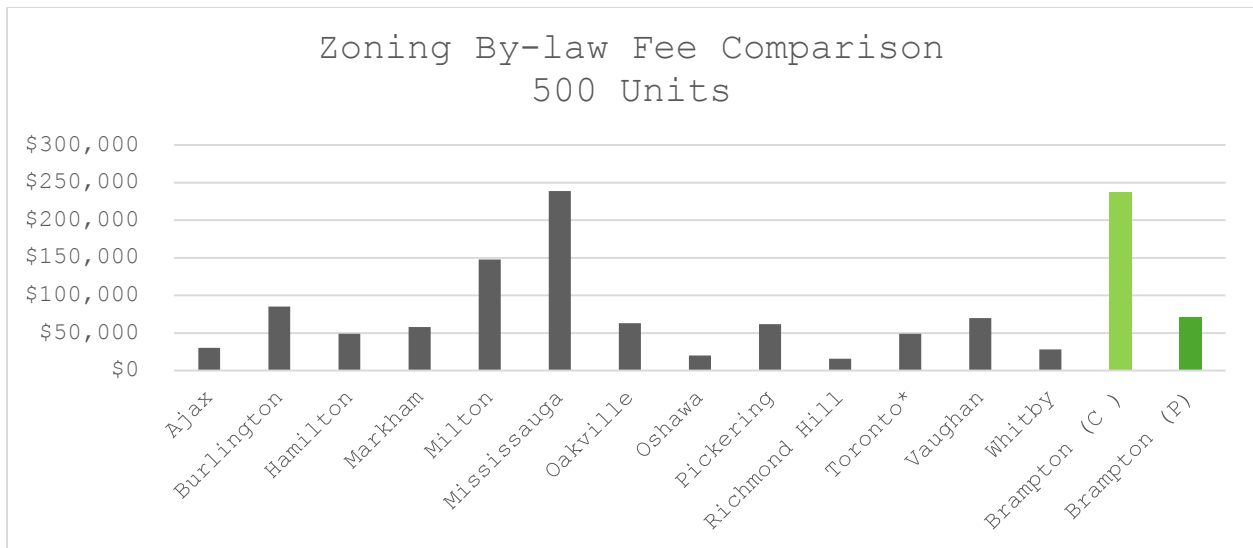


*Brampton P = proposed fee, Brampton C = current fee

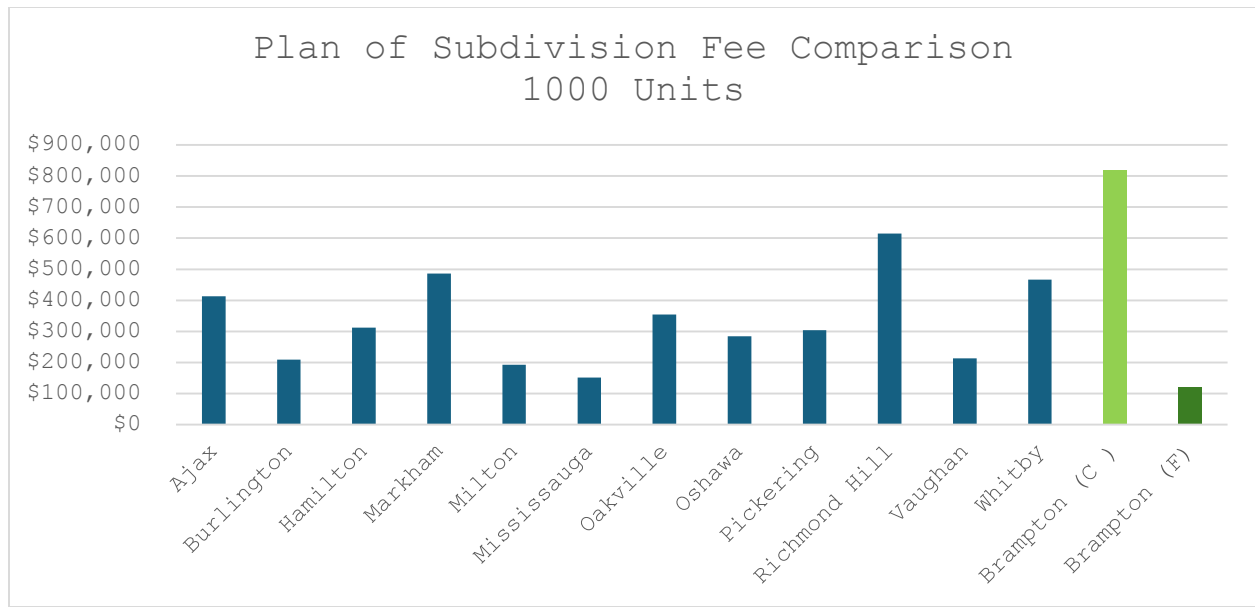
Appendix E: Municipal Variable Fee Benchmarking Examples



*Brampton C = current fee, Brampton P = proposed fee



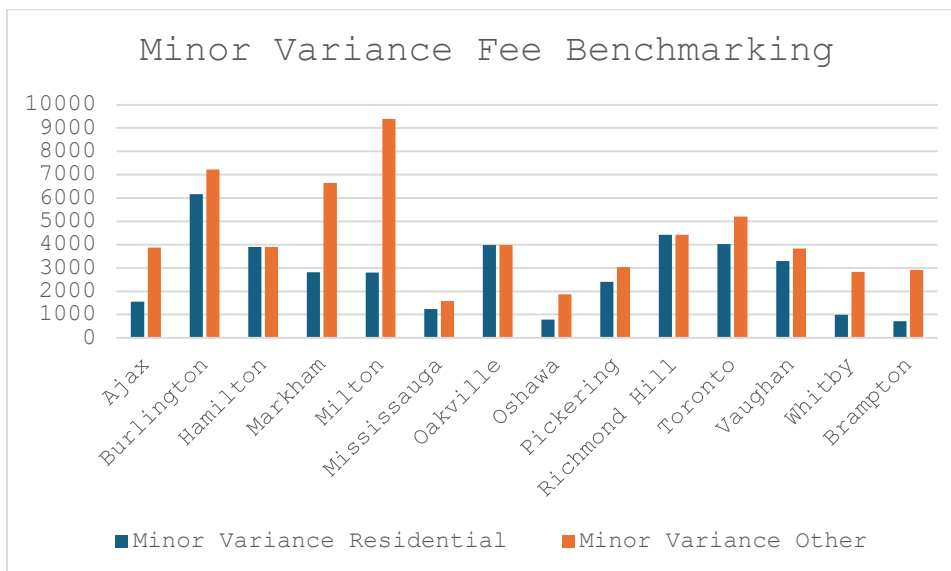
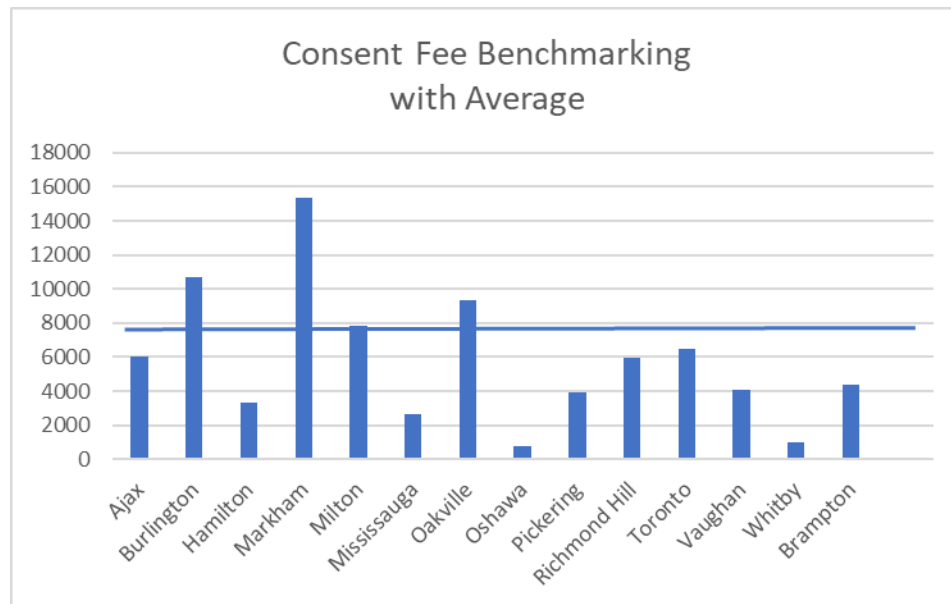
*Brampton C = current fee, Brampton P = proposed fee



*Brampton C = current fee, Brampton P = proposed fee

**Toronto removed as unlikely to see 1000 unit subdivisions.

Appendix F: Municipal Benchmarking Committee of Adjustment





BRAMPTON

Summary of Recommendations Brampton Heritage Board - Special Meeting The Corporation of the City of Brampton

Wednesday, October 2, 2024

2. Approval of Agenda

HB033-2024

That the agenda for the Special Brampton Heritage Board meeting of October 2, 2024 be approved as published and circulated.

Carried

9. Heritage Impact Assessment (HIA)

9.1 HB034-2024

1. That the report from Arpita Jambekar, Heritage Planner, Integrated City Planning, to the Special Brampton Heritage Board meeting of October 2, 2024, re: **Heritage Impact Assessment, 18 River Road – Ward 6**, be received;
2. That the Heritage Impact Assessment Report for 18 River Road, prepared by LHC Heritage Planning & Archaeology Inc, dated October, 2023 be deemed complete;
3. That, based on the recommendation of the HIA, Option 1 for the proposed severance (as described in this report) be selected as the preferred alternative; and,
4. That staff initiate the Heritage Designation process for the property, per HIA finding that it meets criteria 1 and 4 of the Ontario Regulation 9/06 and is eligible for designation under Section 29 Part IV of the Ontario Heritage Act.

Carried

9.2 HB035-2024

1. That the report from Arpita Jambekar, Heritage Planner, Integrated City Planning to the Special Brampton Heritage Board meeting of October 2, 2024, re: **Heritage Impact Assessment, 12 Rosegarden Drive Ward-10**, dated January 2024 be received;
2. That the Heritage Impact Assessment Report for 12 Rosegarden Drive, prepared by ATA Architects Inc., dated January 2024 be deemed complete; and,
3. That the following recommendations as per the Heritage Impact Assessment by ATA Architects Inc. be followed:
 - I. As a result of a fire at 12 Rosegarden Drive in 2023, which has rendered the building unsafe and made it impossible to salvage or restore, the building must be demolished;
 - II. A Commemoration of the property should be erected and placed in Gladstone Shaw Park, immediately west of the property. A Commemoration Plan to guide the commemorative strategy is required to be submitted and must adhere to the city's new Terms of Reference for Commemoration Plans.

Carried

9.3 HB036-2024

1. That the report from Arpita Jambekar, Heritage Planner, Integrated City Planning, to the Special Brampton Heritage Board meeting of October 2, 2024, re: **Heritage Impact Assessment for proposed development at 8525 Mississauga Road– Ward 4**, be received;
2. That the Heritage Impact Assessment Report for the proposed Kaneff Subdivision on Part of the Lionhead Golf Club & Conference Centre Lands, 8525 Mississauga Road, prepared by Paul Dilse, Heritage Planning Consultant, dated June 28, 2023 be deemed complete;
3. That the following recommendations per the Heritage Impact Assessment be included in 2023 Kaneff's Draft Plan of Subdivision:
 - I. Measures including natural or human-made deterrents to movement of people from the proposed park in Block 72 across the buffer and up the hill into the camp should be explored. A Landscape architect should be involved to choose the planting of native thorny shrub roses along the southern edge of the buffer to impede movement and design an eight-foot

high chain link fence on which native Ontario vines can be grown where the turning circle and eventual alignment of Street A come close to the camp's southwest corner. Under the direction of a landscape architect, the buffer itself should be planted with native species to the southern latitudes of the Province to develop into a screen of vegetation as dense as the forest behind.

II. For apartment buildings rising above the highest point of land in Camp Naivelt, measures should be explored to soften the impression of their height on the skyline. Opportunities like green roofs, terraced elevations and curvilinear profiles should be explored to design cluster of point towers that would have lesser effect on the skyline than slab towers with larger floor plates. Floors above the camp's highest elevation could be clad in bird-friendly materials that resemble in color the pale blue or light gray shades of typical southern Ontario sky. Nighttime illumination of mechanical penthouses should be minimized; and,

4. That a historical interpretation on-site is recommended which involves following implementation recommendations:

I. Mounting site interpretation map of Eldorado Park and vicinity

II. Creation of a web page and an app on the cultural history of the Credit River Valley at Eldorado Park.

Carried

9.4 HB037-2024

1. That the report from Tom Tran, Heritage Planner, Integrated City Planning to the Special Brampton Heritage Board meeting of October 2, 2024, re: **Heritage Impact Assessment and Addendum, 11185 Airport Road – Ward 10**, be received;

2. That the following recommendations of the Heritage Impact Assessment prepared by Golder Associates dated October 21, 2021 be received:

I. The property is determined to have met four of nine criteria of O. Reg. 9/06 in design/physical value, historical/associative and contextual value, and therefore has cultural heritage value or interest (CHVI) and is worthy of Designation under Part IV of the Ontario Heritage Act;

3. That the following recommendation from the HIA addendum dated August 2024 be received:

- I. The preferred option to facilitate relocation and rehabilitation of the Sargent Farmhouse as a residence on a new lot in the subdivision is Option 2;
4. That the following recommendation as per the Heritage Impact Assessment Addendum by WSP dated August 8, 2024 be received and followed:
 - Option 2: Disassembly of the Sargent Farmhouse and recreation of the front façade and west façade using salvaged brick as a cladding on a new larger dwelling;
5. That a Heritage Conservation Plan, Documentation & Salvage Report and Commemoration Plan be prepared according to the City's Terms of Reference as conditions of the Draft Plan Approval and prior to issuance of the Demolition Permit; and,
6. That a Heritage Delisting Report be presented for the Board's acceptance prior to the issuance of the Demolition Permit for 11185 Airport Road.

Carried

11. Other New Business

11.1 HB038-2024

1. That the report from Arpita Jambekar, Heritage Planner, Integrated City Planning, to the Special Brampton Heritage Board meeting of October 2, 2024, re: **Heritage Permit Application for 7 & 9 Wellington Street E –Ward 3**, be received; and,
2. That the Heritage Permit application for 7 & 9 Wellington Street E for repairs to the heritage stone wall, Building 9 (Jail) window replacement and other miscellaneous site improvements at Peel Museum & Archives, be approved.

Carried

11.2 HB039-2024

1. That the report from Arpita Jambekar, Heritage Planner, Integrated City Planning, to the Special Brampton Heritage Board Meeting of October 2, 2024, re: **Repeal of Heritage Designation for 8990 McLaughlin Road South- Ward 4**, be received;
2. That the recommendation to begin the process to repeal the designation by-law for the property be approved;

3. That the staff be authorized to publish and serve the Notice of Intention to repeal the designation by-law for the property at 8990 McLaughlin Road S in accordance with the requirements of the Ontario Heritage Act;
4. That if no objections to the repeal of the designation by-law are received, a repeal of the designation by-law be passed to de-designate the subject property; and
5. That following the repeal of the designation by-law, staff be authorized to serve a notice of intention to demolish portions of the existing building, following the recommendations from the recently approved Heritage Impact Assessment for the property.

Carried

18. Adjournment

HB040-2024

That the Brampton Heritage Board do now adjourn to meet again for a regular meeting on Tuesday, October 15, 2024 at 7:00 p.m.

Carried