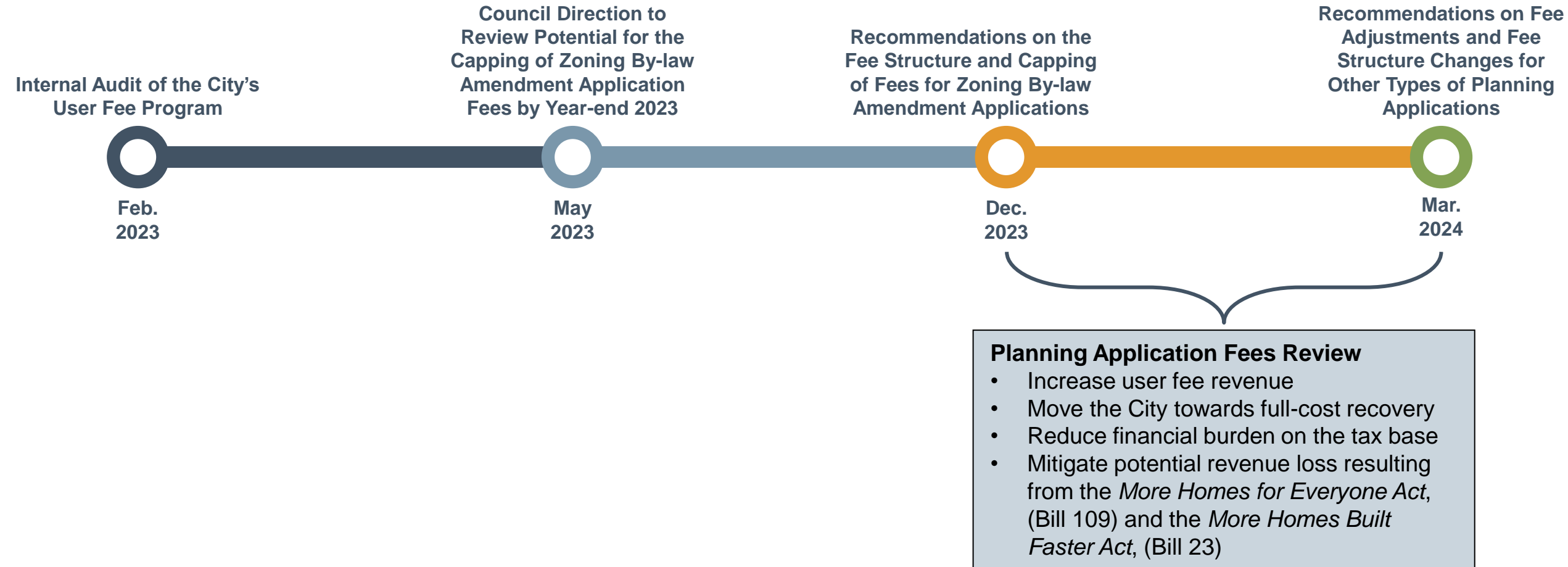




City of Brampton Planning Application Fees Review

Planning and Development Committee
December 4, 2023

Project Background and Scope



Introduction

Project Overview



Phase 1:

- 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 planning applications incurred by various divisions
- **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 impact of under-recovery on tax base
- Recommend fee adjustments and fee structure changes with regard for municipal best practices

Introduction

Scope



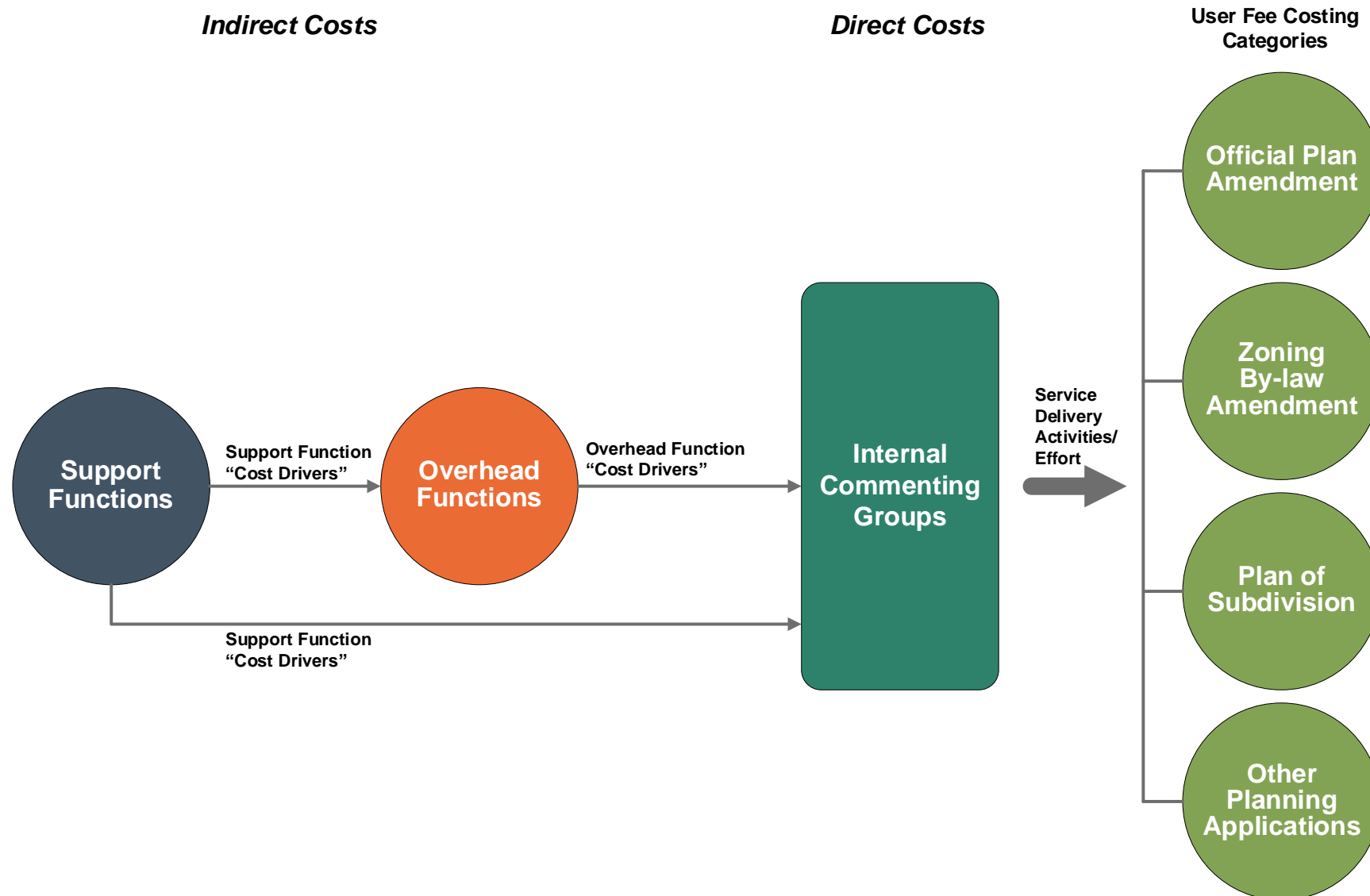
- The following development applications are included in the scope of the review:
 - Official Plan Amendment
 - Zoning By-law Amendment, including Temporary use By-laws and the Lifting of a Holding provision
 - Draft Plan of Subdivision
 - Draft Plan of Condominium
 - Site Plan
 - Pre-Consultations
 - Minor Variance
 - Consent

Legislative Context



- Planning application fees are governed by s.69 of the Planning Act
 - Recovery of anticipated costs of processing by type of application
 - No public process required in setting fees
 - Fees may be paid under protest and appealed to the Ontario Land Tribunal (OLT)
 - OLT decision suggests fee structures should recognize marginal costs attributes of planning application processes
- Municipalities continue to develop fee structures in response and to improve cost recovery levels
 - Fees disaggregated by development type (e.g., residential / non-residential) and complexity (major vs. minor)
 - Per unit / GFA fees (including decreasing block fee structures)
- Emphasis on pre-application consultation and resubmission processes and potential surcharges

Activity Based Costing Methodology



Benchmarking



- GTHA municipalities with a population greater than 100,000 were included in the benchmarking exercise¹

Peel	Halton	York	Durham	Separated
Mississauga	Burlington Milton Oakville	Markham Richmond Hill Vaughan	Ajax Oshawa Pickering Whitby	Hamilton Toronto

¹ Clarington not yet included

Benchmarking

Zoning By-law Amendment Application



Fee structures utilized by comparator municipalities

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.

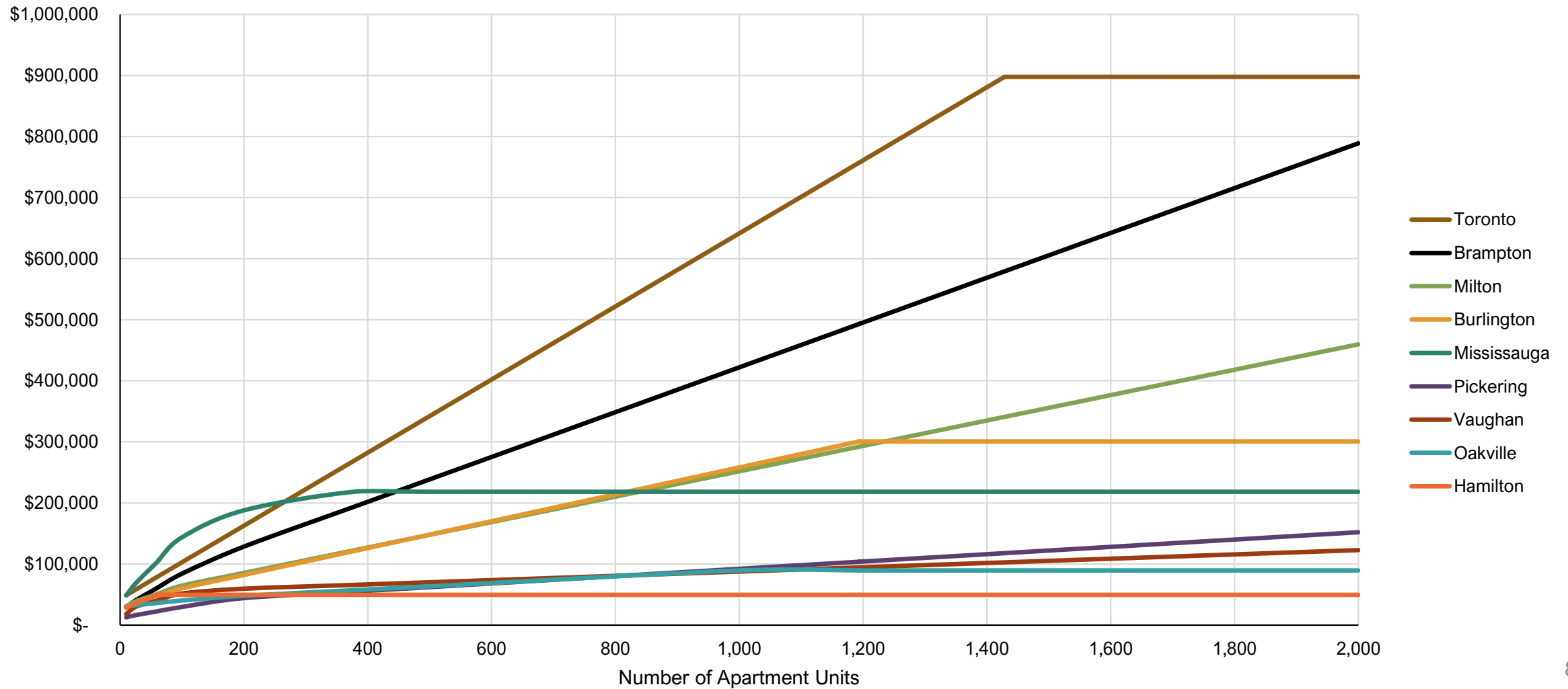
^D Burlington imposes different base fees and variable fees depending on the complexity of the ZBA application

Observations:

- 5/13 (38%) of surveyed municipalities charge a flat fee for ZBA applications, typically differentiated by Simple/Complex or Minor/Major.
- 7/13 (54%) of surveyed municipalities charge a base fee plus a variable fee for ZBA applications.
- 1/13 (8%) of surveyed municipalities charge either flat fees or base fees plus variable fees, depending on the type of ZBA application.
- Of the 7 municipalities that charge a base fee plus a variable fee, 5 cap the total fees payable at a maximum.

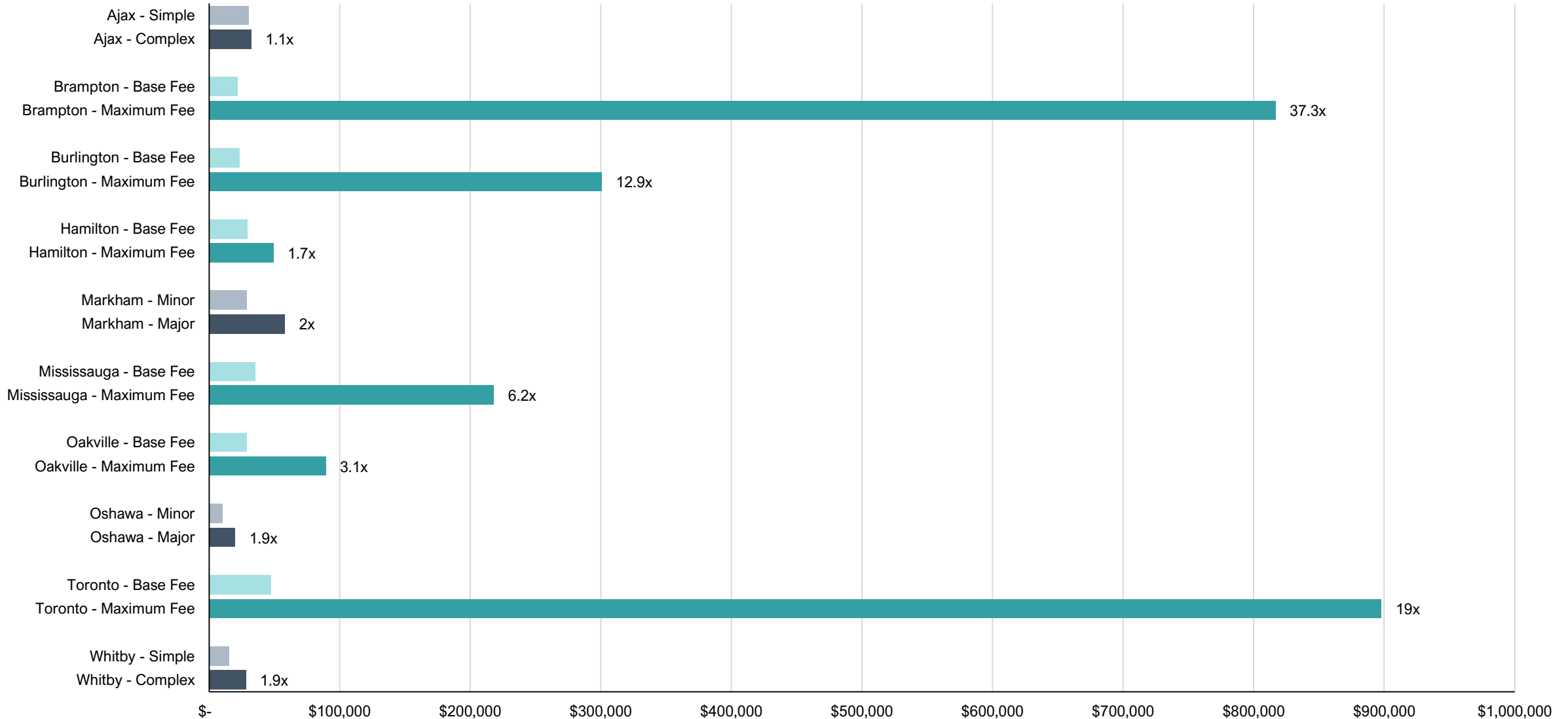
Benchmarking

Total ZBA Application Fees (Residential Apartment Development)



Benchmarking

Zoning By-law Amendment Application Fees – minimums and maximums



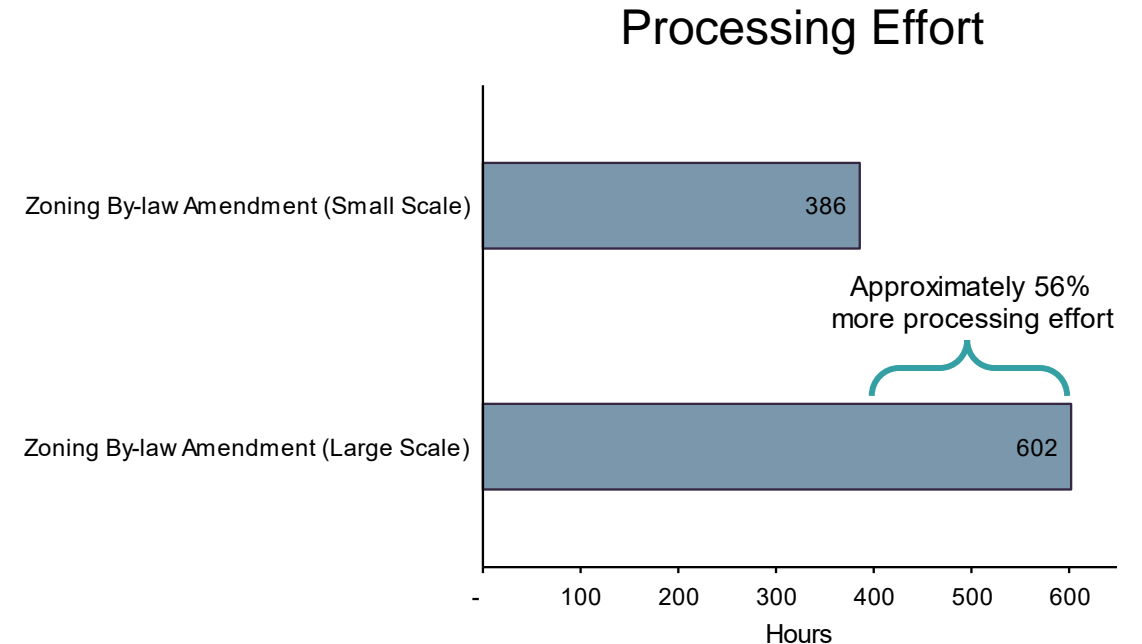
Zoning By-law Amendment Application Processing

Effort variability



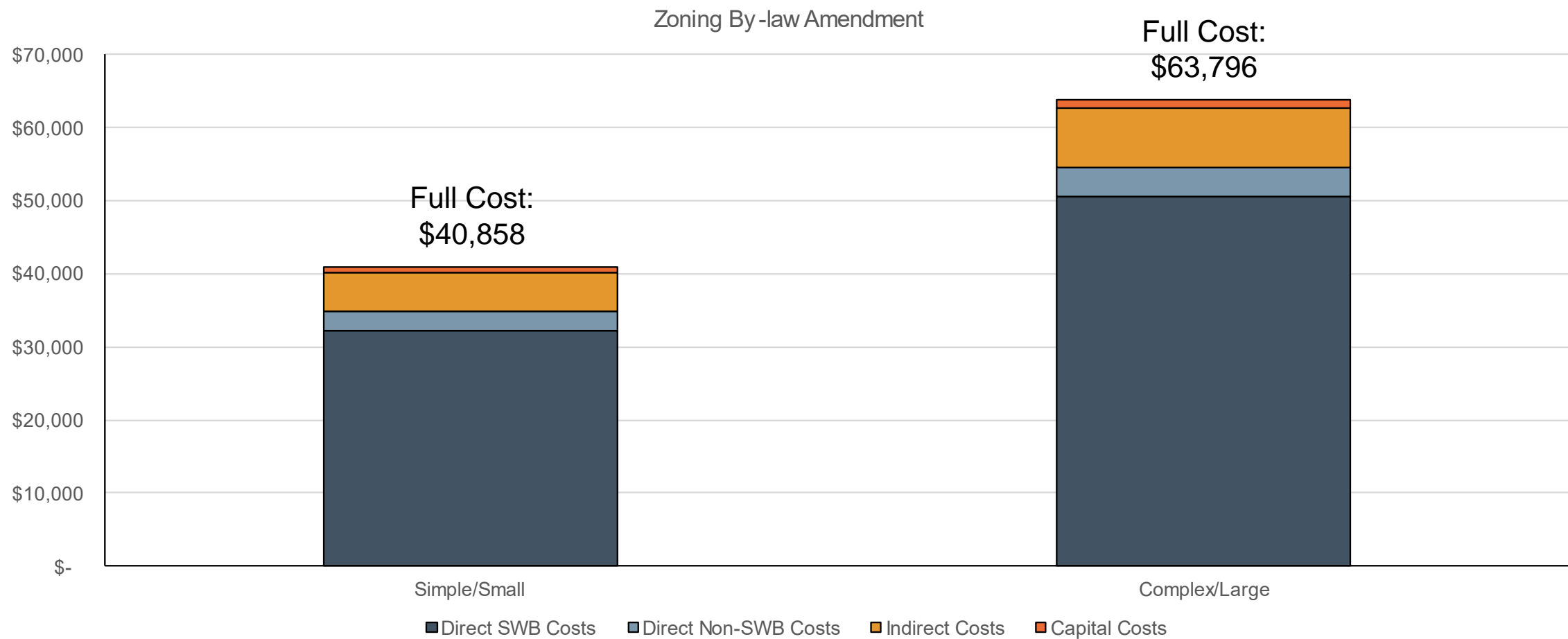
Two types of ZBA applications considered for purposes of effort estimation:

- **Simple/Small-scale:** Greenfield residential development of approximately 160 units.
- **Complex/Large-scale:** Large multi-storey residential apartment with 1,500 units in an infill setting, with ground floor commercial (0.04 net hectares).



Zoning By-law Amendment Application Processing

Processing Costs



Fee Structure Options



Current fee
structure with
reduced Maximum
Fee

Flat fees by
application
complexity

Simplified rate
structure and
reduced Maximum
Fee

ZBA Rate Structure Options



Option 1: Current fee structure with reduced Maximum Fee

Base Fee: \$21,922

+

Per Unit Fee:

Apartments

- For the first 25 units - \$730 per unit
- 26 to 100 units - \$584 per unit
- 101 to 200 units - \$443 per unit
- 201 units and above - \$367 per unit

All other residential

- \$1,500 per dwelling unit

Non-residential

- \$15,045 per net hectare

Maximum Fee: \$63,796

Notes:

Under-recovery of costs on applications with:

- ≤ 26 apartment units
- ≤ 12 other residential units
- ≤ 1.25 net hectares of non-residential development

Maximum Fee reached at:

- 65 apartment units
- 28 other residential units
- 2.77 net hectares of non-residential development

ZBA Rate Structure Options

Option 2: Flat fees by application complexity



Simple/Minor ZBA: \$40,858

Complex/Major ZBA: \$63,796

Notes:

Definitions would be needed to clearly distinguish between Simple and Complex applications.

Example (from Whitby):

Complex amendment - associated with an Official Plan Amendment, Plan of Subdivision Application, an application that requires the review of technical support documents or studies or any amendment deemed to be complex by the Commissioner of Planning and Development.

ZBA Rate Structure Options

Option 3: Simplified rate structure and reduced Maximum Fee



Base Fee: \$21,922

+

Per Unit Fee:

Residential

- \$114 per dwelling unit

Non-residential

- \$2,887 per net hectare

Maximum Fee: \$170,269

Notes:

Under-recovery of costs on applications with:

- ≤ 167 residential units
- ≤ 6.56 net hectares of non-residential development

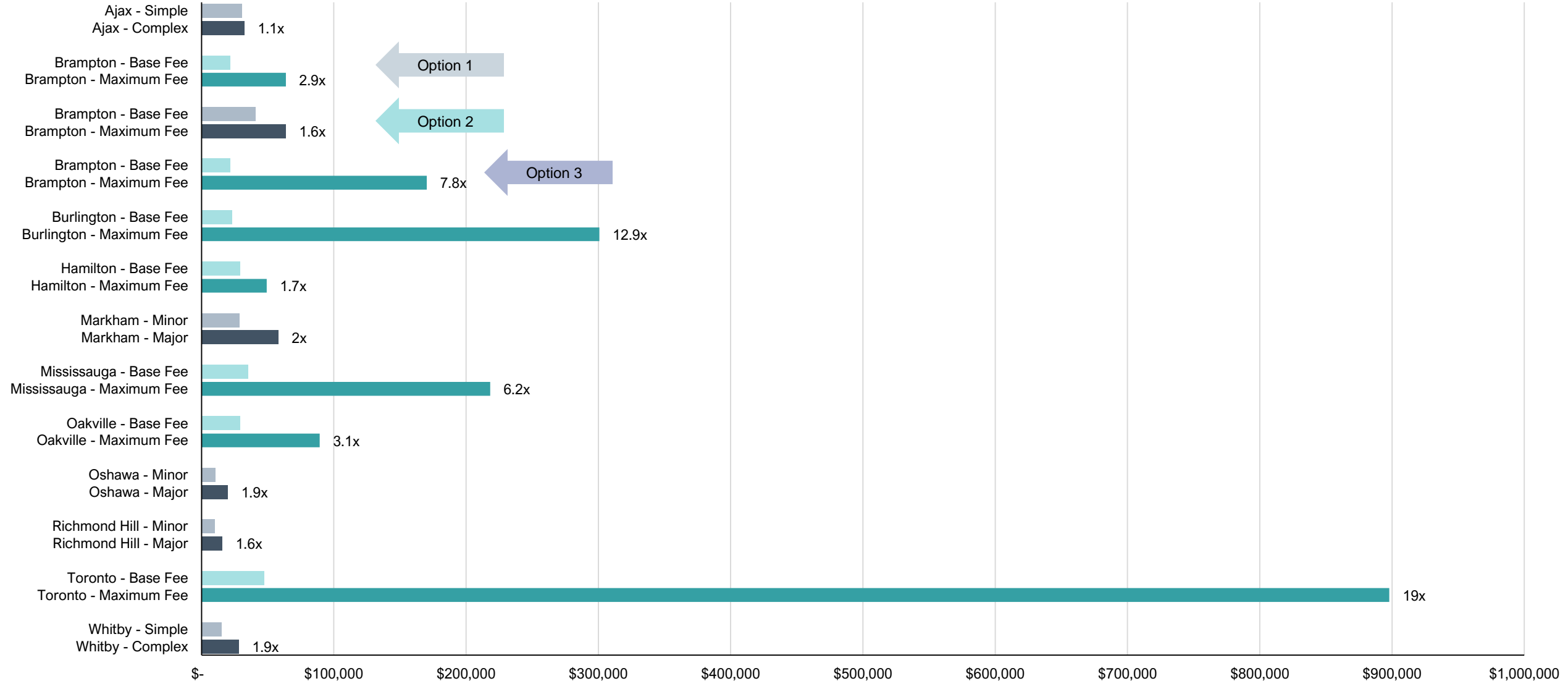
However, under-recovery at lower unit counts compensated by higher cost recovery on higher unit counts.

Maximum Fee reached at:

- 1,302 residential units
- 51.38 net hectares of non-residential development

Benchmarking

Zoning By-law Amendment Application Fees – minimums and maximums



Other Considerations



- Options 1-3 presented earlier apply to Zoning By-law Amendment applications being processed independently
 - Processing efficiencies resulting from concurrent application processing (e.g., ZBA & Draft Plan of Subdivision) are currently being reviewed
 - Discounts from the full application processing fee may be recommended through Phase 2 of this review, if efficiencies are identified
- Effects of enhanced pre-consultation process on application processing to be further assessed through Phase 2 of this review