

Creation of a Fee Bylaw – Development and Land Use Applications

ISSUE

As part of the Comprehensive Review of the Zoning Bylaw Project, the Administration is proposing to create a fee bylaw to consolidate all development and land use application fees into one document.

RECOMMENDATION

1. That the City Solicitor be requested to prepare a new fee bylaw as outlined in this report and to make consequential amendments to other bylaws as appropriate;
2. That Policy No. C01-021, Public Notice be amended to add a requirement that public notice must be given before City Council considers adopting, amending or repealing a fee bylaw; and
3. That a copy of this report be submitted to the Municipal Planning Commission for information.

BACKGROUND

Development and land use application fees are contained in various bylaws and Council Policies as follows:

1. Fees for development applications are found in Bylaw No. 8770, Zoning Bylaw, 2009 (Zoning Bylaw);
2. Fees for signage applications are found in Appendix A of the Zoning Bylaw;
3. Fees for subdivision applications are found in Bylaw No. 6537, Subdivision Bylaw, 1985 (Subdivision Bylaw); and
4. Fees for condominium applications are found in Policy No. C09-004, Condominium Approvals.

In order to adjust fees contained in the Zoning Bylaw, an amendment to the Zoning Bylaw is required. This involves a report presented to the Municipal Planning Commission, who then make a recommendation to City Council for consideration at a Public Hearing. To adjust fees for both condominium approvals and subdivision applications, City Council approval is required.

DISCUSSION/ANALYSIS

Proposed Amendments

The Planning and Development Act, 2007 allows for the creation of a separate fee bylaw consisting of a schedule of fees for processing subdivision applications and fees related to development applications. Fees for processing condominium approvals are permitted by *The Condominium Property Act, 1993* and are similar to what would be required for a development application.

A separate fee bylaw would consolidate all development and land use application fees in one location. This would result in a more efficient and effective means to adjust these

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fees as only one bylaw amendment would be needed, rather than three separate processes.

Separate fee bylaws are used by a number of other Saskatchewan municipalities including the City of Regina, the City of Yorkton and the RM of Sherwood.

No changes to fees are being proposed at this time. Existing fees will remain as previously approved by City Council.

Policy No. C01-021, Public Notice

The Planning and Development Act, 2007 requires that public notice be given before City Council considers adopting, amending or repealing a fee bylaw.

Policy No. C01-021, Public Notice (Public Notice Policy) does not reference a fee bylaw because the fees highlighted in this report are currently contained in bylaws that have already been identified as matters requiring public notice. The Public Notice Policy will require an amendment identifying that public notice will be required when the fee bylaw is adopted, amended or repealed. This would ensure any future amendments to fees contained in a new fee bylaw would require public notice and City Council approval.

Communications

The Planning and Development Division will work with Communications to ensure stakeholders are informed of the change as appropriate.

Application fees are generally communicated via brochures, application forms and on the City of Saskatoon (City) website. The language in the Zoning Bylaw, the Subdivision Bylaw and Policy No. C09-004, Condominium Approvals will refer to the fee bylaw. Brochures, applications forms and the City's website will be updated whenever new fees are approved.

IMPLICATIONS

The proposed amendments are expected to provide positive implications to stakeholders and the Administration. Notification of a proposed separate fee bylaw was provided to key stakeholders in Q4 of 2019 when the 2020 and 2021 fees were under consideration. No concerns were raised by stakeholders at that time.

NEXT STEPS

Should City Council approve this approach, the City Solicitor's Office will draft the appropriate bylaw and make the amendments to Policy No. C01-021, Public Notice.

Consequential amendments required to the Zoning Bylaw and the Subdivision Bylaw will be brought forward in a future report to remove the fees referenced in those bylaws. The appropriate public notice will be provided.

Similarly, amendments will be required to Policy No. C09-004, Condominium Approvals to remove the fees referenced in this policy.

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Report Approval

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