

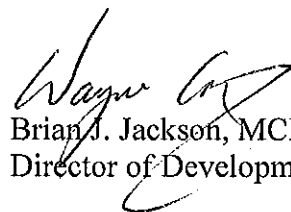


**To:** Planning Committee  
**From:** Brian J. Jackson, MCIP  
Director of Development  
**Re:** Development Application Fees

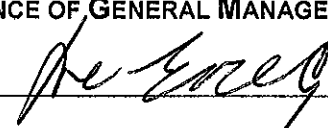
**Date:** November 17, 2010  
**File:** 08-4000-01/2010-Vol  
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**Staff Recommendation**

That Development Application Fees Bylaw No. 7984, Amendment Bylaw No. 8670, to introduce new development application fees and to revise some of the existing development application fees, be introduced and given First, Second and Third Reading.

  
Brian J. Jackson, MCIP  
Director of Development

WC:rg  
Att.

<b>FOR ORIGINATING DEPARTMENT USE ONLY</b>		
<b>CONCURRENCE OF GENERAL MANAGER</b>		
		
<b>REVIEWED BY TAG</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
<b>REVIEWED BY CAO</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

## Staff Report

### Origin

This purpose of this staff report is to:

- Introduce new Development Application Fees for various development related activities; and
- Revise some of the existing Development Application Fees that are not reflective of the actual staff resources required.

These amendments to the Development Applications Fees Bylaw are being proposed to ensure that the Development Applications Division continues to move towards a more self-sufficient business model where fees and overall operation are based on a cost recovery model while also supporting Council's term goal to:

*Ensure the City has the capacity to meet the financial challenges of today and in the future, while maintaining appropriate levels of service.*

The proposed fee amendments in this report are independent of any fee adjustments being brought forward as part of the Consolidated Fees Bylaw report from the Director of Finance. Development Applications Fees are not included in the Consolidated Fees Bylaw and the fee changes proposed are intended to address cost recovery for the Development Applications Division.

### Findings Of Fact

The Development Applications Division completes an annual assessment of services offered to development clients to ensure services have fees associated with them that are reflective of the actual amount of staff resources required.

While the majority of Development Applications fees are remaining unaffected, there are specific existing applications that are not reflective of the staff time required due to the increasing complexity involved. The fee assessment also identified a number of administrative activities and services being provided to the development industry without appropriate fees being charged to the client.

### Analysis

#### Revised Application Fees:

Staff are recommending two (2) existing application fees be increased to more accurately reflect the amount of staff time required. Phased Strata Plan approvals and Air Space Parcel subdivisions are being more frequently requested as part of larger developments in the City, especially within the City Centre's urban context. The creation of Air Space Parcels and Phased Strata Plans require considerable staff time to assess due to the multitude of legal issues, Building Code compliance, and survey plans that must be carefully verified by City staff. **Attachment 1** provides a breakdown of the proposed revisions to the existing Development Application fees.

New Application Fees:

Staff are recommending new fees to address the amount of staff time required for certain development related actions. These new fees are required to ensure the City's Development Applications records are appropriately maintained, that fees reflect the legislative authority established in Provincial Legislation, and to deal with various new application types. These fees are briefly described as:

1. Applications Revisions – Applicants often amend a development application after the original submission for a variety of reasons. The most common application changes involve property ownership, proposed densities and changes to the properties included in an application. To ensure these types of changes are accurately documented in City records, a \$255 fee is recommended to account for the staff time required to change application records.
2. Strata Plan Approval Fee – The City is required to “approve” a Strata Plan prior to that plan being submitted to the Land Title Office for registration if the City is a charge holder on Title that may be affected by the Strata Plan registration. This approval process involves City staff in multiple departments prior to plans being forwarded to the Mayor and City Clerk for execution. This process is currently done without an associated fee. A \$255 fee is recommended to recover the staff time associated with this approval process.
3. Approving Officer Signing Fee – The City's Approving Officer must sign various types of legal plans (subdivision, road dedication plans, lot consolidation plans, etc.) prior to the legal plans being submitted to the Land Title Office for registration. The Local Government Act enables a local Government to charge an Approving Officer signing fee for cost recovery purposes. A \$50 fee is recommended.
4. Site Profiles – The *Environmental Management Act* requires a Site Profile be forwarded to the Ministry Of Environment under defined conditions as part of various development application approval processes (i.e. subdivision, rezoning, Development Permit, demolition, soil removal). The Act enables a local Government to charge an administration fee to recover costs associated with a Site Profile Application. A \$50 fee per site profile application is recommended.
5. Landscape Inspections – Development Applications are often required to provide landscaping and a monetary security to ensure the landscaping is planted as a condition of approval. Prior to the release of the security, City staff conduct a physical site inspection to ensure the required landscaping is installed. A \$105 fee per site inspection is recommended in circumstances where City staff are required to conduct more than one site visit.
6. Subdivision Preliminary Approval Letter Amendments – Prior to the approval of a proposed subdivision, a Preliminary Approval Letter, outlining the requirements necessary to complete a subdivision is issued by the City. If a Preliminary Approval Letter must be amended as a result of changes on the applicant's behalf, a \$255 fee is recommended to address the staff time required to re-issue this letter.
7. Legal Agreement Changes – A collection of legal agreements may be secured through the development approval process to ensure the development meets the intent established by the

Council approval process. On occasion, City staff receive requests to amend and/or discharge a legal agreement secured through the development process after the agreement has been registered on Title. While these requests are infrequent, a considerable amount of staff time is required to research the historical background before the request may be considered. Staff are recommending two (2) new application fees to deal with these types of requests.

- a. For legal agreements that do not require Council Approval (i.e. access easements/parking agreements/various restrictive covenants) - \$255; and
- b. For legal agreements that require some form of Council Approval (i.e. Housing Agreements/Statutory Rights-of-Way) - \$1,020. A larger fee is required should Council Approval be required due to the staff time required to draft the appropriate Report to Council seeking authority to amend and/or discharge a legal agreement(s).

Corner Lot Addressing Assignment:

Staff are also recommending a minor housekeeping amendment to the Development Applications Fees Bylaw related to Civic Address Assignment. Applicants for new buildings on corner lots will often require a new civic address be assigned if the new building is oriented towards a different street than the previous building. In these situations the applicant is currently charged a \$255 fee for this address change. A minor housekeeping amendment is proposed to ensure the Fee Bylaw accurately reflects this address assignment fee.

Consumer Price Index Increase:

While in a separate report, staff are recommending that the fees contained within the Consolidated Fee By-law increase by an amount equal to the Consumer Price Index, we are not proposing that the bulk of the Development Application Fees increase by the same amount for 2010. Staff conducted a financial impact analysis of forgoing a 1.5% CPI increase and determined maintaining the existing fees would have limited impact on the overall Development Applications Division Budget. Given the limited financial impact of a CPI increase staff, in consultation with the Urban Development Institute, we agreed that development application fees would not be increased by CPI for 2010 given the significant increase in Development Cost Charges that were implemented this year, provided that critical cost recovery concerns are addressed. Development Application Fee cost recovery concerns are addressed through the new fees and revised application fees outlined previously in this report.

Future CPI increases will be brought forward concurrently with CPI increases to the City's Consolidated Fee Bylaw.

Stakeholder Consultation:

The proposed changes to the City's Development Applications Fees were discussed at the Urban Development Institute (UDI) Liaison Committee Meeting in May, 2010 and officially referred to UDI for comment by their membership subsequent to this meeting. Comments received by UDI members are summarized below along with a staff response:

- Concern that the increase in Air Space Parcel Subdivision (ASP) fees, as it is felt that as the City becomes more familiar with ASP subdivisions, the application fees should be reduced as staff familiarity increases.

*Air Space Parcel subdivisions have historically been very rare, however, this type of subdivision is being proposed more often by the development industry. The City's recent experience with Air Space Parcel Subdivisions has demonstrated that these applications must be considered on a site specific basis and therefore do not benefit from generic solutions that can be applied broadly to multiple development sites. The complex nature of these subdivisions requires site-specific assessments and solutions tailored to each site.*

- Concern that charging a fee for an Approving Officer signature should already be incorporated into subdivision application costs.  
*An Approving Officer signature is often required on legal plans that are not associated with a specific subdivision application. Charging a fee for this action is endorsed by the Local Government Act.*
- Questions about whether development fees can be consolidated.  
*Where possible application fees are consolidated. Application fees are broken into separate application types so that each development proposal pays only those fees required by the proposed development.*
- Questions about whether development application fees may be refunded.  
*The Development Application Fees Bylaw has prescribed circumstances under which an applicant is entitled to an application fee refund.*
- Questions about whether development application fees should be based on unit charges rather than lump sums.  
*The Development Application Fees Bylaw utilizes unit-based charges whenever a specific application lends itself to a unit-based fee (i.e. subdivision, rezoning, Development Permit). The proposed amendments for Phased Strata Plans and Air Space Parcels employ unit-based fees.*

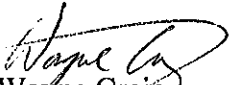
### **Financial Impact**

The table provided in **Attachment 1** provides a breakdown of the proposed revisions to the existing Development Application fees along with the new fees to be introduced.

### **Conclusion**

Staff recommend that Development Application Fees Bylaw No. 7984, Amendment Bylaw No. 8670, be introduced.

The proposed revisions to the Development Application user fees responds to and is consistent with Council's term goals.

  
Wayne Craig  
Program Coordinator - Development  
(604-247-4625)

WC:rg

	<b>Existing Fee</b>	<b>Proposed Fee</b>
<b>Existing Application Fee Changes</b>		
Phased Strata Plan	\$510	\$510 per phase
Air Space Parcel Subdivision	\$2,040 + \$125/parcel	\$6000 + \$150/ASP
Rezoning (including OCP amendment)	\$2,040-\$3,060 (base fee) plus <ul style="list-style-type: none"> <li>• applicable dwelling unit and/or floor area fees</li> </ul>	No Change
Zoning Text Amendment	\$1,605	No Change
OCP Amendment (no rezoning)	\$3,060	No Change
Second Public Hearing	\$765 per Public Hearing	No Change
ESA Development Permit	\$1,530	No Change
Development Permit (not involving ESA or ALR)	\$1,530 (base fee) plus <ul style="list-style-type: none"> <li>• variable floor area charges</li> <li>• Maximum \$15,750</li> </ul>	No Change
Development Variance Permit	\$1,530	No Change
General Compliance Ruling (on approved Development Permit)	\$510	No Change
Subdivision	\$765 (base fee) plus <ul style="list-style-type: none"> <li>• \$105 for each additional lot</li> </ul>	No Change
Consolidation	\$100	No Change
Strata Title Conversion	\$2,040 – Duplex \$3,060 - Multi-family, Commercial or Industrial	No Change
Temporary Use Permit	\$2,040 (Application fee) \$1,020 (Renewal)	No Change
Servicing Agreement	\$1,020 processing fee	No Change
<b>New Application Fees</b>		
Change in Scope Admin Fee <ul style="list-style-type: none"> <li>• Change in Owner/Agent</li> <li>• Change in proposed density</li> <li>• Adding/Removal properties</li> </ul>	N/A	\$255
Approving Officer Plan Approval	N/A	\$50
Strata Plan Approval	N/A	\$255
Subdivision Preliminary Approval Letter Change	N/A	\$255
Landscape Re-Inspection Fee <ul style="list-style-type: none"> <li>• only required if staff must re-inspect prior to release of landscape security</li> </ul>	N/A	\$105
Site Profile Application to MOE	N/A	\$50
Amendments to Legal Agreements <ul style="list-style-type: none"> <li>• owner requests to discharge or modify legal agreement(s) that do not require Council Approval</li> </ul>	N/A	\$255
Amendments to Legal Agreements <ul style="list-style-type: none"> <li>• owner requests to discharge or modify legal agreement(s) that require Council Approval</li> </ul>	N/A	\$1,020



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## Development Application Fees Amendment Bylaw

The Council of the City of Richmond enacts amendments to “Development Application Fees Bylaw No. 7984”, as follows:

1. By inserting the following new subsection after subsection 1.14:

**“1.15 Administration Fees**

- 1.15.1 Where an **applicant** for any application subject to this bylaw submits information to indicate a change in ownership of any of the land involved in the application or requesting a change in the authorized agent for the application, a fee of \$255 must be paid.
- 1.15.2 Where an **applicant** for any application subject to this bylaw submits new information, after the original application submission, that results in an increase in the proposed density or to add or delete properties involved in the application, a fee of \$255 must be paid.
- 1.15.3 Where an **applicant** requires the Approving Officer for the **City** to sign a legal plan, a fee of \$50 must be paid for each legal plan.
- 1.15.4 Where an **applicant** for any application subject to this bylaw requires a Site Profile, a fee of \$50 must be paid per Site Profile application.
- 1.15.5 Where an **applicant** requests an amendment or discharge of a legal agreement that does not require approval from **City Council**, a fee of \$255 must be paid for each legal agreement.
- 1.15.6 Where an **applicant** requests an amendment or discharge of a legal agreement that requires approval from **City Council**, a fee of \$1,020 must be paid for each legal agreement.
- 1.15.7 Where an **applicant** for any application subject to this bylaw requires a second or subsequent landscape inspection prior to the release of a landscape security because of a failure by the **applicant** to comply with a requirement of the **City**, a fee of \$105 is required for a second and each subsequent landscape inspection.

- 2. By repealing subsection 1.12.1 and replacing it with the following:  
 "1.12.1 Every **applicant** for a phased strata title subdivision must pay an application fee of \$510 per phase."
- 3. By repealing subsection 1.10.4 and replacing it with the following:  
 "1.10.4 Every **applicant** for an air space subdivision must pay an application fee of \$6000 plus \$150 for each air space parcel created."
- 4. By repealing subsection 1.10.2 and replacing it with the following:  
 "1.10.2 Where an **applicant** requests an extension or amendment of a preliminary approval for the subdivision of property, an application fee of \$255 must be paid."
- 5. By inserting the following new subsection directly after 1.14.1(a) and renumbering the remaining subsections accordingly:  
 "(b) \$255 where the civic address change is as a result of a personal preference on the part of the **applicant** for a new building on a corner lot.
- 6. This Bylaw is cited as "**Development Application Fees Bylaw No. 7984, Amendment Bylaw No. 8670**".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

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CITY OF RICHMOND
APPROVED for content by originating dept.
<i>nl</i>
APPROVED for legality by Solicitor
<i>[Signature]</i>

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER