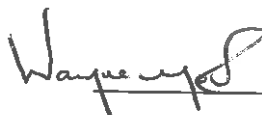



BYLAW NO. 1056-20
A BYLAW OF THE TOWN OF KERROBERT IN THE PROVINCE OF SASKATCHEWAN TO
IMPLEMENT A PLANNING AND DEVELOPMENT FEE SCHEDULE

The Council of the Town of Kerrobert, in the Province of Saskatchewan, enacts this Bylaw No. 1056-20 as follows:

1. This bylaw may be cited as the "Planning and Development Fee Bylaw".
2. In this bylaw, the following definitions apply:
 - a) "Administrator" - shall mean the administrator of the municipality;
 - b) "Council" - shall mean the Municipal Council of the Town of Kerrobert;
 - c) "Municipality" - shall mean the Town of Kerrobert.
3. In accordance with Section 51 of *The Planning and Development Act, 2007*, the Municipality may prescribe a schedule of fees to be charged for the application, review, advertising, approval, enforcement, regulation and issuance, as the case may be, of:
 - a) A development permit;
 - b) A discretionary use;
 - c) A minor variance; and
 - d) An amendment to an official community plan or zoning bylaw.
 - e) An amendment to a District Plan in accordance with section 102 of *The Planning and Development Act, 2007*.
4. The schedule of fees to be set is included as Schedule 'A' attached hereto and forming part of this bylaw.
5. The rationale supporting the setting of the fees is contained in Schedule 'B' attached hereto and forming part of this bylaw.
6. This bylaw shall come into effect on the date of approval of Council.





Mayor


Administrator

This Bylaw given first reading at the April 8, 2020 Regular meeting of Council.
This Bylaw given second reading at the June 10, 2020 Regular meeting of Council.
This Bylaw given third reading at the June 10, 2020 Regular meeting of Council.

This Bylaw given final reading and adopted at the June 10, 2020 Regular meeting of Council.



Administrator

SCHEDULE "A"

TO BYLAW NO. 1056-20

Town of Kerrobert - Planning and Development Fee Schedule

Development permits and minor variances

a) Permitted use	\$150.00
i. Signs (where permitting is required)	\$50.00
b) Discretionary use	\$350.00
c) Minor variance	\$150.00

Official Community Plan and Zoning Bylaw Amendments

a) Official Community Plan Textual Amendment	\$200.00
b) District Plan Textual Amendment*	\$500.00
c) Zoning Bylaw Textual Amendment	\$175.00
d) Official Community Plan Future Land Use Map changes	\$250.00
e) Zoning Map amendments from any Class to:	
i. Class 1	\$175.00
ii. Class 2	\$250.00
iii. Class 3	\$350.00

Where an application to rezone land involves rezoning land to two or more classes of zoning districts, the sum total of the fees for the class changes shall apply (eg. rezoning Class 1 land to partially Class 1 and partially Class 2; \$175.00 + \$250.00=\$425.00).

Class 1 Districts:

- C1 Town Centre Commercial District - C1
- CS Community Service District - CS
- FUD Future Urban Development District - FUD
- RA Residential Acreage District - RA
- RE Residential Estate District - RE
- R1 Residential District - R1

Class 2 Districts:

- C2 Highway Commercial District - C2
- C3 Commercial with Outside Storage District - C3
- IND1 Light Industrial District - IND1
- MU Mixed Use District - MU
- R2 Residential Multiple Dwelling District - R2

Class 3 Districts:

- IND2 Medium to Heavy Industrial District - IND2
- IND3 Limited Services Industrial District - IND3

Except for Permitted Use permit applications, in addition to the review and administrative costs above, the applicant will also be responsible for all costs related to advertising of any required public notice and subsequent public hearing. This may include but is not limited to: advertisement in a local newspaper; written notice to landowners; posting of public notice on-site in other public places; any materials required in the preparation or posting of the notice; and any separate facility rental to accommodate the public hearing if a venue larger than Council's chambers is required.

Further, where consultation with other professionals is required in the review of any application, those costs may also be the responsibility of the applicant and will be communicated to the applicant prior to review on a cost-recovery basis.

Council, at its discretion, may consider a waiver of any fee prescribed in this bylaw where:

- 1) Formal written request is made by the applicant;
- 2) Municipal resources required to process the specific proposal are negligible, or the fees prescribed would be excessive in the specific circumstance; and
- 3) A decision on the fee waiver is done by resolution of Council.

*Where a textual amendment to the North West Resource Corridor District Plan is sought, it must be reviewed by the District Planning Commission in addition to the municipality in which the request is initiated. Where the amendment affects other municipalities within the Planning District, each participating municipality must pass complementary amendments to effect the change to the plan; in which case the greater fee is to be applied.

SCHEDULE "B"

TO BYLAW NO. 1056-20

Town of Kerrobert – Planning and Development Fee Bylaw Rationale

Introduction:

Development permit fees are intended to recoup at least a portion of the costs of the processing and review of a development permit. A rationale for the schedule of fees prescribed in Schedule 'B' is hereby provided in accordance with subsection 51(2.1) of *The Planning and Development Act, 2007*.

The time required for processing and hourly rate reflect a low estimate of contracted private planning services available in Saskatchewan. The volume of development within the Town of Kerrobert (Town) does not warrant a full-time planner on staff. Retaining the services of a private planning consultant on an on-demand basis is more cost-effective option for the Town. This approach will be reviewed on a periodic basis.

It is noted that while the private planning consultant may assume responsibility for most of the review process provided for in this bylaw, additional time and resources will be required of the Town nonetheless and will vary from proposal to proposal.

The fees presented in Schedule 'A' may be lesser than the general estimated costs listed in this rationale document. Council may elect to adopt a fee schedule lesser than estimated costs at its discretion and in the best interest of the Town and its ratepayers. In application, on average the fees prescribed should not exceed cost-recovery.

The Process:

The sections below outline the duties and responsibilities of the Town upon receipt of an application, and its process for review and the resources required, or having those responsibilities handled by an outside planning consultant.

Application for Permitted Uses (Principal, Accessory, and Ancillary): Three (3) hours @ \$65.00/hour
Signs: One (1) hour @ \$65.00/hour

The review process includes:

- Review of the physical application for completion;
- Determination of land use designation and zoning;
- Review of site plan, real property report, or engineering compliance certificate where applicable;
- Review of the application for bylaw compliance and requirements for the specific development;
- Finding roll number and reviewing the file for previous development;
- Retrieval of a copy of title to determine if there are any interests or restrictions placed on the land;
- Preparation of any materials or information for Council (where required);
- Identification of municipal access and servicing requirements; and
- Consultation with governmental ministries or agencies (where required).

Application for Discretionary Use:

Five (5) hours @ 65.00/hour

In addition to the process involved for review of a permitted use, the review of a discretionary use application also involves the following:

- Discretionary uses applications require additional resources and time for review. The nature of a discretionary use warrants special consideration by Council on its operation and effect(s) on surrounding land uses.
- Each discretionary use application must be presented to Council. A detailed summary of the proposed use must be prepared to outline all of the relevant regulations and development standards related to said use, and any evaluative criteria that Council must apply in its decision-

making process. Further information gathering specific to the site and the proposal is often required for inclusion in the summary.

- Applications for discretionary use are also subject to the public notification requirement in section 55 of *The Planning and Development Act, 2007*. In addition to the costs incurred by the municipality to provide adjacent landowners with notice (which are addressed separately below), there may be additional time required by administration or outside planning services to process and present to Council any feedback that was received as a result of adjacent landowner notification.
- The review of a discretionary use application may also require consultation with outside professionals, government ministries or agencies, to ensure proper development.
- All of the above result in additional time and resources required for review.

Additional Administrative Costs Related to Permitting

Other administrative costs are attributable to the development permit review process, are included in the fees listed in Schedule 'A' of the Development Fee Bylaw, and are as follows:

- Initial intake and review of the permit application;
- File preparation, organization and filing;
- Printing and copying material related to the permit review and for circulation to Council (where required);
- Site visitation; and
- Consultation with outside professionals, government ministries or agencies (where required).

Minor Variance Applications:

Three (3) hours @ 65.00/hour

The review process includes:

- Review of the physical application for completion;
- Determination of land use designation and zoning;
- Determination of whether the proposed variance meets the legislated provisions for variance;
- Assess for potential impact on adjacent landowners;
- Retrieve a copy of title to determine if there are any interests or restrictions placed on the land;
- Preparation of any materials or information for Council;
- Notification to adjacent landowners and the handling of any potential response; and
- Consultation with governmental ministries or agencies (where required).

Planning Bylaw Amendment Costs

Official Community Plan Amendments:

- Textual ~3.5 hours
- Map ~ 3.5+ hours

Zoning Bylaw Amendments:

- Textual ~ 3 hours
- Map ~ 3+ hours

District Plan Amendments

- Textual ~3.5 hours to 10+ hours*

The fees for bylaw amendment in Schedule "A" of the Development Fee Bylaw, represent an average approximation of the time required to receive, process, prepare and gain provincial approval (where required) for a bylaw amendment at the estimated rate for planning services of \$65.00/hr.

Amendments to an Official Community Plan and District Plan utilize additional municipal resources, as they must be submitted with supplementary documentation to the Province for review and approval.

*Where a textual amendment to the North West Resource Corridor District Plan is sought, it must be reviewed by the District Planning Commission in addition to the municipality in which the request is initiated. Where the amendment affects other municipalities within the Planning District, each participating municipality must pass complementary amendments to effect the change to the plan; in which case much of the administrative work needs to be replicated by all affiliated members and the Commission. Where a textual amendment to the District Plan

affects only one municipality within the Planning District, and subject to the provisions for amendment of the Plan specified in the North West Resource Corridor District Planning Agreement, only a bylaw amendment by the affected municipality may be required.

Where there is increased potential for a greater density of development, or greater potential for the introduction of land use conflict, an application review is generally more comprehensive and detailed to address all aspects of the proposal to ensure sustainable long-term planning and therefore, requires additional time and resources to review. Additional preparation of materials is also required where an amendment requires a mapping change. The zoning districts in Class 1 represent the lowest density of land use or land uses which poses low potential to create conflict, and those which already comprise the majority of the land in the Town. Whereas the uses and densities represented in the Class 3 zoning districts generally represent greater density of development, involve comprehensive reviews to determine suitability, and potential land use conflict. The classes of zoning districts are distinguished by:

- the intensity of development possible within the districts;
- the types of land use(s) generally accommodated within them;
- their potential to significantly alter existing land use;
- location in proximity to the lakeshore; and
- their potential to introduce land use conflict with adjacent properties.

Public Notification Costs - varies

- It is the opinion of Council that the costs related to legislated public notification and participation triggered by applications be borne by applicants and not general ratepayers. Applicants will be required to cover all costs related to the production, publication and delivery, of any public or landowner notice, and any public hearing, in accordance with the legislated public participation requirements relating to development permits, discretionary uses, minor variances, or planning bylaw amendments.
- The Town will provide an estimate of its expected costs to applicants prior to public notification and expects payment prior proceeding with notifications(s).

Enforcement

When reviewing applications, the municipality is ensuring the development conforms to municipal planning policy and regulations, and in its issuance of Notice of Decisions. In some instances where council refuses an application, or conditions are attached to a permit, follow up and bylaw enforcement is required which are additional costs for the RM. The covering of these costs should be accumulated through each individual development permit application fee to assign the costs to developers and not the entire community. No specific portion of the planning and development fees have been attributed to enforcement, but it is recognized that that this is a factor in fees charged by the Town.