

FILE: 09-3900-20/23

REPORT DATE: October 24, 2023 **MEETING DATE:** November 07, 2023

TO: Mayor and Council

FROM: Patrick Ward, Director of Planning and Development

SUBJECT: Development Application Fee Bylaw and Residential Community Amenity Contribution Policy Update

CHIEF ADMINISTRATIVE OFFICER REVIEW/APPROVAL:



RECOMMENDATION(S):

THAT Council:

- A. Grant first, second and third readings to Development Application Fee Bylaw Amendment Bylaw No. 2963, 2023 as presented at the November 7, 2023 Council Meeting; AND
 - B. Approve the amendments to 'Council Policy C091 Residential Community Amenity Contributions' as presented at the November 7, 2023 Council Meeting; OR
 - C. Other.
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PURPOSE

To bring forward to Council proposed amendments to the Development Application Fee Bylaw No. 2629, 2013 in order to update existing fees and to introduce fees for the new Development Permit Areas that form part of the new Official Community Plan, which was adopted in 2022. This report also brings forward updates to the contribution rates in the Residential Community Amenity Contribution Policy.

☐ Information Report

☒ Decision Report

☐ Direction Report

DISCUSSION

Background:

Development Application Fee Bylaw

The City's Development Application Fee Bylaw sets out the fees charged for planning and development applications and other services. The recommended amendments will update the existing fees, which have not been generally updated since 2013, and add application fees for the new development permit areas included in the new Official Community Plan.

Residential Community Amenities Contributions Policy

Adopted in 2017, the Residential Community Amenities Contributions Policy provides guidance on developer contributions to offset the impact of urban residential development on community amenities, when considering rezoning applications for residential projects. The purpose of the amendments is to update the contribution amounts to reflect inflation that has occurred since 2017.

The policy does not apply to non-market housing and affordable housing projects secured by housing agreements (as defined in section 483 in the *Local Government Act*), housing located outside the urban containment boundary, or the commercial or office portions of mixed use projects. These are dealt with on a case-by-case basis as they have different impacts and considerations than typical urban residential development.

Relevant Policy, Bylaw or Legislation:

The *Community Charter* requires that local governments have in place bylaws for collecting fees; a municipality cannot collect a fee for a service without having it specified and adopted within a bylaw.

Analysis:

The City has not reviewed development application fees since 2013. Staff recommend increasing existing fees for all planning and development applications and services in step with the Consumer Price Index, which rose by 22% between 2013 and 2023.

Also included are new recommended fees for applications to develop within the new development permit areas, included as part of the OCP that was adopted last year. These new development permit areas include:

- Development Permit Area No. 2: Riparian Areas
- Development Permit Area No. 3: Wildfire Hazard
- Development Permit Area No. 4: Slope Hazard
- Development Permit Area No. 5: Farmland Protection

The fee structure for development permit applications in these new areas, which apply primarily to the rural areas of the municipality, offers lower application fees for new single-family homes and renovations of existing single family homes than for other types of more complex development, such as commercial or industrial development. Staff anticipate that the majority of development permit applications in these areas will be for single-family homes. Agricultural buildings and activities are exempted from the development permit area requirements in an effort to minimize regulations on farming, in keeping with the objective of other OCP policies and provincial regulations.

Other types of development (commercial and industrial) in these new development permit areas will be required to pay fees that are consistent with the fees for existing development permit areas. Applicants will also pay an additional amount per additional new unit (for residential developments) or on a development site area (for commercial and industrial development), consistent with other existing development permit fees. This graduated fee structure reflects that applications for larger developments can be complex and require more City resources to review and manage.

Applications for land located in more than one development permit area will be required to pay the fee of the highest value development permit plus \$150 for each additional development permit type. This combination fee shall not apply to development resulting in the subdivision of land and those development applications will pay all relevant development permit fees.

Finally, staff are proposing to include a new provision in the fee bylaw that doubles applications fees in the case of land alteration without a development permit and buildings and structures constructed or partially constructed without building permits from the City (i.e., retroactive applications). Such applications generally require additional staff time and City resources for: site visits, inspections, compliance and application correspondence, records management, and follow-up. These additional costs to the City are estimated to be proportional to the type and number of required approvals and permits; therefore, doubling of fees would reduce the financial impact to the City of the average retroactive application.

Staff compared the City's existing development fees with those of other municipalities, including Maple Ridge, Port Coquitlam, Port Moody and Langley Township. Given that the municipality has not increased development application fees since 2013, the City's fees have fallen behind those charged by other municipalities. Increasing the fees as proposed will bring them in line with other local governments. Staff recommend reviewing the fees again in 2025.

Residential Community Amenities Contributions Policy

The current community amenity contribution amounts in Policy C091 were determined based on a 2017 economic analysis. At this time, staff propose increasing the contribution rates based on the Consumer Price Index which rose 15% between 2017 and 2023. It is noted that a more comprehensive review of the Policy has been identified as a future housing action initiative,

particularly as it relates to community amenity contributions for larger development applications. The recommended new rates are as follows:

Housing Type	Existing Contribution Rate per Unit	New Contribution Rate per Unit
Single Family	\$4,500	\$5,200
Townhouse	\$4,000	\$4,600
Apartment	\$3,000	\$3,500
Mixed Use	\$3,000	\$3,500

COUNCIL STRATEGIC PLAN ALIGNMENT

- ☐ Principled Governance ☒ Balanced Economic Prosperity ☐ Infrastructure
☐ Community Spirit & Wellbeing ☐ Corporate Pride ☐ Public Safety
☐ Not Applicable

Fiscal Stewardship and Accountability: Strive to maintain an informed balance between taxation levels and the delivery of quality services.

WORKPLAN IMPLICATIONS

- ☒ Already accounted for in department workplan / no adjustments required
☐ Emergent issue / will require deferral of other priority(ies)
☐ Other

FINANCIAL IMPLICATIONS

- ☐ None ☐ Budget Previously Approved ☐ Referral to Business Planning
☒ Other

The changes will generally result in increased revenue for the City per development application, in step with the Consumer Price Index.

PUBLIC PARTICIPATION

- ☒ Inform ☐ Consult ☐ Involve ☐ Collaborate ☐ Empower

Comment(s): The public will be informed of the minor changes to the City's bylaws through this report and Council presentation.

KATZIE FIRST NATION CONSIDERATIONS

Referral ☐ Yes ☒ No ☐ Other

No impacts to Katzie First Nation were identified.

SIGN-OFFS**Written by:**

Dana K. Parr,
Planner II

Reviewed by:

Colin O'Byrne,
Manager of Planning

Patrick Ward,
Director of Planning and Development

ATTACHMENT(S):

- A. Development Application Fee Amendment Bylaw No. 2963, 2023
- B. Council Policy C091, Residential Community Amenity Contributions, with tracked changes