

RURAL MUNICIPALITY OF SPIRITWOOD NO. 496

BYLAW NO. 2023-3

A BYLAW TO ESTABLISH PLANNING AND DEVELOPMENT FEES

The Council of the Rural Municipality of Spiritwood No. 496 in the Province of Saskatchewan enacts as follows:

1. SHORT TITLE

This bylaw may be cited as the “Development Fee Bylaw”.

2. DEFINITIONS

“The Act” shall mean the *Planning and Development Act, 2007*.

“Development” shall mean the carrying out of any land use or building, engineering, mining or other operations in, on or over land or the making of any material change in the use or intensity of the use of any building or land.

“Development Officer” shall mean the development officer appointed by the municipality.

“Proposed Development” shall mean a permitted or discretionary use within the Rural Municipality of Spiritwood No. 496 Zoning Bylaw for which a person or corporation has made application for a development.

“Official Community Plan (OCP)” shall mean the Rural Municipality of Spiritwood No. 496 & Village of Leoville District Plan.

“Zoning Bylaw” shall mean the Rural Municipality of Spiritwood No. 496 Zoning Bylaw.

3. INTENT

1. Whereas the Council deems it desirable to establish planning and development fees for the purpose of recovering all or part of the costs associated with a proposed development.
2. To impose and provide for the payment of development fees.
3. To set out conditions upon which the development fees will be applied to specific land uses and zoning districts.

4. ADMINISTRATION AND ENFORCEMENT

Council hereby delegates the Development Officer the duty and authority to enforce and administer this bylaw. Only Council has the authority to enter into servicing agreements.

5. PURPOSE

1. Discretionary use applications and minor variance applications may require the expertise of qualified professionals and public consultation to hear any comments on the proposed application.
2. District Plan Amendments & Bylaw Amendments require the expertise of qualified professionals to review changes & make recommendations in addition to public consultation & public hearings.
3. Development fees are intended to reimburse the municipality for the costs associated with permitted use applications, discretionary use applications, minor variance applications, subdivision applications and amendments to the District Plan and Zoning Bylaw.

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6. APPLICATION

1. Planning and development acknowledges the use of land and buildings and its compliance with the District Plan and Zoning Bylaw.
2. Planning and development permit fees, attached as Schedule "A" to this Bylaw, will be applied to recover all or a part of the costs of the processing of the various applications for development in the Rural Municipality of Spiritwood No. 496.
3. Schedule "A" may be updated to reflect increases to costs incurred by the municipality. Any revisions to Schedule "A" shall apply to development permit applications accepted by the municipality after the date the revision is adopted.

7. PAYMENT

The development fees provided in this bylaw shall be paid at the time of application for a development permit.

8. PENALTY

For active work requiring permit for which a permit has not been obtained prior to commencing such activity or work in accordance of the provisions of *The Planning and Development Act, 2007* and related regulations, a fee of double the development shall be applied.

9. REPEAL

On enactment of this bylaw, Bylaw No. 2022-7 is hereby repealed.

10. ENACTMENT

This Bylaw shall come into force on the final date of passing thereof.

Read three times by unanimous consent of Council this 10th day of October, 2023.

Reeve

(Seal)

Administrator

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Schedule “A” – Fee Schedule

Development Permit Applications

Permitted Uses - Ag	\$90.00
Permitted Uses - Residential	\$125.00
Minor Variance	\$185.00
Discretionary Uses	\$200.00

Zoning Bylaw Amendment Fees

An applicant proposing an amendment to the Zoning Bylaw may be subject to the following fees:

Zoning Bylaw Text Amendment:	\$600.00
Zoning Bylaw Map Amendment:	\$500.00
Official Community Plan Amendment:	\$750.00

In addition to the above noted fees, the applicant shall be solely responsible for all of the costs associated with the following:

Public Notice Advertising	Equal to the fees charged by the advertising company for satisfying public notification requirements in the local newspaper.
Professional Services	Equal to the fees charged by the professional for work done or services performed for planning, engineering, legal or other professional expertise necessary to facilitate an application or implement council decisions.
Land Title Services	Equal to the fees charged by Information Services Corporation (ISC) for title searches, plans of survey & any other documentation necessary to facilitate an application.
SAMA Inspection Fee	Equal to the fees charged by SAMA for assessment services.
Building Official Fees	Equal to the fees charged for plan review, field inspection of construction and enforcement services charged by the building official and are in addition to the above fees
Real Property Survey	Where required and shall be the responsibility of the property owner and are in addition to the above fees.

Development Appeals Board Fees:	\$300.00
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The maximum amount set out in The Planning and Development Act, 2007 for an appeal is \$300. The costs associated with the review and processing of an appeal by staff, council and professional expertise has been identified at a higher cost than the maximum allowed.

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Schedule B – Justification of Fees

Planning and development fees are intended to allow the municipality to recoup the costs involved in the review, public notice, approval, regulation and issuance of development permits, discretionary uses, minor variances, and planning bylaw amendments. Each application received by the municipality requires varying levels of time, resources and expertise to ensure compliance and compatibility.

The time required for processing and hourly rates reflect a low estimate of contracted private planning services available in Saskatchewan, plus administrative time and resources required for review, processing, and execution.

The fees prescribed are an estimate and reflect the average amount of municipal time and resources involved in a review.

	Time Required for Review, Reporting & Response	Hourly Cost	Office Expenses	Public Notice Letters	Total RM Fees
Permitted Use Development Permit Applications	Ag - 1 hour Res – 2 hours	\$50.00/hr \$50.00/hr	\$17.50 \$25.00		\$ 90.00 \$125.00
Discretionary Use Development Permit Applications	3 hours	\$50.00/hr	\$25.00	\$25.00	\$200.00
Minor Variance Applications	3 hours	\$50.00/hr	\$25.00	\$10.00	\$185.00
Bylaw Amendments-Map Text	8 hours 10 hours	\$50.00/hr	\$50.00	\$50.00	\$500.00 \$600.00
OCP Amendments	12 hours	\$50.00/hr	\$100.00	\$50.00	\$750.00

The complexity of the application and identified rate of each professional can result in variable costs. The applicant will be billed the cost borne by the RM on a cost recovery basis. A retainer in the amount of \$500 may be required from the applicant to be applied to professional costs. Terms of an agreement may necessitate that the applicant fund the cost of creating the necessary agreements. The cost is to be paid prior to the agreement being signed.

All fees are non-refundable.

Payment of the above fees shall not be presumed to constitute an approval by Council.

Issuance of a development permit does not exempt the applicant/developer from any required Building Permit Review and inspection process.

Cash in Lieu

Dedication of Municipal Reserve may be met by a monetary settlement in lieu of land. The payment must be equivalent to the value of the land that would have been dedicated.