



**GEORGINA**

**Subject:** Amendments to Site Alteration By-law

**To:** Mayor and Council

**From:** Michael Bigioni  
Director of Legislative Services and Town Solicitor

**Date:** May 8, 2024

**Briefing:**

In the course of a review of By-law No. 2022-0038 (REG-1), being the Town's Site Alteration By-law, it has come to the attention of staff that some of the fees for the processing and administration of major site alterations that are provided for in the by-law require review to ensure that their amounts are fixed in accordance with the requirements applicable to fees charged by municipalities for services they provide. Municipalities need to be able to demonstrate that there is a reasonable connection between the cost of the services provided and the amounts charged; if that is not the case, there is a risk that the fees in question may be found to be invalid if they are challenged.

Staff are therefore proposing that the fee per cubic metre of fill to be placed in major site alterations (that is, site alterations involving the placement of over 2,000 cubic metres of fill) be set at \$0.75, a figure that reflects the actual cost to the Town of providing the inspection and administrative services necessary to maintain adequate environmental and engineering controls over such operations.

Staff are also proposing an increase in the application fee applicable to major site alterations to \$12,000, as it has been determined that the cost of receiving, reviewing and processing the materials that must be prepared in connection with such applications greatly exceeds the amount presently provided for in the Site Alteration By-law.

The above-mentioned changes are contained in a proposed by-law appearing on today's Council agenda. It should be noted that these changes will not affect smaller site alterations, including those associated with typical residential building permit applications, the fees for which will remain unchanged.