



TOWN OF WASAGA BEACH

ENGINEERING REVIEW FEE POLICY 7-5

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1. PURPOSE

The purpose of this policy is to establish a consistent and standardized process with respect to the establishment of development engineering review fees for the services of the Engineering Department within the Town of Wasaga Beach.

2. POLICY STATEMENT

The Town of Wasaga Beach deems it necessary to maintain a rate fee for Developers and implement a cost recovery mechanism for the required engineering review of all new developments within the Town. Developers shall pay the Town's costs and expenses for staff and consultant services for development review as set out in this Policy rather than imposing the costs upon Town residents / taxpayers.

3. DEFINITIONS

"Council" means the Council for the Corporation of the Town of Wasaga Beach.

"Developer" means a person or company developing lands within the Town of Wasaga Beach.

"Engineering Review Fee Summary" means a Schedule to the Site Plan / Subdivision / Development Agreement between a Developer and the Town of Wasaga Beach, setting out the costs to be paid to the Town for Staff Time allocated towards the review of a specific development.

"Estimated Construction Cost" means the total anticipated cost of construction for all Site Works required for a development including internal and external works based on detailed quantities and itemized costs as prepared by the Developer's Engineer.

"Modified Estimated Construction Cost" means the finalized construction cost estimate prepared by the Developer's Engineer based on the development design that is accepted for construction by the Town, which outlines the cost of Site Works associated with engineering review efforts, as agreed by the Town.

"Site Works" means the construction and installation of all municipal and private infrastructure and public services.

"Staff Time" means the amount of time spent by internal and external staff retained by the Town of Wasaga Beach including third party consultants as required to complete engineering review of development applications.

“*Stage 1*” means the planning approvals processes for development applications including Official Plan and Zoning By-law Amendments and Draft Plan Approval.

“*Stage 2*” means detailed engineering design review for development applications including technical reports and design drawings that are to be accepted for construction by the Town as required for development approval.

“*Stage 3*” means the construction review of development including site inspections and review of municipal infrastructure testing up to and including final municipal acceptance / assumption.

“*Town*” means the Corporation of the Town of Wasaga Beach.

4. POLICY FOR ENGINEERING REVIEW FEES

Cost recovery for Town Staff Time associated with engineering review for development applications including but not limited to Official Plan Amendments, Zoning By-law Amendments, Draft Plan Approvals, Subdivision and Site Plan applications as well as construction review shall be funded by the Developer as outlined in this Policy.

The total engineering review fee to be paid by the Developer for all three (3) Stages of development review shall be based on a percentage of the Estimated Construction Cost (including HST) as follows:

Estimated Construction Cost	Engineering Review Fee
< \$500,000	5% of the total estimated construction cost
\$500,000 - \$1,000,000	4.5% of the total estimated construction cost
> \$1,000,000	4.0% of the total estimated construction cost

The above fees include HST and shall be payable to the Town prior to commencement of each stage of development review as outlined below.

The above fees are based on a development application being reviewed and “Accepted for Construction” by the Town within three detailed design submissions. Should the application require more than three design submissions, the developer will be required to pay an additional lump sum fee of \$1,200 for each subsequent submission.

Engineering and construction review of developments are conducted in the following three stages:

- a. **Stage 1** – Planning Approvals – Review and comment regarding Official Plan and Zoning Approval and Draft Plan Approval.
- b. **Stage 2** – Detailed Engineering Design Review – Review, comment and acceptance of detailed design drawings, associated reports and the Site Plan / Subdivision Agreement and associated agreements.

- c. **Stage 3** – Construction Review – Periodic site reviews and review of infrastructure testing to ensure conformance with Municipal and Provincial standards, accepted for construction drawings and Site Plan / Subdivision Agreement as well as provide recommendations for construction security reductions, maintenance holdbacks and municipal acceptance / assumption.

The fixed fee for engineering review shall typically include the following efforts from engineering staff:

1. “Stage 1: Planning Approvals” shall include review and acceptance of:

- a. Preliminary Functional Servicing Report (FSR) – max. 2 submissions.
- b. Preliminary Stormwater Management (SWM) Report including appended design drawings for proposed drainage and SWM facilities – max. 2 submissions.
- c. Traffic Impact Study (TIS) – max. 2 submissions.
- d. Planning Needs/ Justification Report – 1 submission.
- e. Preliminary Geotechnical Report – 1 submission.
- f. Preliminary Site Plan or Draft Plan of Subdivision (as applicable) – max. 2 submissions.

Engineering review and provision of comments for stage 1 will include attendance at one (1) design review meeting with Planning staff.

2. “Stage 2: Detailed Engineering Design Review” typically may include, but is not limited to review and acceptance of the following:

- a. Final FSR – 1 submission.
- b. Final SWM Report – 1 submission.
- c. Final Traffic Impact Report – 1 submission.
- d. Final Geotechnical Report – max. 2 submissions.
- e. Arborist Report – 1 submission.
- f. Final Site Plan / Plan of Subdivision – max. 2 submissions.
- g. Detailed design drawings – max. 3 submissions for all drawings.
- h. Storm and sanitary sewer design sheets – max. 2 submissions.
- i. Overall Comprehensive Plan of Easements – Maximum 2 Submissions.
- j. Operations and Maintenance Manual – max. 2 submissions.
- k. Estimated Construction Cost – max. 2 submissions.
- l. Review of Site Plan / Subdivision Agreement (as applicable) – max. 2 revisions.
- m. Any other reports and drawings required to satisfy the conditions of Draft Plan / Site Plan approval.

Engineering review and provision of comments for stage 2 will also include attendance at the following meetings:

- i. One (1) Design Review Meeting with Town Planning Staff (each submission).
- ii. One (1) Design Review Meeting with Developer's Engineer (each submission).
- iii. One (1) Meeting with Planning Staff to Review First Draft of the Subdivision / Site Plan Agreement.
- iv. Two (2) additional meetings (any purpose)
- v. Discussions and Meetings with Regulatory Agencies such as NCVA, MOECC and MTO.

3. **“Stage 3: Construction Review” typically may include, but is not limited to the following efforts from the Public Works Engineering Division office:**

- a. Coordination and attendance at a Pre-Construction Meeting to be held with the developer, the developer's engineer/ site inspector, the contractor, and Public Works staff.
- b. Review of the Pre-Construction Meeting Minutes and attached documentation, all of which is to be prepared by the developer's engineer.
- c. Review and acceptance of a Traffic Control Plan prior to works within Municipal rights-of-way.
- d. Periodic site reviews of internal construction works and regular site reviews of external construction works.
- e. Coordination and attendance on site to review all testing of Municipal infrastructure/ servicing including watermains, sanitary and storm sewer servicing in accordance with OPSS and the Town of Wasaga Beach Engineering Standards. Each test should be pre-qualified by the contractor and the developer's engineer prior to Public Works staff attending to review the final test. Where possible, the developer's engineer and the contractor shall try to schedule multiple tests during one site visit to reduce the number of reviews required by the Town.
- f. Preparation and issuance of the Certificates of Completion and/or review of the Certificates issued by the developer's engineer in accordance with the Site Plan / Subdivision Agreement.
- g. Review of developer's request for reduction of construction securities to 10% upon completion of all works in accordance with the Site Plan / Subdivision Agreement including attendance at a final inspection of site works and provision of recommendation to Town Planning staff.
- h. Review of the developer's request for release of remaining construction securities upon completion of the maintenance period in accordance with the Site Plan / Subdivision Agreement including attendance at site review at the end of the maintenance period and provision of recommendation to Planning staff.
- i. Review and acceptance of “Record Drawings” to be prepared by the developer's engineer in accordance with Town Engineering Standards – max. 2 submissions

Fees are outlined in the Engineering Review Fee Summary per Schedule 'A' of this Policy. The summary will also be a Schedule to the Site Plan / Subdivision / Development Agreement.

Regardless of the fees paid by the Developer, Town's staff and consultants solely represent the Town and the Town's interests and do not represent the Developer.

5. PROCEDURE FOR INITIAL LUMP SUM FEE PAYMENTS

Through the development review process, Developers will be required to provide an Estimated Construction Cost prepared by the Developer's Engineer to the satisfaction of the Town. The estimate(s) shall be used for construction security requirements as well as to establish engineering review fees for the development.

It is recognized that a detailed Estimated Construction Cost will not be available at the time of Stage 1 – Planning Approvals. At this initial stage of the development application, the applicant would not have completed sufficient engineering design to determine a detailed estimate. Therefore, Town engineering staff will estimate an appropriate fee at the time of the Stage 1 / first application submission based on historical data from similar sized and comparable developments completed throughout Town. Accordingly, the Stage 1 / first submission engineering review fee will be required from the Developer prior to completion of an Engineering Review Fee Summary.

When Stage 1 is complete, the estimated fee amount will be reviewed by the Town to confirm if sufficient fees were provided, based on an Estimated Construction Cost submitted by the Developer's Engineer. If it is determined that expenses exceed the amount provided for the Stage 1 lump sum fee amount, additional fees will be requested by the Town for the subsequent lump sum fee.

In the event that a Site Plan application is submitted for lands that have appropriate Official Plan and Zoning By-law designation for the proposed land use, Stage 1 of development review would not be required and 5% of the total engineering review fee (i.e. 10% of the pre-construction review fees) will be "deemed paid" in the Engineering Review Fee Summary. This is not applicable however for Subdivision applications.

Any / all engineering review fees submitted by the Developer at each Stage shall not be refunded unless the project does not proceed with the Stage / works for which the fee was provided.

6. BREAKDOWN OF SUBSEQUENT ENGINEERING REVIEW FEE PAYMENTS

The total engineering review fee will be based on the percentage of the Estimated Construction Cost provided by the Developer's Engineer as outlined in Section 4 above. The total fee will be broken down proportionately to identify lump sum fee requirements for each Stage / submission of development review as follows:

- 25% of the estimated fee due upon first submission of development application
- 25% of the estimated fee due prior to issuance of "Accepted for Construction" design drawings
- 50% / the remainder of the confirmed total engineering review fee due upon execution of the Site Plan / Subdivision / Development Agreement

The fee amount provided for the first submission will be identified in the Engineering Review Fee Summary appended to the Development Agreement. The Agreement will identify the approved Estimated Construction Cost and outline the fees previously provided for pre-construction review (i.e. Stages 1 and 2 first submission and "Accepted for Construction" drawings lump sum fees) as well as construction review (i.e. Stage 3) fee requirements. The fees previously provided will be subtracted from the total required review fee to establish the final lump sum fee required for construction review.

The Stage 3 – Construction Review fee may also be broken down into various lump sum payments based on the proportionate cost for each proposed phase of construction, to the satisfaction of the Town. The proportionate lump sum fee will be required prior to commencement of construction for each phase of works.

The Developer may choose to proceed with individual phases of the development under the original Development Agreement, and subsequent phases may proceed under Amending Agreements. Accordingly, the proportionate engineering fees for each phase of development will be reviewed and adjusted as applicable under each Amending Agreement.

In addition to fees associated with construction phases, review of the total fees may be required from time to time to cover inclusion of additional works identified through the construction process.

All lump sum engineering review fees are the total cost to the Developer including HST.

7. RISK MANAGEMENT OFFICIAL AND RISK MANAGEMENT INSPECTOR FEES FOR SOURCE WATER PROTECTION

In accordance with the terms of the Clean Water Act (2006), municipalities in Ontario are required to appoint a Risk Management Official (RMO) and Risk Management Inspectors (RMI) to ensure that the municipality's drinking water sources are protected. In the Town of Wasaga Beach, the RMO / RMI office resides within the Engineering Department.

The Source Water Protection Plan for the South Georgian Bay Lake Simcoe Source Protection Region was approved by the Ministry of the Environment and Climate Change on January 26, 2015 with an effective date of July 1, 2015. As such, the Town is required to fulfill its obligations for source water protection in accordance with the Clean Water Act.

In accordance with Section 57 of the Clean Water Act, any proposed developments that propose a land use activity that would create a significant threat to the Town's drinking water sources (as determined by the RMO) shall be prohibited. Therefore, any Development applications that propose activities that could present a threat to the Town's drinking water source will require review and comment from the Town's RMO office.

In addition to new development applications, source water protection also applies to existing land use activities. In accordance with Section 58 of the Clean Water Act, any current property owners / persons engaged in activities that present a significant threat to the Town's drinking water source require a Risk Management Plan in order to mitigate the existing threat. This requires review and negotiation with the Town's RMO to approve / establish an acceptable plan for mitigation.

Any developer and/or current property owner / persons engaged in activities that requires the review and Staff Time from the RMO and RMI will be invoiced for the time spent attending to the source water protection related matters.

The hourly rate for the RMO and RMI shall be in accordance with the town's current Fees and Charges By-law. The hourly rates (when applicable) would be in addition to any fees identified in the Engineering Review Fee Summary appended to the Development Agreement.

SCHEDULE 'A'

Engineering Review Fee Summary

SCHEDULE "A"

This is Schedule "A" to the Engineering Review Fee Policy and shall form a Schedule to the Site Plan / Subdivision Agreement between The Corporation of the Town of Wasaga Beach and **Insert Developer's name*

Schedule "A" to the Agreement details the fee structure and payment information for development engineering review.

***Modified Estimated Construction Cost:** \$ (incl. HST)

(Provided by Developer's Engineer – Schedule "X")

A = Estimated Construction Cost (including 10% administration/contingencies and HST)

Total Engineering Design & Construction Review Fee \$ (incl. HST)

(Based on *(4%, 4.5%, or 5%) of the Estimated Construction Cost)

B = *X% x A

Amount "deemed paid" by the Developer

(To be credited for Site Plan applications that already have Stage 1 Approvals)

C = 5% x B (10% of the pre-construction review fee)

First submission lump sum fee previously paid \$ (incl. HST)

(Determined by Town Engineer and paid by Developer – estimated 25% of total fee)

D = *(Amount previously paid by Developer)

"Accepted for Construction" lump sum fee previously paid

(Based on Estimated Construction Cost prior to acceptance of drawings)

E = 25% x B

Detailed design submissions after the third design submission \$ (incl. HST)

(Paid by developer prior to review and comment of each submission following the third)

F = *X x \$1,200

Stage 3 - Construction Review Fee Estimate \$ (incl. HST)

(Based on Remaining fee outstanding)

G = B - C - D - E

Phase 1 Construction Review Fee Estimate \$ (incl. HST)

G1 = *X% x F (based on proportionate construction cost for phase 1)

Phase 2 Construction Review Fee Estimate \$ (incl. HST)

G2 = *X% x F (based on proportionate construction cost for phase 2)

The fees for each phase of Stage 3 Construction Review are an estimate only, and may need to be revised in an Amending Agreement to the satisfaction of the Town prior to commencement of each phase of construction.

***NOTE: An asterisk “*” denotes wording or calculations to be amended / inserted according to the specific development project agreement.**